

Twyla Melton

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**From:** Dan Roberts [dan.lostriverlog@gmail.com]  
**Sent:** Sunday, March 13, 2016 10:08 AM  
**To:** Twyla Melton  
**Subject:** SB 1389 committee testimony

SB 1389  
Attachment 5

Chairmen and committee members

Please consider reading this testimony during the public comment portion of the hearing in SB 1389

Thank you.

Text of statement.

Mr Chairmen and committee members

My name is Dan Roberts I live in Rexburg Idaho.

My comments today specifically relate to those changes proposed in page 2 of SB 1389 subsection (f) or lines 19-23.

I would like to commend this committee for taking up this bill which relates to unalienable rights AKA Gun Rights, a right which will re-empower Idahoans to be able once again to protect their lives, liberty, and property wherever they may be within the state of Idaho. Why and how this right was ever abridged is not completely known to me, but I am grateful that we are on the cusp of restoring a right.

Many have opined that a freedom once lost is never reclaimed, today I hope to see this committee disabuse that idea and start to heal and dispel that myth.

Why is gun ownership a right? Because it allows its occupant to protect his other rights in the ultimate sense. Each individual is endowed by their creator with certain unalienable rights, among which are life, Liberty, and happiness, and as I mentioned above "property"--meaning of course that no one but the possessor of a right has the ability to forfeit those rights by action or will. Without these three rights and the power and right to protect them men cannot claim they are free, because having something without the ability of perpetuating it is not self determination or freedom, it leaves the individual without the power to act, but only to be acted upon--especially by those with ill intent or superior strength. Guns are an equalizer, and a society that allows equality creates an atmosphere of politeness and safety.

The Supreme Court has upheld in Heller vs DC that each law abiding American has an individual right to self protection by possessing a firearm. Idaho has always upheld that standard to some degree, but for some reason, I believe we have irrationally limited the most effective means of doing so--through concealed carry. Why would anyone fear a law abiding citizen carry concealed when they wouldn't even have knowledge to determine who was carrying in the first place? This is especially true due to the fact that current laws allow for the same right to carry openly. It seems that if we were fearful of guns that the mere open viewing would cause much more fear to those concerned. Additionally criminals always conceal to avoid undue attention to themselves anyway, we should fear criminals but criminals are wise enough to not obey laws in order to avoid detection. So in the end we end up creating a moral dilemma and a cruel choice for law abiding citizens to either obey the law which restricts and may limit their ability to protect their lives, buy a permit--which is antithetical to rights--or to ignore the law--but be completely morally justified--but then becoming an uncharged felon.

Laws can be constitutional but immoral--restricting an unalienable right is immoral, legislation that legislates away a right is not a law at all and has no moral force John Locke argued in his Treatise on Government. If Locke was correct, then this body has a fiduciary responsibility to reject and repeal laws that do so or seek to rectify them as in this case.

If we assume that the general law abiding public are not wise, or moral enough to act responsibly in the concealment of fire arms for their own safety and protection then maybe it's time for us to reassess why we serve in government or what it's proper role should be or is.

Do (you)"We hold these truths to be self evident, that all men are created equal"--do we seek to allow those weaker in stature or who are law abiding to even the playing field, to create equality if you will--Do (you) we believe that our citizens are "endowed by their Creator with certain unalienable rights"? Do (you) we believe "that to secure these rights governments were instituted among men, deriving their just powers from the consent of the governed" and that they have a right to alter the laws and the government in order to secure those rights? If not Mr. Chairman and Committee members our legislative efforts are not in line with the rights our God intended for his children, and our founders succinctly quantified in the Constitution.

Let us today once and for all dispel the lie that a freedom lost can never be restored, and I appeal to your conscience today to do so. Please vote to send SB 1389 to the floor with a do pass recommendation.

As Ronald Reagan once said: "freedom is never more than one generation from extinction". Let's make sure our generation isn't complicit in extinguishing the rights that each of us should have and need to protect our lives, liberty, and property.

Thank you.

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"The price of freedom is eternal vigilance"

Thomas Jefferson