

The Honorable Cliff Bentz  
United States Congress  
Washington, D.C. 20515

Dear Members of Congress,

I am writing to express my strong support for HB 845 – the Pet and Livestock Protection Act of 2025. This crucial piece of legislation is essential to safeguarding the constitutional rights of landowners and livestock producers, ensuring that the government respects the foundational principles enshrined in our Constitution.

With Lake County residents losing numerous calves and sheep to a gray wolf known as OR158, who killed livestock in five counties and two states, who was unfazed by human presence and was unafraid of ineffective hazing techniques. OR158 was targeting livestock, adding to the data done by UC Davis where they studied the scat of wild wolves finding that 77% of their feces contained domestic livestock. Lake County residents stopped letting their children go outside alone and stopped letting their children wait at the bus stop without armed parental supervision.

On February 18, 2025, the Lake County Board of Commissioners with support from the Lake County Sheriff, declared a state of emergency due to the depredations of OR158. This document was the first emergency declaration ever made by the county because of a predator. Modoc County in California soon followed two weeks later with a similar document. Highway 395 is the boundary of gray wolves in Oregon, with the west side of highway 395 under EDA protection and the gray wolves on the east side of 395 are now delisted and not considered an endangered species. The delisting of the gray wolf on the east side of 395 was made by the Oregon Department of Fish and Wildlife on November 9th, 2015, and later upheld by the Oregon Legislator with Oregon HB 4040. The citizens of Lake County are under different rules than our neighbors across highway 395. For reference highway 395 goes through the full length of Lake County from its north to south borders.

Once OR158 who was born in delisted Baker County crossed highway 395 into Lake County, he fell under EDA protection which is unconstitutional because under Constitutional law you can't treat people of the same state differently. By crossing an imaginary line OR 158 cost landowners and taxpayers' tens of thousands of dollars. Delisting the gray wolf is the only fair alternative for all involved, including the wolves themselves because wolves like OR158 paint the picture that wolves cannot live on the landscape with humans, but they can but only if they are instilled with fear of man like wildlife should be, it's what keeps them alive.

The Fifth Amendment unequivocally states that “no person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”

It is important to understand that a taking can manifest in two distinct forms. A physical taking involves the direct seizure of property from its owner. In contrast, a constructive or regulatory taking occurs when government regulations restrict an owner's rights so severely that the effect is tantamount to an outright physical seizure. Both forms of taking require that due process be observed and that any deprivation of property be accompanied by just compensation.

Furthermore, the principle of Equal Protection is a cornerstone of our constitutional framework. The Equal Protection Clause requires that governmental bodies treat individuals in similar circumstances in a uniform and impartial manner. Not only does the Fifth Amendment's Due Process Clause mandate equal protection by the federal government, but the Fourteenth Amendment further ensures that states provide the same impartial governance. This principle is vital in preventing the drawing of arbitrary distinctions that undermine the civil rights and liberties of citizens.

Currently, certain actions—most notably those under the Endangered Species Act (ESA) and the Oregon Fish and Wildlife's Wolf Plan—appear to encroach upon these fundamental rights. These policies, either physically or constructively depriving landowners and livestock producers of their property rights, challenge the due process guarantees of the Fifth Amendment and the equal protection mandates of the Fourteenth Amendment. They create regulatory environments that, in practice, penalize individuals for exercising their lawful rights, effectively imposing inequitable burdens without adequate justification or compensation or protection.

HB 845 seeks to rectify these overreaches by providing clear protection for both pets and livestock, ensuring that governmental regulations do not cross the constitutional boundaries set forth by our founding documents. This legislation is not only a safeguard for property rights, it is a commitment to ensuring that every individual receives equal protection and due process that is their inherent right.

I respectfully urge you to support HB 845. Upholding the principles of due process and equal protection is essential for maintaining the integrity of our legal system and the liberties of our citizens. I am confident that this Act will provide necessary relief and ensure that government actions remain within the bounds of our constitutional commitments.

Thank you for your attention to this critical matter. I look forward to your continued leadership in protecting the rights and interests of all Americans.

Sincerely,

Mark Albertson

Lake County Commissioner