

Submitter: Dane Jacobson
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

Unlike a lot of these individuals submitting testimony, I am a lifelong registered Democrat. I'm also a long time gun owner and supporter of Second Amendment rights. Generally, I support measures to ensure that firearms do not end up in the wrong hands, such as universal background checks and Extreme Risk Protecting Orders (ERPO's). I believe HB 3075 will do nothing to reduce gun violence and instead will only harm the rights of Oregon's many law abiding gun owners. My arguments against HB 3075 are as follows:

1. Giving the authority to approve ownership permits to the police is inherently discriminatory. I'm sure if your name is John Smith, you'll have nothing to worry about. As we all know, Oregon is a diverse state, with many different people from many different backgrounds. It's almost certain that at some point, a law abiding citizen will have their permit denied simply due to their name or other perceived discriminatory factors. The Fifth and Fourteenth Amendments require clear guidelines and fair processes, which HB 3075 lacks, making it susceptible to a due process challenge.
2. Doubling fee structures disadvantages lower income individuals. The only reason I can see for nearly doubling initial permit fees and renewals from their proposed rates in M114 is to disadvantage low income individuals from applying. This could violate the Fourteenth Amendment's Equal Protection Clause if shown to result in systemic bias.
3. Offering exemptions to active duty military only is frustrating. As an Officer in the U.S. Navy Reserve, who is qualified "Expert" in both pistol and rifle, it's wrong that I am not allowed to be exempt should the permits go into effect simply because I'm not activated. Oregon doesn't have a strong active duty presence across all services. It does, however, have a fairly strong presence of Reserve and National Guard personnel, who will undoubtedly be qualified to safely operate firearms.
4. The ex post facto magazine clause that retroactively criminalizes possession of large-capacity magazines legally purchased prior to its enactment is in direct violation of Article I, Section 10 of the U.S. Constitution and Article I, Section 21 of the Oregon Constitution, both of which prohibit ex post facto laws. It's absolutely ludicrous that this bill seeks to criminalize those who have legally purchased high-capacity magazines between now and 12/8/2022. This clause will absolutely be challenged, forcing the state to waste taxpayer money on legal defense.

5. With the recent decision by the Oregon Court of Appeals that M114 is constitutional, it can be argued the passing HB 3075 is redundant and therefore a waste of tax payer money. The proposed modifications to M114 will do nothing but further criminalize law abiding gun owners and discriminate against low income and minority individuals.

It's shocking to me that now, when our very rights as Americans are being tested in Washington by a right-wing, wannabe dictator and his ultra-billionaire neo-fascist tech buddies, the state decides that it's the right time to further limit the ability of law abiding citizens to legally purchase firearms for self-defense. Since 2022, and despite the pause on M114, gun violence in Portland has continue to decrease (Zielinski, A., "Gun violence in Portland continues to decline, halfway through 2024"). If gun violence is naturally trending downwards, how exactly is HB 3075 going to make things better?

Lastly, it should go without saying, but these policies will do NOTHING to stop the majority of gun violence, which is committed by criminals who DO NOT follow the law. Similar to how abstinence only education does nothing to curb teen pregnancies, gun control will do nothing to stop illegal gun violence.

Thank you for your consideration.