

Submitter: Sam Valentine
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

Chair and Members of the Committee,

As a liberal progressive, I strongly oppose HB 3075, a deeply flawed and unconstitutional bill that unfairly punishes law-abiding Oregonians while doing nothing to prevent crime. This bill:

- Retroactively criminalizes legal purchases, violating the U.S. Constitution's Ex Post Facto Clause.
- Creates an arbitrary and discriminatory permit-to-purchase system, disproportionately affecting minorities, rural residents, and lower-income individuals.
- Fails to address violent crime, instead imposing ineffective restrictions on responsible citizens.

HB 3075 is not about public safety—it is about bureaucratic overreach and constitutional violations. By criminalizing standard-capacity magazines that were legally purchased, this bill turns thousands of law-abiding Oregonians into criminals overnight. Additionally, requiring a discretionary permit system invites bias and unequal enforcement, infringing on the rights of those least able to navigate burdensome government restrictions.

The people of Oregon deserve laws that focus on criminals, not responsible citizens. This bill fails that test.

Ex Post Facto Criminalization of Law-Abiding Citizens

HB 3075 retroactively bans magazines purchased after December 8, 2022, despite the fact that Measure 114 was never in effect due to legal challenges. This would criminalize tens of thousands of Oregonians who acted legally at the time.

This is a clear violation of the U.S. Constitution's Ex Post Facto Clause, which prohibits punishing people for actions that were legal when committed.

- Measure 114 never took effect, meaning Oregon residents legally purchased these magazines.
- Retroactive enforcement sets a dangerous precedent—citizens must not be punished for following the law.

Laws must be clear, enforceable, and constitutional—HB 3075 fails on all counts.

Discriminatory and Unworkable Permit-to-Purchase System

HB 3075 maintains a permit-to-purchase system that gives law enforcement broad discretion over who can exercise their Second Amendment rights. History shows such systems disproportionately affect minorities, low-income individuals, and rural residents.

- Studies show racial disparities in permit approvals, with Black and Latino applicants often facing more denials and delays.
- Local agencies may impose subjective barriers, leading to inconsistent and unfair enforcement.
- Rural residents will face long wait times and travel burdens to obtain permits.

Oregon already has universal background checks—this additional layer only delays and denies lawful gun ownership. The state should enforce existing laws instead of creating new obstacles.

A Magazine Ban That Targets Citizens, Not Criminals

HB 3075's magazine limit does nothing to reduce crime. Standard-capacity magazines are common for self-defense, sport shooting, and home protection. Criminals do not follow magazine bans, meaning this law will only affect responsible gun owners.

- The state cannot enforce a ban when millions of these magazines already exist.
- No evidence shows magazine bans reduce crime or mass shootings.
- Law-abiding citizens should not be disarmed while criminals ignore the law.

Real Solutions: Target Criminals, Not Citizens

If the Legislature is serious about reducing gun violence, it should:

1. Enforce existing laws against violent criminals and illegal gun traffickers.
2. Strengthen penalties for felons with firearms rather than punishing lawful owners.
3. Invest in mental health services to address the root causes of violence.

HB 3075 is an unconstitutional, unjust, and ineffective attempt to restrict the rights of law-abiding Oregonians. It retroactively criminalizes legal purchases, creates a biased and burdensome permitting system, and fails to address actual violent crime. I urge this committee to reject HB 3075 and instead pursue policies that target criminals, not responsible citizens, while respecting constitutional rights.

Thank you,

Sam