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To: Oregon Senate Judiciary Committee:

I am submitting my testimony opposing Senate Bill 868, which would allow a member of the household or a peace officer to file a petition to have firearms removed from the residence of a person deemed an extreme risk. My reasons for opposition are as follows:

- The proposed law does not provide the person deemed a danger to defend himself in court when the petition is made. (The respondent only has the opportunity to contest the order after it has been issued.)
- The proposed law violates the Fifth Amendment right to having due process before the firearm is removed, as the respondent does not have the opportunity to confront, face-to-face, his accusers as a part of the legal proceeding.
- The proposed law violates the Sixth Amendment to the Constitution, as it does not provide opportunity for the respondent to confront the petitioners in court.
- Those people at risk for committing suicide can do so by obtaining a firearm illegally, taking an overdose of easily obtained substances, use knives, jump from a high place, etc. Such a law could not prevent a person from doing so, but does infringe upon the rights of citizens in general to keep and bear arms.
- The proposed law infringes upon rights of the people to keep and bear arms, as all people, even those who may have an alleged mental illness, have a right to defend themselves.

In summary, this bill is simply one of many bills and laws that have been written to gradually erode our God-given rights to keep and bear arms. This right to bear arms is one that is not granted by the local, state, or national governments, and is not even granted by the Constitution, but is a natural right that is enumerated in the Constitution.

There is no provision for either the State or the Federal government to abrogate these rights regardless of the motives and opinions of the legislature or the courts. To do so is breach of the People's trust and a violation of the oaths of office that every elected and appointed officer takes when assuming the duties and responsibilities entrusted in them by the People.

Gun laws have no effect on the curtailing of violent crimes, in fact when one examines the hard evidence, gun laws only leave good men and women who abide by those laws defenseless against the criminals who ignore the laws. Gun laws, with the accompanying license requirements, also create a form of gun registrations, which can be used by a tyrannical government to confiscate guns, as was the case in the Union of Soviet Socialist Republics, National Socialist Germany, Fascist Italy, North Korea, the Peoples

Republic of China, etc. After gun confiscation, a tyrannical government can then more effectively oppress its citizens and even exterminate those citizens who resist oppression .

I, therefore, am totally opposed to the passing of SB 868, and urge that it be defeated, and am totally opposed to any law that regulates, licenses, or restrict the right to keep and bear arms

Sincerely,

S. Thomas Lewis