

Submitter: Bryson Baker
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure, Appointment or Topic: SB697

I am writing to express my strong opposition to SB 697, which seeks to prohibit individuals under 21 years of age from possessing firearms, with certain exceptions. While I understand the intent to enhance public safety, this bill raises significant concerns regarding constitutional rights, practical enforcement, and potential unintended consequences.

1. Constitutional Concerns

The Second Amendment of the U.S. Constitution guarantees the right to keep and bear arms, a right that has been affirmed by the U.S. Supreme Court. Additionally, Article I, Section 27 of the Oregon Constitution explicitly protects the right of individuals to bear arms for self-defense. By raising the minimum age for firearm possession to 21, SB 697 effectively infringes upon these constitutional rights for a segment of adult citizens aged 18 to 20. Notably, federal courts have previously ruled that blanket bans on handgun possession by adults under 21 are unconstitutional, suggesting that SB 697 could face significant legal challenges.

2. Inconsistency with Other Legal Responsibilities

At 18, individuals in Oregon are considered legal adults, entrusted with various responsibilities and rights, including voting, serving in the military, entering into contracts, and being tried as adults in the criminal justice system. Denying these same individuals the right to possess firearms creates an inconsistency in the recognition of their adulthood and undermines their ability to exercise a fundamental constitutional right.

3. Impact on Hunting and Sporting Activities

Hunting and shooting sports are deeply ingrained in Oregon's culture and traditions. Many young adults participate in these activities, often learning firearm safety and responsibility from an early age. SB 697 could disproportionately affect these law-abiding citizens, limiting their participation in lawful and constructive activities that promote discipline, responsibility, and community engagement.

4. Questionable Efficacy in Enhancing Public Safety

There is limited evidence to suggest that restricting firearm possession among 18 to 20-year-olds will lead to a significant reduction in gun violence. This demographic

does not represent a disproportionate share of firearm-related crimes, and existing laws already prohibit firearm possession by individuals with criminal backgrounds or those deemed a danger to themselves or others. Focusing on comprehensive background checks and mental health initiatives would be more effective strategies for enhancing public safety without infringing on constitutional rights.

5. Enforcement Challenges and Resource Allocation

Implementing and enforcing SB 697 would require significant resources from law enforcement agencies, potentially diverting attention from more pressing public safety concerns. Determining the age of firearm possessors in various contexts could prove challenging and lead to arbitrary enforcement, straining community-law enforcement relations.

6. Potential for Unintended Consequences

By restricting legal avenues for firearm possession, SB 697 may inadvertently encourage individuals aged 18 to 20 to seek firearms through illegal means, thereby increasing unregulated firearm circulation and associated risks. Additionally, this bill could alienate a segment of the population, fostering distrust in the legislative process and diminishing respect for the law.

Conclusion

While the goal of reducing gun violence is commendable, SB 697's approach of broadly prohibiting firearm possession for adults under 21 is misguided and likely unconstitutional. It fails to consider the rights of legal adults, lacks evidence of effectiveness, and poses significant enforcement challenges. I urge the committee to reject SB 697 and instead focus on measures that address the root causes of gun violence without infringing upon the constitutional rights of responsible citizens.