



UMC Advocacy Team – May, 2018
Revised 2/7/19

Gun Amendment to the Iowa Constitution (HJR 3/SJR 10)

Summary of Position:



The United Methodist Church opposes any gun amendment to the Constitution of Iowa that threatens current or future common sense weapon regulations in Iowa.

House Joint Resolution 2009 (passed by 2018 House and Senate) stated:

“Right to keep and bear arms. Sec.1A. the right of the people to keep and bear arms shall not be infringed. The sovereign state of Iowa affirms and recognizes this right to be a fundamental individual right. Any and all restrictions of this right shall be subject to strict scrutiny.”

United Methodist Church Official Statements:

1. “While our allegiance to God takes precedence over our allegiance to any state, we acknowledge the vital function of government as a principal vehicle for the ordering of society. . . . We hold governments responsible for the protection of the rights of the people to free and fair elections and to the freedoms of speech, religion, assembly, communications media, and petition for redress of grievances without fear of reprisal; to the right to privacy; and to the guarantee of the rights to adequate food, clothing, shelter, education, and health care.” (UMC Social Principles, The Political Community)
2. An expression of God’s dreams for peace for all of creation can be seen in the Biblical imagery of beating swords into plowshares and spears into pruning hooks (Micah 4:3). And Jesus called his followers to be peacemakers (Matthew 5:9).
3. The United Methodist 2016 Book of Resolutions, #3428—Our Call to End Gun Violence states: “Violence, in so many ways is fueled by fear and self-protection. . . . Yet, in Micah’s vision, genuine peace and security are given to all people by God after the weapons of violence are transformed. . . Gun violence . . . greatly affects families and individuals. One of the most prominent forms of gun violence is suicide. Worldwide, there are nearly one million suicides every year . . . more than 3,000 per day [from World Health Organization source]. . . While not all of these involve firearms, access to firearms makes suicide more attainable for many who attempt it. . . When domestic violence incidents involve the use of firearms, the results are often deadly. . . . A US-based study of mass shootings between January 2009 and January 2013 revealed that 57 percent of the incidents involved the killing of a family member or a current intimate partner of the shooter.”
4. United Methodists are called to advocate . . . for laws that prevent or reduce gun violence.

Consequently, for these and additional concerns in 2018 (see back), we opposed House Joint Resolution 2009, which has passed both chambers as a first step to amending the Constitution of the State of Iowa in 2018. However, the process began again in 2019 due to an error made by the Secretary of State’s office. Two identical resolutions have been introduced this session House Joint Resolution 3 and Senate Joint Resolution 10. (Only one will moved forward.)

Additional Reason to Oppose #1

We already have a U.S. Constitution Second Amendment, which states the following: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” **Both the House and the Senate VOTED DOWN the U.S. Constitution version during their consideration of HJR 2009 in 2018.**

Part of the argument promoting the need for HJR 2009 has been that Iowa is only one of six states without a Second Amendment provision in their state constitutions.

Note the argument below in favor of the amendment from the Iowa Firearms Coalition website:

Problem: *Currently, Iowa has NO Second Amendment protections in its state constitution, jeopardizing the right of law abiding citizens to protect and defend themselves. For decades, many state courts have largely ignored constitutional protections for the right to Keep and Bear Arms by adjudicating claims under toothless “rational basis” or “reasonableness” standards.*

Solution: **HJR 13 & *SSB 3155 would fix the problem by requiring courts to use what is called “strict scrutiny” -- an existing standard already used by courts to assess possible violations of other fundamental constitutional rights -- in determining if laws that infringe on the Second Amendment are justified. Strict scrutiny ensures that when a matter goes before a court on a constitutional challenge, the state is held to the highest standards of justification for its actions. And even if the state can substantiate a compelling reason for its law, it still has to structure the law in the most narrowly-tailored way possible.* * Previous versions of HJR 2009

This reasoning denies the validity of the federal Second Amendment for the future, and it also takes a pessimistic view of our Bill of Rights protections.

Additional Reason to Oppose #2

The “strict scrutiny” language is an overreach that could threaten future sensible gun safety legislation and possibly lead to court challenges of current laws by placing a higher standard on cases. This means costly defense for state and local government agencies, as has already happened in Louisiana and Missouri.

The organization Everytown for Gun Safety states “These amendments call all state and local public safety laws into question These amendments are also expensive because the state has to pay to defend the constant lawsuits brought by criminal defendants.”

Only three states—Louisiana, Missouri, and Alabama—have added “strict scrutiny” state constitutional amendments. The other 41 states with some form of state Second Amendment do not use this language.

WHAT COMES NEXT?

The steps for an amendment to the Iowa Constitution include that it (1) be passed by the two legislative sessions of Iowa House and Senate with the exact same wording, and then (2) be presented on the ballot for a vote by the people of Iowa, likely in the 2022 general election.

WHAT CAN YOU DO?

Contact your Iowa State Senator and Representative with your concerns and opposition!

1. Send a letter or email them. Tell them you are a constituent and include your address. Email addresses are firstname.lastname@legis.iowa.gov. The Capitol address is 1007 East Grand, Des Moines, IA 50019. You can find more information on legislators at <https://www.legis.iowa.gov/legislators>.
2. Educate others about the reasons that make anything similar to 2018’s HJR 2009 an amendment that Iowa’s Constitution doesn’t need!

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