

Testimony in Opposition to HB 4145

Members of the Committee,

I submit this testimony in opposition to HB 4145, specifically due to its continuation of unequal treatment of Oregon citizens under the law.

HB 4145 implements and expands the restrictions contained in Measure 114, including prohibitions on so-called “standard capacity” magazines. For years, Oregonians have been told repeatedly that magazines holding more than ten rounds are “weapons of war” and that their possession by ordinary citizens represents an unacceptable public safety risk—punishable by criminal penalties.

Yet HB 4145 contains exemptions for retired law enforcement, including retired probation officers.

This raises a fundamental and unavoidable question:

If these magazines are truly “weapons of war,” why are they deemed acceptable for one class of citizens while remaining criminally prohibited for everyone else?

A retired probation officer is no longer acting in an official law enforcement capacity. They face the same risks, live under the same laws, and rely on the same public safety systems as their neighbors. There is no logical or safety-based justification for granting them access to items the legislature insists are too dangerous for the general public.

More importantly, this carve-out directly conflicts with the Oregon Constitution.

Article I, Section 20 states:

“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.”

HB 4145 does exactly what the Constitution forbids: it creates a privileged class of citizens while denying those same rights to others under identical circumstances.

Representative Wallan and Representative Kevin Mannix—both attorneys and members of this body—should be well aware of this constitutional limitation. At a minimum, they should be demanding amendments that remove exemptions which protect a favored class while continuing to erode the rights of ordinary Oregonians.

Public safety cannot be built on unequal application of the law. If these restrictions are justified, they must apply to everyone. If they are not, they should not apply to anyone.

For these reasons, I urge you to oppose HB 4145 as written.

Respectfully, David Lewin Portland, OR