

Submitter: Patrick Iler  
On Behalf Of:  
Committee: House Committee On Judiciary  
Measure: HB2006

I oppose HB 2006.

Before speaking about the bill, I would note that the proponents like to talk about the reasonableness of the bill, and that they are common sense measures to curb gun violence. However, you could apply the same logic/arguments to any right found in the U.S. and Oregon Constitutions. If that were allowed to happen, we could effectively limit or eliminate any right enumerated in either Constitution in the name of reasonableness and common sense. Before this statement is discounted as hyperbole, it should be acknowledged that entities are at this moment attempting to eliminate some or all of our rights as currently ratified in U.S. Constitution in the name of “reasonableness and common sense.”

HB 2006 is unconstitutional as it violates the rights of adults between 18 – 20, as provided for in the 2nd Amendment of the U.S. Constitution. Despite the proponent’s denial of this fact, it is well established in the court cases *District of Columbia v. Heller*, *Hirschfeld v. ATF*, and most notably in *New York Rifle & Pistol Association v. Bruen*.

In *Hirschfeld v. ATF* the question was asked; When do constitutional rights vest? At 18 or 21? 16 or 25? Why not 13 or 33? The court then points out that “Our nation’s most cherished constitutional rights vest no later than 18. And the Second Amendment’s right to keep and bear arms is no different.” The court said “despite the weighty interest in reducing crime and violence, we refuse to relegate either the Second Amendment or 18- to 20-year-olds to a second-class status”, which is clearly the intent of the proponents of HB 2006.

The court ultimately said “We first find that 18-year-olds possess Second Amendment rights. They enjoy almost every other constitutional right, and they were required at the time of the Founding to serve in the militia and furnish their own weapons. We then ask, as our precedent requires, whether the government has met its burden to justify its infringement of those rights under the appropriate level of scrutiny. To justify this restriction, Congress used disproportionate crime rates to craft over-inclusive laws that restrict the rights of overwhelmingly law-abiding citizens. And in doing so, Congress focused on purchases from licensed dealers without establishing those dealers as the source of the guns 18- to 20-year-olds use to commit crimes. So, we hold that the challenged federal laws and regulations are unconstitutional under the Second Amendment“.

Proponents argue that “in theory” preventing 18 – 20 year olds from exercising their right to bear arms will reduce or prevent gun crime. They say “in theory” because no evidence exists that the bill would prevent or reduce gun crime. Preventing a legal adult from legally exercising any right enshrined in the U.S. Constitution would require a much higher bar than simply “in theory”

The proponent’s arguments are based on emotion and fear instead of truth and facts. Without exception the proponent’s testimony is based on their fears of what might happen, not what is happening, and they are presenting data and testimony that is misleading, incorrect, fabricated, or meaningless assumptions. All the Committee has to do is investigate the points made in the proponent’s testimony to discover this for themselves.

If HB 2006 were to pass, it will be challenged and found unconstitutional. As a taxpayer, I find it abhorrent that if passed, the state will inevitably spend huge amounts of money to defend a bill that is indefensible and will ultimately be found unconstitutional. There are many higher priority issues to invest time and resources on rather than a ridiculous bill like this which will have absolutely no effect on the issues it purports to address and that is almost criminal.

Therefore, I strongly urge the Committee to reject this foolish and contemptable bill and invest our state’s finite resources into more productive areas and needs. Thank you.

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