

Submitter: Joshua Yoder

On Behalf Of:

Committee: Senate Committee On Judiciary

Measure, Appointment or Topic: SB243

This bill is an unlawful piece of legislation and must not be allowed to pass. It's clear that the Oregon Legislature knows it's unlawful because of the bait and switch tactics used to try and sneak it through.

I STRONGLY OPPOSE this bill, and urge the legislature to ABANDON the efforts here, and side with our Federally Protected rights as American Citizens.

Section 1: This aims to prevent an FFL from transferring a firearm if an approval has not been received within 72 hours. This gives the ability for OSP FICS to indefinitely delay people instead of denying. There is no legal damage claim for a delay, but there is for unlawful denial. If enacted OSP could effectively BLOCK all firearms transfers with no recourse. They have already proven they cannot be trusted, as they have been denying countless Oregonians that have had records set-aside with firearms rights restored. OSP is currently facing numerous lawsuits over this issue, including one by me personally. This legislation will do nothing more than infringe on our rights. Instead of this, I urge you to support HB3836 to get the untrustworthy OSP out of the background checks and let Oregon FFL's go straight to FBI NICS.

Section 2: This does nothing more than attempt to make criminals out of law abiding citizens, and infringe on our rights. The proper legal analysis for items is how are they legally used, not how might they be misused. Take cars for example, are we going to ban them because someone could drive into a crowd of people killing many? Or because they could drive drunk? No, that's absurd, and so is this section of the bill. The rate of fire of a firearm does not make a firearm illegal, nor should that be a measure of consideration. There are many people that can achieve a very high rate of fire with their finger, shoulder, and a standard trigger. Federal law does not define a 'Machine Gun' by rate of fire, it defines it by mechanical mechanism, because if it were rate of fire then a firearm would be considered 'Semi-auto' in the hands of one person and a 'Machine Gun' in the hands of another. It's arbitrary, and completely subjective. There are hundreds of thousands of so called 'Rapid Fire Activators' in common use by Americans for lawful purposes. That is the Heller methodology, these triggers cannot be banned. All this law will do is seek to create criminals, and subject the state to large amounts of federal and state litigation, wasting taxpayer dollars. I urge you to abandon this folly!

Section 3-6: A person becomes part of 'The People' at 18, they get the right to vote among other things. Age bans like this are unconstitutional, and have been overturned in many states. This does nothing more than unlawfully infringe upon the

rights of Americans, while wasting money to fight in court. STOP THIS NONSENSE!

Section 7-10: This seeks to move the goal posts again of where 2A protected rights may be exercised, and narrows the rights of the people. While the argument about public safety is often used, and not relevant because NYSPRA v Bruen struck down INTEREST BALANCING: Concealed carry holders are NOT a threat to public safety, and are not criminals. However, this seeks to make the exercising of a constitutionally protected right a crime. This is literal tyranny.

I urge the state to change course, the content of this bill, and similar bills are designed to erode the rights of the people. The same tactic was used in Nazi Germany to slowly strip the rights away from the people before Hitler seized control. America is founded on principles of FREEDOM and LIBERTY. Stop trying to enact TYRANNY.

If the state legislature as a whole will not STOP this nonsense. I urge ALL CONSERVATIVES TO DENY QUORUM, THESE SHALL NOT PASS! The peoples rights are more important than your political careers.