

Dear Honorable Members of the House Judiciary Committee,

I am writing to express my opposition to House Bill 3075, which modifies the firearm permit provisions of Ballot Measure 114 (2022). While I recognize the goal of improving public safety, I believe this bill places undue burdens on law-abiding citizens, erodes constitutional protections, and misses the mark on addressing gun violence effectively.

The U.S. Supreme Court's ruling in *New York State Rifle & Pistol Association v. Bruen* (2022) established that firearm regulations must be consistent with the nation's historical tradition of firearm regulation. HB 3075's extended waiting periods, heightened fees, and discretionary permitting process allowing law enforcement to deny permits based on subjective judgments of "dangerousness" lack clear historical analogs. These restrictions unduly burden the right to keep and bear arms for law-abiding citizens, likely failing the *Bruen* test. Furthermore, this vague standard for permit denial will make it susceptible to a due process challenge due to the Fifth and Fourteenth Amendments requiring clear guidelines and fair processes, which HB 3075 lacks.

I am deeply concerned about the magazine capacity restrictions upheld through Ballot Measure 114 and reinforced by HB3075. Limiting magazines to ten rounds undermines self-defense capabilities for law-abiding gun owners, particularly in rural areas where law enforcement response times can be delayed. Standard-capacity magazines often exceed 10 rounds. These magazines are commonly used for lawful purposes, and there's little evidence that such restrictions reduce crime, as criminals routinely ignore these laws. The bill retroactively criminalizes possession of large-capacity magazines legally purchased prior to its enactment. This violates 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—laws that punish actions lawful when committed. Courts have consistently struck down similar retroactive firearm restrictions.

Finally, HB3075 focuses on restricting legal firearm ownership rather than tackling illegal gun use or investing in mental health and community safety programs. Most gun violence stems from socioeconomic factors and illicit firearms, not permitted owners. From intent of using a firearm to cause harm, 79% of these are suicides. I urge the committee to prioritize solutions that address these root causes, such as the socioeconomic factors that result from suicides and how we can intervene to help our citizens before it is too late and they use a firearm to commit suicide. I support reasonable safety measures, but HB3075 oversteps by punishing the responsible instead of protecting the public. I respectfully ask you to vote no and explore alternatives that respect both rights and safety. I sincerely thank you for your consideration.

Regards,

Johnathan Beck

Source: <https://everystat.org/wp-content/uploads/2019/10/Gun-Violence-in-Oregon-2.pdf>