

Submitter: Jose Infante
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

My name is Jose infante and I am an Oregon resident and responsible gun owner deeply concerned about the implications of Measure 114, the so-called Reduction of Gun Violence Act. I stand in firm opposition to this measure because it is not only unconstitutional but also a backwards step in the name of protecting our fundamental rights.

Measure 114's requirements—mandatory permits to purchase firearms and a ban on magazines holding more than 10 rounds—violate the clear protections enshrined in both the Oregon Constitution and the U.S. Constitution. Article I, Section 27 of the Oregon Constitution states plainly: "The people shall have the right to bear arms for the defense of themselves, and the State." This is not a suggestion; it's a guarantee. Requiring a permit to exercise a pre-existing right turns that right into a privilege, subject to government whim. Imagine needing a permit to speak freely or to vote—such a notion would be rightly rejected as absurd. Yet Measure 114 does exactly that to the right to self-defense, erecting bureaucratic barriers that disproportionately burden law-abiding citizens while doing little to deter criminals who, by definition, ignore laws.

The magazine ban is equally indefensible. Standard-capacity magazines, often mislabeled as "high-capacity," are in common use across the United States for lawful purposes like self-defense and sport. The U.S. Supreme Court's decision in *District of Columbia v. Heller* (2008) affirmed that the Second Amendment protects arms "in common use" for lawful purposes. Millions of these magazines are owned by Americans—estimates suggest over 150 million in circulation. Banning them outright, as Measure 114 does, flouts this precedent and ignores the reality that such restrictions disarm the innocent while leaving criminals, who rarely comply with capacity limits, unaffected. The Oregon Court of Appeals may have ruled this constitutional on March 12, 2025, but their decision hinges on a narrow, revisionist reading that dismisses historical context and the plain text of our founding documents. This is a ruling ripe for reversal by the Oregon Supreme Court or beyond.

What's more, calling this measure a step toward "reducing gun violence" is a misnomer—it's a step backward for rights. It imposes vague, costly, and invasive requirements, like background checks already redundant under federal law, and hands local sheriffs unchecked power to deny permits based on subjective "public safety" concerns. This invites abuse and erodes due process, a cornerstone of liberty. In a state that prides itself on individual freedom, Measure 114 flips that legacy on its head, treating citizens as suspects rather than rights-holders.

I urge lawmakers, courts, and my fellow Oregonians to reject this measure. It's not about safety—it's about control. The Constitution, both state and federal, stands as a bulwark against such overreach. Let's honor it, not hollow it out.

Thank you