

Submitter: Brian Walbergh

On Behalf Of:

Committee: House Committee On Judiciary

Measure, Appointment or Topic: HB3075

This measure is at odds with both the state constitution and the 2nd Amendment of the Bill of Rights and should not be passed on that point alone.

The magazine capacity limitation makes normal law abiding people less safe by putting them at a severe disadvantage against people that seek to do them harm. It turns many of these same law abiding people into criminals overnight potentially punishing them for an act that was 100% legal at the time. The US Constitution's Article I, Section 9 and Section 10, Clause 1 explicitly prohibit the federal and state governments from passing these types of ex post facto laws. This ban will be used as a charge to mostly poor and marginalized people caught with standard capacity magazines to further criminalize them and strip them of their civil rights.

This bill will do next to nothing to curb mass shootings, as standard capacity magazines will still be widely available, and the people of Oregon will pay for it in a reduced capacity to defend both themselves and the state while losing access to their own civil rights.

The permit to purchase system empowers corruptions at the hands of local police to hand out a permit on their whims. It disenfranchises the poorest and most vulnerable people in the state and makes an enumerated right subject to a fee, while adding next to nothing in terms of checks to ensure that unfit people purchase firearms, as they will still have to do a background check for all legal firearm purchases.

Regardless of the political climate, there is never a time where a state should strip its people of their most basic rights.