

Chair Prozanski and members of the committee,

For the Record my name is Sara Garcia and I am a resident of Eugene.

On April 14th, 2017, my home was broken into and my husband and myself were assaulted. The person who broke in was our neighbor and suffered from serious mental health issues. He was promptly arrested; several weeks later, he was sent to Oregon State Hospital as he was found unfit to stand trial due to his mental illness.

On February 27th, 2018, I received a call from the Lane County district attorney's office that the man who assaulted us was released from Oregon State Hospital. He had been released on February 14th, coincidentally on the day of the Parkland shooting in Florida. The DA's office waited thirteen days to notify us of not only his release, but also of the fact that all charges against him were dismissed without prejudice due to mental defect. Nobody with the DA's office or the Lane County Sheriff's office knew of his whereabouts once he was released on February 14th.

This man is a veteran, has extensive knowledge of guns, as well as a vast personal arsenal of firearms. My first question to our advocate with the DA's victim services office was whether this man had access to his weapons and if he would be able to purchase a firearm now that he was released. The answer shocked us. Since he had no prior criminal history and the charges from this incident were dropped, he would have been able to purchase any firearm if he answered "no" to one question on the background check paperwork: Have you ever been adjudicated as a mental defective?

On March 14th, this man uploaded a series of YouTube videos. In one, he talks about his experience of being hospitalized, sets a small brush fire, and then repeatedly shoots a crude target with a gun he had recently acquired. In another video, he speaks of the night he broke into our home and then goes into graphic detail of how he could have murdered my husband. Obviously, I was very shaken and immediately reported the videos to Eugene Police. Unfortunately, there was nothing they could do at the time; according to current law, the YouTube video did not violate the temporary stalking order we had against him. We were told to devise an escape plan for our home and work places and make sure we had weapons in easily accessible places in the event he found us.

Over the next few days, I contacted every local and state representative I could. It did not seem in the interest of public safety for this man to have access to any type of firearms. Shortly thereafter, I received a call from the office of Representative Nancy Nathanson. Her aide explained that legislation had recently gone into effect that would temporarily restrict a person from either possessing or purchasing a firearm. Rep. Nathanson quickly worked with Eugene police and, within days, an extreme risk protective order was signed off against this man. He was served with the ERPO on March 20th, 2018 but refused to turn over any firearms. While Eugene police confirmed a large cache of his firearms were turned over to them by his mother after his initial arrest, the weapon he was brandishing in his video is presumably still in his possession.

I do not want to paint all mentally ill people with a broad brush, nor do I want any person to be stripped of their right to due process. However, an individual with severe mental illness and documented violent tendencies should not have any access to firearms. For the past six months, I have had some semblance of peace of mind knowing our former neighbor would not be able to legally

purchase a gun. But the ERPO only lasts for one year. I have kept an eye on his YouTube channel; as of 9/21/18, he has uploaded 113 videos. All these videos detail what he believes is a large-scale government conspiracy against him. He rants of MKUltra, weaponized microwaves, and a coming revolution. I do not feel safe knowing as of March 15, 2019, this man can go to Cabela's and walk out with an AR-15 by just answering no to one critical question.

I am incredibly grateful to the Oregon legislature for passing the red flag law late last year. But ultimately, ERPOs are just a band-aid; without accessible mental health care and stronger gun laws in our state, these incidents will continue happening. In regard to my former neighbor, I firmly believe a tragedy will occur without him seeking long term mental health treatment. But if the state of Oregon enacts changes to regulate firearms while also boosting the accessibility of mental healthcare, others may avoid the trauma my family has endured over the past year and a half.

Thank you for taking the time to hear my story.