

## Written Testimony Opposing SB 243 and Any Implementation of Measure 114 Components

To the Members of the Committee and Honorable Legislators,

Thank you for the opportunity to submit testimony regarding the emergency hearing on SB 243. I write today to express strong opposition to both Senate Bill 243 and any legislative effort to implement components of Measure 114. These measures represent a direct defiance of constitutional protections, not only under the Second Amendment of the U.S. Constitution but also under Oregon's own Article I, Section 27.

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### Constitutional Violations and Legislative Overreach

Measure 114 was ruled unconstitutional in 2023 by the Harney County Circuit Court for violating the Oregon Constitution's explicit guarantee of the right to bear arms. The ruling determined that the permit-to-purchase requirement, magazine capacity limits, and administrative delays imposed unjustified burdens on law-abiding citizens. That decision has not been overturned by the Oregon Supreme Court and remains legally binding.

Senate Bill 243 seeks to revive these same unconstitutional restrictions. It imposes a mandatory 72-hour waiting period even after a successful background check. It bans previously legal firearm accessories with retroactive consequences. It also limits licensed concealed carry in public venues that are protected by longstanding legal precedent.

These proposals are not modest safety measures. They are direct attempts to reintroduce, through bureaucratic maneuvering, provisions that the courts have already found unlawful. This is not legislative oversight. It is an attempt to bypass both public opposition and the judicial branch.

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### Opposition Was Statewide, Not Regional

A common mischaracterization suggests that opposition to these measures came only from far eastern Oregon. That claim is provably false.

Thirty of Oregon's thirty-six counties—nearly 84 percent—voted against Measure 114.

This opposition came not only from rural eastern counties but also from southern and coastal counties, including Jackson, Douglas, Coos, Curry, and others. Voters from Central Oregon and parts of the Willamette Valley also rejected the measure. This is not a debate between east and west. It is a dispute between the densely populated urban cores and the geographically vast remainder of the state.

The political class in Portland and parts of the Willamette Valley has repeatedly ignored this fact. By pushing forward legislation like SB 243, they are advancing a narrow ideological agenda at the expense of statewide representation. When six counties impose law on thirty, the structure of representative democracy begins to break down.

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## Data and Context: Policy Without Impact

According to the CDC's 2022 data, Oregon experienced 14.4 firearm-related deaths per 100,000 residents. More than 75 percent of those deaths were suicides, not homicides. Despite this, Senate Bill 243—like Measure 114 before it—focuses almost exclusively on restricting lawful gun ownership rather than addressing underlying causes such as mental health, substance abuse, or gang violence.

The surge in violent crime in Oregon is overwhelmingly urban. Portland alone accounted for nearly half of the state's homicides in recent years, while making up less than 15 percent of the state's population. The laws being proposed do not reflect the reality in most of Oregon. In many rural counties, law enforcement response times are significantly longer, and citizens rely more heavily on their right to self-defense.

Peer-reviewed research, including studies published in The Lancet and findings from the National Research Council, show no consistent evidence that waiting periods or magazine bans have a statistically significant effect on gun violence reduction.

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## Final Statement: Constitutional Integrity Is Not Partisan

If right-wing legislators attempted to override judicial rulings to infringe on speech or due process, there would be immediate outrage across this state. That outrage would be justified. But when the Second Amendment is under attack, the same level of concern is conspicuously absent.

This inconsistency is dangerous. No political party or ideological faction has the right to selectively apply the Constitution. It must be upheld in full, regardless of popularity or political convenience.

Senate Bill 243 is not a public safety reform. It is a legislative workaround designed to resurrect a policy already ruled unconstitutional. This is not governance. It is institutional defiance.

I urge this body to reject SB 243 and any effort to revive Measure 114. Uphold the rule of law. Defend the Constitution in its entirety. And represent the voices of all Oregonians—not just the most densely populated ZIP codes.

Respectfully submitted,



Jared Corrigan FP-C, CCEMT-P, NR – P  
Jackson County, Oregon  
corrigan\_jared@hotmail.com  
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