

March 9, 2021

To: Chair Rachel Prusak and Vice-Chair Cedric Hayden, House Committee on Health Care

Re: HB 2510

As a fellow Oregon resident, I ask that you please oppose House Bill 2510, the Mandatory Firearm Storage bill.

HB 2510, imposes government-mandated standards for storing a firearm thereby rendering a person's firearm useless when needed for self-defense.

"...society does not control crime, ever, by forcing the law-abiding to accommodate themselves to the expected behavior of criminals. Society controls crime by forcing the criminals to accommodate themselves to the expected behavior of the law-abiding." — Jeff Snyder

In the *District of Columbia v. Heller* (June 26, 2008) the Supreme Court of the United States struck down provisions of the Firearms Control Regulations Act of 1975 that required all firearms, including rifles and shotguns, be kept "unloaded and disassembled or bound by a trigger lock as unconstitutional.

In *McDonald v. Chicago*, 561 U.S. 742 (2010), the Supreme Court of the United States found that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by either the Due Process Clause or Privileges or Immunities Clause of the Fourteenth Amendment against the states.

In the cases of *Heller* and *McDonald*, three very important decisions were made: (1) a handgun ban is unconstitutional, and (2) requiring that all firearms be kept "unloaded and disassembled or bound by a trigger lock" is unconstitutional – in other words, "locked up," and (3) no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

*Heller* dictated that firearms are to be left in a ready state of use. HB 2510 violates *Heller* in that the bill's requirements essentially require that firearms be locked up and unavailable for use as intended by both the United States and Oregon constitutions and the United States Supreme Court. The case of *McDonald* affirmed that.

I find that HB 2510 holding a firearm owner "strictly liable" for another's crimes is deplorable and a tyrannical threat of a government devoid of the respect of life, liberty or property. I strongly suggest that HB 2510 be withdrawn from further consideration.

It is clearly unconstitutional and in violation of previous Supreme Court rulings.

Respectfully submitted,



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