

April 16, 2017

From: Jim Mischel
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Senate Committee on Judiciary

Chair	Senator Floyd Prozanski
Vice-Chair	Senator Kim Thatcher
Member	Senator Michael Dembrow
Member	Senator Dennis Linthicum
Member	Senator James Manning Jr.

I am writing in opposition to SB 768 - Extreme risk protection orders

This is a very poorly written bill that I suspect, when put to the test, would be considered unconstitutional. With the amendment, this bill covers everything from the meat cleaver and butcher knife to the individual firearm to the car in the driveway. It does nothing to remove a rope, a step out into traffic, drowning or any other form of doing harm to one's self.

Like many other bills, what had started out as a respectable idea, has been stolen and morphed into a monstrosity that is vehemently an anti-gun bill with confiscation it's primary goal.

"(D) Driving under the influence of intoxicants under ORS 813.010 or 813.011;"

Ridiculous to the supposed purpose of this bill and an "Extreme Risk Protection Order". A firearm or the kitchen butcher knife isn't the problem here. Alcoholic Beverages, Drugs to include Marijuana and a Motor vehicle is the problem.

"(E) An offense involving cruelty or abuse of animals;"

By whose definition? According to certain folks and animal rights groups, this would include anyone who participates in or supports rodeos, hunting, fishing or butchering a chicken.

"(d) Evidence of controlled substance or alcohol abuse;"

By whose definition? Oregon passed a law "legalizing" marijuana, now you are saying don't smoke your joint or you could lose your firearms?

"(g) Evidence of an acquisition or attempted acquisition within the previous 180 days by the respondent of a firearm, ammunition of another deadly weapon as defined in ORS 161.015;"

There goes the hunting season, target practice and all rod and gun clubs. ODFW is going to be very upset over the loss of license revenue. Under this very "consideration" alone, I qualify to have my firearms confiscated many times over.

By whose definition will we define an "unlawful and reckless display or brandishing of a firearm.." Would this include cowboy action shooting, or perhaps the person who carries his shotgun from his house to his pickup parked in his own driveway, just to have a teacher at the school next door report this nefarious affair and cause a massive law enforcement response and school lock down. Don't laugh; this very thing happened to me just a couple of short years ago.

Instead of attacking individual rights in this manner, perhaps you should concentrate your efforts towards emergency mental health interdiction such as given Law Enforcement Officers a much stronger position and support for making Peace Officer Mental Holds.

Respectfully,
Jim Mischel
Sheridan

