

Senate Bill 173, while seemingly reasonable in context, is based on a larger oppressive process discriminating between citizens with ORS 166.380 as its basis. If a full check of a person's criminal record is required, then that burden should be on the State, not the individual. There should be no reason a citizen should be required to show an openly carried firearm is unloaded in the first place.

If a citizen is required to have a Concealed Handgun License to open carry, then the Oregon Constitution requires that in all those cases exempted under ORS 166.380. Further, when there is any burden to be put on a citizen, there should be a referendum vote. None of these laws have the consent of the governed.

The Oregon statues both unduly burden the natural right to self defense and set apart a class of citizens immunities and privileges for law enforcement, military, and other citizens.

The Oregon Supreme Court has substantially misinterpreted DC vs. Heller, which will eventually result in challenges where the People will pay in litigation. Oregon's Constitution is historically has a far more detailed Bill of Rights to restrict the government and is quite distinctive from the US Constitution from the start with Article I:

Section 1. Natural rights inherent in people. We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded on their authority, and instituted

for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.—

Section 20. Equality of privileges and immunities of citizens. No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.

Section 27. Right to bear arms; military subordinate to civil power. The people shall have the right to bear arms for the defence [sic] of themselves, and the State, but the Military shall be kept in strict subordination to the civil power[.]

District of Columbia v. Heller, 128 S. Ct. 2783 - Supreme Court 2008

[https://scholar.google.com/scholar\\_case?case=2739870581644084946](https://scholar.google.com/scholar_case?case=2739870581644084946)

Constitution of Oregon: 2014 Version

<http://bluebook.state.or.us/state/constitution/constitution01.htm>

STATE of Oregon and City of Portland, Respondents on Review, v. Jonathan D. CHRISTIAN, aka Jonathan David Christian, Petitioner on Review.

(CC 080951814; CA A142137; SC S060407).Decided: August 15, 2013

<http://www.publications.ojd.state.or.us/docs/S060407.pdf>

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