

Submitter:	David Tabor
On Behalf Of:	We the People
Committee:	Senate Committee On Rules
Measure, Appointment or Topic:	SB243

Dear Legislators,

I oppose this legislation in full. It is purported to be a suicide prevention bill but is nothing more than an infringement on the 2nd Amendment. A wolf in sheep's clothing. Courts have ruled the extended waiting period is unconstitutional multiple times already. Examples:

U.S. District Judge Lance Walker issued an injunction halting enforcement of the law, arguing that the waiting period amounted to "indiscriminate dispossession" of law-abiding citizens.

In the decision issued Aug. 25, Federal Eastern District of California Senior Judge Anthony W. Ishii, appointed to the bench by President Bill Clinton, found that "the 10-day waiting periods of Penal Code [sections 26815(a) and 27540(a)] violate the Second Amendment" as applied to members of certain classifications, like Silvester and Combs, and "burdens the Second Amendment rights of the Plaintiffs."

Yet here we are attempting to force this unconstitutional action on the law-abiding citizens of Oregon.

Now let's address the hoops to jump through to obtain permit and the fees which would be imposed. According to *Murdock vs Pennsylvania* ruling by the SCOTUS A State may not impose a charge for the enjoyment of a right granted by the Federal Constitution. P. 319 U. S. 113.

Everything regarding obtaining and including the permit itself would have to be available at no charge. But this is not what the text of the bill defines. Once again Unconstitutional.

Now the so-called rapid-fire activator verbiage. Yet another restriction the SCOTUS ruled Unconstitutional.

The Supreme Court on Friday struck down a rule that banned bump stocks, issued by the Trump administration after a 2017 mass shooting at a concert in Las Vegas. By a vote of 6-3, the justices rejected the federal government's argument that rifles equipped with bump stocks are machine guns, which are generally prohibited under federal law. In an opinion by Justice Clarence Thomas....

So, what we find is that this piece of legislation violates the constitutional right(s) of We the People in many court rulings and does not address the mental health services availability or lack thereof.

Oregon Ranks Worst in Nation for Prevalence of Mental Illness

That's according to a report released last week by Mental Health America. October 17, 2022 at 1:21 pm PDT

For the past nine years, a Virginia nonprofit has used nationwide survey data to

measure the prevalence of mental illness and access to care in every state. And for the past nine years, Oregon has done abysmally. It has ranked in the bottom three most of those years.

I absolutely recommend throwing this unconstitutional bill out and redirect your endeavors to finding solutions to this state's mental health crisis.

Sincerely,
David Tabor