

February 15, 2023

I write in support of the Second Amendment Preservation Act (SAPA) HF 147.

By way of background, I am a six times elected county attorney, have had something north of 100 jury trials, several dozen appellate cases and am admitted to the federal courts in Iowa as well as the Eighth Circuit Court of Appeals and the United States Supreme Court. Currently I serve on the Board of Governors of the Iowa State Bar Association, the executive board of the Iowa State Association of Counties and, as a past president, a board member of the Iowa County Attorney's Association. I am not speaking for these organizations although I assure you that there is widespread concern about our liberties with the federal overreach of our era. Let's look ahead and think about the society we leave for our children and grandchildren.

Were you a first law student taking constitutional law and answered a test that the CDC has the authority to order landlords throughout the country that they may not evict non-paying tenants; I suspect you would have failed. If you took a quiz in administrative law class and answered that federal OSHA officials have the blanket authority to order workers to be vaccinated, that would also have been a wrong answer. Yet, we had the federal government doing just that until cases went to the United States Supreme Court and their efforts failed.

We now have the most anti-gun rights ATF director in history. The recent administrative rule fabrication about pistol braces is but one example. Our Attorney General Bird has joined dozens of other states for court action to stop this regulatory overreach.

I have been told the potential sanction against law enforcement agencies is a concern by some. Many laws have no teeth and I can recite hundreds of examples where agenda driven local political bureaucrats infuse their personal philosophy into government. Look at the county sheriff who denied a weapon permit based on the person's county budget protests. A federal judge ordered him to go back to school and take a constitutional rights law class. More recently, Monroe County paid out well into 6 figures to settle a lawsuit when it blatantly attempted to ignore the state code weapon preemption law.

As an economics major at Grinnell College, I learned two immutable laws on human behavior, increase a cost and you will get less, subsidize and you will get more. Without a potential cost there are those who will ignore their oath to the Constitution and the Law and twist and turn words on end to justify their agenda. If it were up to me, the potential civil penalty against the agency (not the officer) would be significantly higher.

More properly, the bill should be called the **Peace Officer Protection Act**. Law enforcement officers need this law more than anyone so they do not risk their employment.

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