

Submitter: Bruce Kennedy-Smith
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

In opposition to HB 3075 - Relating to firearms; declaring an emergency.

Why would this legislature think it is OK to require the people of the State of Oregon to apply to the government for a permit and pay a fee in order to use their individual right to keep and bear arms? Before purchasing a firearm, we are already currently required to have a background check through the Oregon State Police which is initiated at the point of sale at the gun dealer's store. It does not make sense to make the citizens of this State of Oregon pay to get a permit to purchase a firearm and then when we go to the gun store, we will pay for a second background check at the point of purchase. Those who possess a concealed handgun license already undergo a background check and firearm safety course, and when we buy a gun, the state police do another background check on us at the point of sale. Requiring the people to apply for a permit to buy a firearm is imposing an onerous condition on the people who want to buy a firearm for self-defense and is unconstitutional. How do you propose to make the criminals follow this law? Your law will only impact those that already follow the law and will make no one safer.

Limiting magazines in firearms to 10 rounds. I have owned a firearm that I carry for self-defense for over thirty years. I have a concealed handgun license. My firearm came with a fifteen-round magazine, and I have been carrying it with the fifteen-round magazine for over thirty years. Do you believe that criminals are going to follow this law? Your law will only impact those who already follow the law and will make no one safer. But it will limit my right and ability to protect myself and my family. Handguns with magazines that hold more than ten rounds are common firearms possessed and used for self-defense by the people of this state. There is no historical tradition to limit magazine capacity. This is an unconstitutional provision.

And just so you know, I was the victim of a carjacking on December 19, 2023. A man approached me while I was putting groceries in my car at the Walmart in McMinnville with a machete in hand and demanded my car keys. He was about two feet from me. My wife was immediately behind me. Fearing for our lives, I drew the above-mentioned firearm, pointed it at the criminal, and thankfully he immediately ran. He was indicted on Robbery in the First Degree, Menacing, Unlawful Use of a Weapon, and Attempted Unlawful Use of a Motor Vehicle. And this is why I tell this story. Against my wishes as the victim, the Yamhill County District Attorney plea bargained this to Attempted Robbery in the First Degree and menacing. This made it a non-measure 11 crime, and menacing is a misdemeanor. He was only sentenced to five years of probation for the "attempted" Robbery and only sentenced to 364 days in jail

for the Menacing. The district attorney dropped all the rest of the charges. He had been in jail for 355 days at the sentencing hearing, so with the jail being able to give time off for good behavior, he was released that same day. I had to go home and tell my wife about this, and she has been diagnosed with PTSD as a result of this crime. Rather than pass more firearms legislation, you should be creating legislation that will keep dangerous men like this locked up in prison.

What will this bill accomplish? It will take away constitutional rights of the people of this state but will have no impact of those that do not follow the law.