

Submitter: Anthony Pokorny
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure: SB348

SB348 is merely a copy and paste of M114. There is no need for SB348 at all. The only primary reason SB348 exists is because the knowledge or belief that M114 will fail in Courts. This is unethical and immoral. This is poor planning and likely, and should, SB348 be challenged just the same. M114 needs to be allowed its chance to see it through the courts on merit of legality and Constitutional.

Registration of firearms is considered Unconstitutional in regards to Firearms Owners Protection Act of 1968 prohibits federal database of gun owners. Even though several states have a database, such as New York and California, this idea ends up becoming a collection of gun owners for confiscations as seen in Germany before WWII in 1930's. Also, the state has no right without search warrant to know anything as to what a private law abiding citizen owns without probable cause under the basic 4th Amendment without cause. Forcing law abiding citizens to surrender their Rights of Privacy to exercise their right to self defense in all sense and purpose is blackmail, which is considered a crime, as this leads to Warrantless gun confiscations that is Unconstitutional, which the Supreme Court ruled unanimously Unconstitutional.

SB348 Redundant background checks for permit, that is permission, to buy a firearm and the purchase itself, making a mess out of the background checking systems. There is no real reasoning to repeat same background checks unless it is to stall, delay and deny a law abiding citizen from their legally purchase. Further, as seen in M114, the FBI will not and have made it clear to refuse to do background checks, which means, if no background checks are conducted, there is no firearms purchase which denies Constitutional rights to the law abiding citizen to their lawful Constitutional purchase.

SB348 forces restrictions on magazine capacity that to 10 rounds, which in effect illegalizes all firearms who own them. That is most law abiding citizens who owns firearms become criminals overnight without due process. Already, Supreme Court has ruled this type of legislation to be Unconstitutional, as well as Ghost Guns which the government has not right whatsoever to regulate whether a gun has a serial number or not.

Lastly, the fact that SB348 is a "copy & paste" of M114 is evidence that the State of Oregon, the committees, representatives, state senate, governor, and attorney general

all know for sure that M114 is Unconstitutional, will find M114 Unconstitutional, and this method to circumvent the system and undermine the Constitution is not just

legally unethical and immoral, but completely wrong.

If M114 is found Unconstitutional, then what of SB348? That would mean that Oregon going rogue and splintering away from the Constitution, which makes SB348 unenforceable. Any law abiding citizen would have the legal right to civil disobedience and defy SB348, and every sheriff in Oregon would have the Constitutional right to refuse to enforce SB348 completely. In the end, this will only divide Oregon even further. It is evident that that M114 will be found Unconstitutional and everyone pushing this legislation should be held accountable.