

Dear House Committee on Judiciary,

Please reject this damaging and clearly unconstitutional proposal and ensure that it doesn't make it out of Committee. The complete disregard for the constitutional rights of law-abiding citizens displayed by the authors of HB 3075 and the proponents of Measure 114 is just astounding.

HB 3075 is an outrageous legislative end run around the judicial system – a near carbon copy of the duplicitous and misleading Measure 114, which passed by a bare majority of votes – and then only because it was sold to the voters under false pretenses - just like Measure 110.

The fact that the Legislature proposed this bill at the same time Measure 114 was tied up in court is an egregious affront, as is the continuing abuse of the “emergency clause”. That, coupled with the fact that any legal challenge to these infringements can only be heard in Marion County, makes it clear the Legislature cares little about what The People actually think, and functions merely to placate their chosen interest groups.

This bill, along with Measure 114 throw up procedural roadblocks that can be manipulated by the state administration to prevent law abiding Oregonians from purchasing firearms. The “permit to purchase” that is the heart of these measures is currently impossible to obtain. This is the precise reason that Measure 114 was challenged in the state and federal courts. How is it that we are going to be required to apply for a permit to exercise our constitutional right to self-defense? Are we required to apply for a permit to exercise our right of free speech? Of religion? Of course not! The exorbitant cost of the permit itself could present a barrier to entry to those who need the protection of a firearm the most. Measure 114 clearly was not ready for implementation when it was passed and the chaos it created appeared to be deliberate. Given the general ineptitude of Oregon state leadership, it's doubtful that HB 3075 will have a different outcome. Oregon already has a robust background check system. What more do we really need?

This bill purports to “promote the public health and safety of the residents of this state.” Where is the evidence of this? Most of the folks testifying in support are from the northwest part of the state – the Portland metro. They have an irrational fear of those firearms to begin with, so the only answer for them is to ban firearms completely, which Measure 114 – and this bill - lays the groundwork to do. If these supporters feel so strongly, why don't they advocate for local firearms bans, and leave the rest of us alone?

I would ask the supporters of this measure – do they think that criminals will bother to apply for a permit prior to procuring a firearm? Do they realize that the largest suicide demographic - white rural males – likely already have access to a firearm? As someone who has experienced suicide in their immediate family, I will tell you that a person does not need a gun to die by suicide. In a state that seemingly embraces death – through abortion, “physician assisted suicide,” and lax drug enforcement policy, it seems ironic that this proposal would be styled as a way to reduce deaths in Oregon.

HB 3075 softens some of the more burdensome provisions of Measure 114, such blocking permit application records from public disclosure; however, anyone with a modicum of common sense does not trust that this information won't be obtained by those who wish ill intent towards gun owners. Sorry folks – the original intent was clear and the cat's already out of the bag. This bill will create a defacto gun registry, which will - intentionally or unintentionally - be used to “doxx” law abiding gun owners.

A major provision of Measure 114 and this bill – the “large capacity” magazine ban - is clearly unconstitutional. Similar bans implemented by other states have been overturned already. Why are you wasting resources trying to implement this? Even more outrageous, this ban is proposed to be retroactive to December 2022, making criminals out of those who surmised – apparently incorrectly - that that they could continue to purchase magazines of more than 10 rounds legally subsequent to that date, since Measure 114 was under injunction pending a court ruling. Beyond that, the “large capacity” magazine ban places law abiding Oregonians at high risk for prosecution for using items that they lawfully own. Yes, technically there is a “grandfather” provision, but the restrictions placed on those legally owned items are so onerous that it would be very easy to make a costly mistake.

Dangerous criminals are being turned out of our jails and prisons, and our street are flooded with the mentally ill and drug addicted, which the real danger we’re facing. So in response, you continue to make it more difficult for law-abiding citizens to exercise their Second Amendment right to self-protection? This bill, coupled with the many others currently on the docket in this Legislative session make it clear that our state’s political class wants the law abiding disarmed and unable to protect themselves from the real crime epidemic in this state. “Death by a thousand cuts,” that’s for sure.

HB 3075, if it does become law will be immediately challenged and likely overturned – at great expense to Oregon taxpayers. Does this effort represent responsible governance? I think not.

Enforce laws that are already on the books. Punish criminals and those who provide guns to them. Increase resources for suicide prevention and firearms safety training. Gun crime is not caused by guns, but by the people that use them unlawfully. That’s where the focus should be.

Thank you.

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