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OHIOANS FOR CONCEALED CARRY
HOUSE FEDERALISM & INTERSTATE RELATIONS COMMITTEE TESTIMONY ON HB 142
MAY 16, 2017

Chair Roegner, Ranking Member Leland and members of the House Federalism & Interstate Relations Committee. My name is Doug Deeken and I am a Director of Ohioans for Concealed Carry (OFCC). I wish to testify in favor of HB 142. Additionally, the following pages contain testimony from our members and supporters who couldn't attend in person.

OFCC has long sought the change to concealed carry law that HB 142 addresses.

First, let me say that the current "licensee shall promptly inform" requirement found in ORC 2923.126(A) was a poison pill from the original concealed handgun bill (HB12, 125th General Assembly). The anti-gun forces of 2004 were just as crafty as those we see today. They hoped that by including this pit trap for honest people then we pro-gun forces would capitulate. We did not surrender. Rather, we accepted that our continued engagement was necessary to remove this, and many other, poison pills. Ponder when it comes time to vote on this bill; do you want to heed the loud and unified voice of all pro-gun Ohioans speaking today or do you want to carry the water for the insidious anti-gun forces from more than a decade ago?

Additionally, at the time that this facet of the law was debated reassurances were given that the "licensee shall promptly inform" requirement would not be abused. We now have ample proof that it has been abused. Combining this with the fact that Ohio's M1 punishment for failure to notify is the harshest in the USA, and one of only ten states that have any active notification requirement at all, makes this aspect of the law simply repugnant.

Law enforcement need not be concerned about HB 142 as they will still have their LEADS system notification of CHL status anyway. Furthermore, the current state of the law is odd because it requires the subject of an investigation to take control of the conversation with the officer in order to promptly inform. I cannot think of any other category of law that requires someone to proactively tell an officer at the roadside something before the discussion even gets going. If an officer wants to know the licensee's armed status, and for some reason hasn't retrieved that information from LEADS already, then the officer can simply ask about it and retain control of the situation. That is the simplest solution to keep everyone safe.

Ironically, the current status of the law comes into an interesting conflict with our "right to remain silent". After all, if a licensee doesn't promptly inform an officer and is subsequently arrested for it the first thing the officer is going to do after the handcuffs go on is to tell the subject that they have the "right to remain silent". That's a bit confusing to say the least.

Again, Chair Roegner and members of the House Federalism & Interstate Relations Committee, I appreciate the opportunity to testify on this important matter.

On the subsequent pages you will find testimony from other members and supporters of OFCC who couldn't be here today.
