



**For Immediate Release
02.10.09**

**Western Oregon University Student Kicked Out of School for
Exercising 2nd Amendment Rights**

Even as district attorney Stan Butterfield was releasing a statement exonerating Jeff Maxwell of any wrongdoing, a college panel of students and staff at WOU was preparing to suspend Maxwell from school and demand that he undergo a "psychiatric evaluation." Maxwell's crime? Being in lawful possession of a firearm on campus.

State law specifically forbids public colleges from restricting firearms possession by persons with valid concealed handgun licenses, which Maxwell, a Marine Corps veteran, had.

Captain Tami Wood, of the Linn County Sheriff's Office, testified that Mr. Maxwell had a valid license at the time he was arrested on campus in an apparent case of mistaken identity.

Captain Wood was informed that her testimony was "irrelevant"

Kevin Starrett of the Oregon Firearms Federation testified that the school lacked authority to create firearms related rules for license holders and he too was told that his testimony was "irrelevant."

Attorney Jim Leuenberger who was retained by the Oregon Firearms Federation to represent Mr. Maxwell pointed out repeatedly that the college was not even following its own policies. Leuenberger said:

"The WOU "Code of Student Responsibility" specifically says - at OAR 574-031-0020 - 'The regulations contained in the Code of Student Responsibility will apply to all matters affecting the University, including, but not limited to, events occurring during the time the University is in session, events occurring between academic terms, at University sponsored off-campus events, and any illegal behavior on or off campus by Western students.'

Since Jeff did not engage in "conduct," there was no "event."

Moreover, Jeff did not engage in any "illegal behavior."

Since there was neither an "event" nor any "illegal behavior," the regulations contained in the Code of Student Responsibility did not and do not apply to Jeff or Jeff's possessions on January 28, 2009.

To add insult to injury, after the panel dismissed Maxwell with his "sentence," they closed the doors and laughed.

State Representative Kim Thatcher (R-Keizer, Newberg, St. Paul) sent a letter to the top officials at Western and the rest of the University System in Oregon last week asking them to explain why they continue to enforce policies which conflict with state statutes.

"I'm disappointed WOU is not getting the message. Clearly they can't have policies which violate state law," said Thatcher. "It's unfortunate the University System is spending tax dollars to violate a student's civil rights when we're facing significant budget cuts for higher education."

Kevin Starrett of the Oregon Firearms Federation said "To call this a kangaroo court would be an insult to kangaroos. Our organization is committed to protecting Mr. Maxwell's rights even if it requires suing the University."

For more information see:

http://oregonfirearms.org/alertspage/02.10.09_alert.html

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