

Submitter: Craig Keenan

On Behalf Of:

Committee: House Committee On Judiciary

Measure, Appointment or Topic: HB4145

A key concern I would like to bring to your attention is that House Bill 4145, which implements the restrictions contained in Measure 114, includes exemptions for retired law enforcement officers, including probation officers. One of the central elements of Measure 114 is the prohibition of so-called “standard-capacity” magazines, with anything over 10 rounds repeatedly described as a “weapon of war.” It is difficult to reconcile this characterization with the notion that a retired probation officer—or any retired law enforcement officer—should be allowed to possess what ordinary citizens are told is too dangerous, and for which they can face criminal penalties.

In addition, the Oregon Constitution clearly addresses unequal treatment under the law. Article I, Section 20 states:

“Section 20. Equality of privileges and immunities of citizens. No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.”

Carving out broad exemptions for retired law enforcement while imposing criminal liability on ordinary citizens for the same conduct appears to conflict with both the spirit and the letter of this provision. I respectfully urge you to consider whether HB 4145, as written, creates an unjust and unconstitutional disparity in rights and privileges among Oregonians.