

Columbia County Second Amendment Sanctuary Ordinance Comes Under Legal Scrutiny *continued from page 3*

of the Court as to the Regularity, Legality, Validity and Effect' of the ordinance via a petition for validation of local government action.

Under ORS 33.710, the Columbia County Circuit Court is authorized to conduct an examination of the ordinance and to provide a judgement as to the legality of the authority of a county governing body to enact the Second Amendment Sanctuary Ordinance.

The County filed the petition to clear up several important legal questions about what firearm regulations can be enforced in Columbia County. Through this process, Judge Grove can provide clarity on the matter.

"To be clear, the County is not seeking to invalidate the Ordinance, only to get answers to the many legal questions raised by it," County Counsel Sarah Hanson said. "As an example, Oregon law generally does not permit the County to regulate within the City limits without consent. We have asked the Court to inform us whether the cities have consented."

But the group of four citizens are looking to invalidate the ordinance. "By claiming to nullify state and federal gun laws, this measure has complicated the work of local law enforcement officials and has undermined public safety

for all of us," said Robert Pile, one of the citizens involved in the legal challenge, and a volunteer with Oregon Moms Demand Action, a grassroots organization fighting for public safety measures that protect citizens from gun violence. "We have a range of opinions in Columbia County on many issues, including gun laws, but tying the hands of law enforcement officials here in Columbia County is not the answer. Who wins if our local officials can't take part in common-sense safety measures like criminal background checks on gun sales?"

Joining Pile in the case are Brandee Dudzic, a military veteran and 2020 candidate for the county board of commissioners; Shana Cavanaugh, the founder of the progressive group Moving Forward Columbia County; and Joe Lewis, a former Scappoose School Board member who was one of nine people injured at the Kent State shooting in 1970, when Ohio National Guard members fatally shot four people protesting the Vietnam War.

The four are represented by attorneys from the Oregon firm Stoll Berne, but are asking the court to allow two New York-based attorneys to join the case. The attorneys, Mark Weiner and Len Kamdang, are with Everytown Law, the litigation arm of Everytown for Gun Safety Support Fund, which is part

of Everytown for Gun Safety.

"The residents we represent expect the county to comply with Oregon law and with the U.S. Constitution, both of which make clear that local governments don't have the legal authority to pick and choose which public safety laws apply within their borders," said Eric Tirschwell, managing director for Everytown Law. "Groups that oppose state and federal gun laws have every right to try to change them in the statehouse and Congress, but claiming to nullify them at the local level is both unconstitutional and dangerous. That's not how our democracy works."

According to the Columbia County Spotlight, Chris Brumbles, a Columbia County resident and gun rights activist who filed both ballot measures, said that he disagrees with the county's choice to pursue judicial validation. "I think they did this so that they could get it in front of a judge, so the judge could throw it out," Brumbles was quoted in the Spotlight. "As far as I'm concerned, this is a huge attack on the will of the people. The people voted these laws in not once, but twice. If this was happening to the other side, I think there would be an uproar."

Columbia County Sheriff Brian Pixley has expressed support for the ordinance, saying in a March state-

ment that one of his responsibilities is to uphold people's Second Amendment rights and that he's eager to "move forward with the will of the voters."

County Counsel Hanson said the many questions arising from the two voter-passed initiatives and the Ordinance implementing them put the County and its residents in legal "limbo," so the Ordinance has been put before the Court for answers. The statutory process will enable the County to get binding decisions from the Court which will allow the Ordinance to move forward in a form that is legal. It will provide the Sheriff and District Attorney with certainty as to what can and cannot be prosecuted. It will also safeguard the County in the event other legal matters, like lawsuits, are raised against the Ordinance in the future.

"This proceeding will also inform residents of the County what firearm laws do apply to them so that no one is unwittingly found to violate a federal or state firearm law that they believe doesn't apply because of the initiative measures," Hanson said. "We don't think anyone would want that result."

The County expects a briefing schedule to be approved by the Court soon and hopes to have a hearing before the end of June, 2021.

Vernonia Police Blotter May 19-31, 2021

Reports Taken/Arrests

- May 19, 2021 Report of Probation Violation near Rose Avenue
- May 20, 2021 Report of Agency Assist near Nehalem Highway North
- May 20, 2021 Report of Release Agreement Violation and Disorderly Conduct near A Street
- May 21, 2021 Report of a Theft 1 Firearm
- May 22, 2021 Informational Report
- May 23, 2021 Report of Agency Assist on Highway 47
- May 26, 2021 Report of Agency Assist near Timber Road
- May 27, 2021 Report of Driving While Suspended near Timber Road

Citation/Other

- May 26, 2021 Cited for Driving While Suspended, Driving Uninsured, and Failure to Register near Highway 47

Vernonia Police Department responds to calls that do not always end in Arrest, Report, or Citation. 05/01/2021 through 05/31/2021 VPD had 173 calls for service.

Report Clears Witt in Harassment Complaint *continued from front page*

Witt says he was surprised by Breese Iverson's request for support of her bill which he clearly did not support, especially given what he perceived as a "challenging working relationship," between the two legislators. Witt said Breese Iverson had been "undermining his legislative agenda," this session, and had spoke in opposition to virtually all of his key pieces of legislation, both in committee and on the floor. He said he was told she was lobbying others to oppose his key pieces of legislation, while he had been supportive of hers.

Witness that were questioned confirmed Witt had been attempting to schedule an in-person meeting with Breese Iverson, including through staff, to try and improve the relationship. In the report Witt said he had no romantic or sexual interest in Breese Iverson and did not intend to suggest that in his texts.

During the investigation Ryan spoke with three women who had worked in the Capital for many years, and said none of them had ever witnessed Witt acting inappropriately or engaging in questionable conduct, nor had they heard any prior accusations about Witt. Two of the three said they had observed Witt in social settings where alcohol was served and de-

scribed Witt's behavior in those settings as, "above reproach."

In the investigation Breese Iverson said she interpreted the texts as "sexual innuendo" that was "undesirable and unwelcome" and offended her and made her "extremely anxious." Ryan found that Breese Iverson's interpretation was not unreasonable, and found witnesses who confirmed Breese Iverson was visibly shaken and genuinely upset by the text exchange.

Ryan said several witnesses told her that Witt is "not a good texter," who is often multi-tasking when he texts, and his intentions are sometimes hard to determine. Ryan said she reviewed prior text exchanges between the two legislators and found them to contain "pleasantries and polite political debate."

"I'm gratified that the investigation dealt with the facts at hand and came to a conclusion on that basis," Witt said in a written statement. "I am looking forward to the final resolution to this matter in the near term and completing the work that lies ahead in this legislative session including the public's health, the economic rebuild of our state, wildfire prevention, and the reopening of Oregon."

The Transfer Station is scheduled to be open on the 2nd and 4th Saturday January - October

June 12 & 26
July 10 & 24

There may be limits on oversized items (mattresses, couches, etc.) and the number of vehicles in the yard at one time.

Dates are subject to change

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Vernonia City Council Meetings and Closures

Please check the City's website for details on upcoming City Council Meetings scheduled for 7:00 pm:

Monday, June 7, 2021
Monday, June 21, 2021
www.vernonia-or.gov

City Closures are scheduled for:
Monday, July 5, 2021
Independence Day Observed

Dates and times subject to change