

Dear Senator,

I realize that SB719 and the -5 amendment would create a so-called “Extreme Risk Protection Order” (ERPO) and is based on a California law enacted in 2014, that could be obtained by a law enforcement officer, family member, or household member in an ex parte hearing to deprive someone of their Second Amendment rights without due process of the law.

By allowing a law enforcement officer, family member, or household member to seek the ERPO, the -5 amendment would allow people who are not mental health professionals, who may be mistaken, and who may only have minimal contact with the respondent to file a petition with the court and testify on the respondent’s state of mind. This ex parte order, which strips the accused of their Second Amendment rights, would be issued by a judge based on the brief statement of the petitioner. The accused would not be afforded the chance to appear in court to defend themselves against the allegations when the ERPO is issued. These orders may be issued without any allegations of criminal behavior.

**In Oregon, people who pose a danger to themselves or others may be dealt with in a number of ways, depending on the circumstances. Under current law, every punitive measure which leads to a prohibition on firearm possession requires some type of judicial process, so people are not arbitrarily deprived of their liberty or their rights. The -5 amendment is unnecessary and goes far beyond existing law.**

**Why don't we enforce existing laws, leaving honest tax paying citizens rights alone. There's much more important work to be done this legislative season, like budgeting, mental health and homeless issues...**

**Do your job, uphold the Constitutions that you've sworn to uphold and defend.**

Respectfully,  
Craig McDermott  
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