

February 4th, 2026

Chair, House Committee On Judiciary
Oregon State Capitol
900 Court St. NE, H-285
Salem, OR 97301

RE: OPPOSE HB 4125 – Modifies the firearm permit provisions of Ballot Measure 114 (2022)

Chair Kropf, Vice-Chairs Chotzen and Wallen, Honorable Members of the House Committee on Judiciary:

My name is Alisha Overstreet. I am writing to you today in **STRONG OPPOSITION** to HB4145.

First, Measure 114 is currently still being litigated and as we wait on the Oregon State Supreme Court to render its decision on the constitutionality of Measure 114, there should be no legislative meddling in the judicial process. As many of you like to say:

“No one is above the Law.”

Let the judicial process work!

Second, and probably most importantly, is that Measure 114 is based on historically racist laws created and spearheaded by racist Southern Democrats in the South who refused to allow black slaves to own firearms UNLESS they had expressed permission from their master. Post civil-war, they then created Black Codes to further ensure Black folks – despite being free – would not be able to enjoy the same rights, privileges, and immunities that whites could UNLESS they received expressed permission from white law enforcement officials.

No other laws are analogous to the current Measure or HB4145!

When, NOT if, this would come before the U.S. Supreme Court, Oregon would be forced to waste more money on defending this law by providing racist laws that were clearly unconstitutional from their inception to defend this measure.

I suggest you take a listen to the SCOTUS oral arguments from *Wolford v. Hawaii*, to see how that worked out for Hawaii.

For your convenience, I will leave you with a list of Permitting scheme analogs below:

- " Virginia (1680): An act preventing "Negroes Insurrections" prohibited slaves from carrying arms unless permitted. Slaves on frontier plantations could be licensed by a justice of the peace to possess firearms for defense against Native American attacks, but only under controlled conditions.
- Virginia (1705): The Virginia Slave Code denied slaves the right to bear arms without written permission from their master. It also prohibited slaves from moving abroad (leaving the plantation) without such permission.
- South Carolina (1740): Slaves were forbidden from carrying or using firearms unless in the presence of a white person or with a written license from their master, mistress, or overseer. If a slave resisted seizure of an unlicensed weapon and injured a white person, the penalty was death.
- North Carolina (1741): No slave could go armed with a gun, sword, club, or other weapon, or leave their master's plantation without a written certificate of permission. Violation allowed any person to seize the weapon and whip the slave (up to 20 lashes).
- Georgia (1770): Every owner of a plantation with 10 or more slaves over age 16 was required to keep a white man capable of bearing arms as an overseer. Slaves could not carry or use firearms or other weapons unless in the presence of a white person and with a ticket or license from their master. No firearms allowed on the Sabbath or weekends. Third offense could result in the death penalty.
- South Carolina (1819): Master's written permission was required for any slave to possess a gun.
- Florida (1825): White patrols could search slave quarters for weapons and seize them. Slaves could possess firearms only with permission from their master.
- Louisiana (French Black Code, 1724/1751): Colonists were required to stop and disarm any Black person carrying a potential weapon (e.g., a cane). Slaves could possess firearms only under very controlled conditions, such as for hunting, and only with permission. If on horseback and refusing to stop, they could be shot.

Black Codes Requiring Permission for Freedmen (Black People) to Keep and Bear Arms

Black Codes were post-Civil War laws (primarily 1865–1866) enacted by Southern states to restrict the rights of newly freed Black people, often requiring licenses or permissions for firearms possession to limit self-defense and maintain control. These were modeled after Slave Codes but applied to freedmen:

- Mississippi (1865): No freedman, free Negro, or mulatto (not in U.S. military service) could keep or carry firearms, ammunition, dirk, or Bowie knife without a license from the county board of police. Violation resulted in a fine up to \$10, forfeiture of the weapon, and arrest. Whites selling or giving firearms to freedmen faced fines up to \$50 and up to 30 days imprisonment.
- South Carolina (1865): Persons of color (defined as anyone with more than one-eighth Negro blood) were not part of the state militia and could not keep a firearm, sword, or other military weapon without written permission from a District Judge or Magistrate.

- Louisiana (Opelousas Ordinance, 1865): No Negro or freedman could carry firearms or any kind of weapon within the parish without special written permission from their employer, approved by the Chief of Police or Mayor. Violation led to arrest, fine, and forced labor on public works.
- Louisiana (State Law, 1865): Freedmen were prohibited from carrying firearms on any premises or plantation without the consent of the owner or proprietor.
- Florida (1865): No Negro, mulatto, or person of color could own, use, or carry firearms without a license from the governor, approved by a probate judge. Whites could seize unlicensed weapons.
- Alabama (1866): Freedmen were prohibited from owning or carrying firearms without permission from law enforcement or an employer.
- Kentucky (1866): The civil law prohibited "colored" people from bearing arms without a license, often at the discretion of local officials.
- Texas (1866): Freedmen needed a license to carry firearms, with issuance subject to discretionary approval by officials."

Thank you for your time.

Sincerely,

Alisha Overstreet