

Submitter: Barak Mosgrove
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

I am not usually one to voice my opinions on political matters such as this, but I feel called to reach out to you regarding this issue. I do want to provide some context that I hope will help you see why I have reached the conclusion I have. Opposition to this bill is clearly coming from both sides of the aisle for differing reasons.

Following the events of last year's election I have seen many people in my circle truly see the value in their rights to protect themselves and their families from an administration that is not acting in their interests and could very well lead to situations where they need to defend themselves.

I want to know that all Oregonians, regardless of political alignment, beliefs, socioeconomic status, or heritage are equally able to purchase and own firearms pursuant to their rights outlined in the US and Oregon constitutions without undue burden that ultimately leaves them out.

For these reasons I am writing to urge you to vote NO on House Bill 3075 (HB 3075) due to its potential for discriminatory enforcement, disproportionate impacts on marginalized communities, and serious constitutional concerns. While I fully support efforts to improve public safety, this bill risks furthering systemic inequities and creating barriers to the rights of law-abiding Oregonians, particularly people of color and lower-income individuals.

1. HB 3075 Could Enable Racial and Economic Discrimination in Firearm Permitting

The bill gives law enforcement broad discretion to determine who is “likely to be a danger to themselves or others” when deciding whether to approve a firearm purchase permit. This could negatively affect members of the LGBTQ+ community if the law enforcement agency judges them based on flawed or biased beliefs about said community when determining eligibility.

Studies show that discretionary gun permitting systems disproportionately impact Black, Latino, and lower-income applicants, even when they meet all legal requirements.

In states with similar laws, marginalized communities have been denied permits at higher rates than white applicants, despite having no disqualifying records.

2. Retroactive Punishment Violates the U.S. and Oregon Constitutions

HB 3075 criminalizes the possession of large-capacity magazines (LCMs) that were legally purchased between December 8, 2022, and the bill's passage.

The U.S. Constitution (Article I, Section 10) and the Oregon Constitution (Article I, Section 21) both prohibit retroactive punishment, meaning that individuals who followed the law at the time of purchase could suddenly be made criminals.

This is fundamentally unfair and risks being struck down in court.

3. HB 3075 Will Lead to Costly Legal Challenges and Wasted Taxpayer Dollars

If challenged in court, HB 3075 is likely to be overturned, requiring the state to waste taxpayer money defending an unconstitutional law.

The courts have already struck down similar laws that retroactively criminalized previously legal firearm ownership.

Instead of passing legislation that invites litigation, we should focus on policies that actually improve public safety instead of criminalizing and infringing on the rights of law-abiding Oregonians.