



To the Citizens of the State of Iowa:

The Marion County Republican Central Committee seeks to make it known that, in her support for the "Bipartisan Safer Communities Act of 2022," Senator Joni Ernst has violated the Iowa Republican Party Platform, and indeed has violated her Oath of Office to the United States Constitution in our view.

Our State Platform, Platform Principles, section 3, states:

The Oath of Office for all civil servants, elected and employed, should guide their actions.

As Citizens, we demand that our elected officials take their office and it's duties and responsibilities to us, our country and our Constitution seriously, and act accordingly with their individual oaths of office.

Our State platform, Legislative Priorities, Liberty, section 4, states:

We strongly believe in the constitutionally protected natural right of individuals to keep and bear arms, as recognized, and protected by the Second Amendment, and we support the repeal of existing laws that infringe upon those rights. We support the addition of "castle doctrine" provisions to Iowa law.

The United States Constitution has three amendments germane to this legislation.

The Second Amendment to the Constitution:

A well-regulated militia, being necessary to the security of a free state, the Right of the People to Keep and Bear Arms, shall not be infringed.

The Fourth Amendment to the Constitution:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The Sixth Amendment to the Constitution:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.



We are saddened, dismayed, and angered that these basic freedoms of American citizens have been so cavalierly disregarded, and indeed infringed upon by Senator Ernst.

The provisions of the "Bipartisan Safer Communities Act" allow for the creation and implementation of so called "red flag" laws. States are given taxpayer dollars to do so. While it is up to each state to decide *whether* to do so, many most certainly *will*. It would be foolish to believe your own state won't implement such laws, due to the *current* political make up of your state, when that situation can change in one election cycle. Regardless, senator Ernst has infringed on the Rights of American Citizens in other states that are all too happy to implement red flag laws. When you swear an oath to protect and defend the Constitution, you swear that oath and protection to *all American Citizens*.

Red flag laws violate the terms of the Second, Fourth and Sixth Amendments to the Constitution, by allowing the seizure of a Citizens firearms (2nd, 4th) at the behest of an anonymous party, (6th) (hearsay testimony) on the "authority" of a judge in an ex parte hearing, where the Citizen is not represented and is not allowed to face his accuser. (4th and 6th.) Indeed, these violations occur without any crime having been alleged or committed.

The violated Citizen will have their weapons removed and be unable to own or replace them until their trial, which can take up to a year or more, and must waste countless hours of time and thousands of dollars of their own money to prove they are *not a threat*. This flies in the face of our system of Justice, where a Citizen is *presumed innocent until PROVEN guilty!* All based on hearsay "evidence" that would never be enough to generate a normal criminal search warrant. In the meanwhile, their means to protect themselves, their families, and their community will be stripped from them.

These laws are ripe for abuse by activist anti-gun judges, prosecutors, politicians, spurned ex-lovers, angry relatives, hostile neighbors or just people that don't like guns-or you.

Our Bill of Rights was written to protect the Rights of the Individual Citizen from the tyranny of their own government. When you swear to uphold and protect those Rights - but don't - and actively participate in their demise, you become part of the tyranny that our Founding Fathers wisely tried to protect us from with the Bill of Rights.

Considering these serious and obvious violations of her Oath of Office, the Marion County Central Committee, representing the voters of our county, wishes to voice our extreme dissatisfaction with Senator Ernst, condemn her behavior and vote as a betrayal of her oath and mandate, and call for her resignation.

Sincerely,

Steve Everly, Chair
Marion County Republican Central Committee