

Chairwoman Roegner, Vice-chairman Lipps, Ranking Member Leland and members of the committee.

My name is Richard Troha and I have been an Ohio Concealed Handgun Licensee since 2004. I am a member of the National Rifle Association and Ohioans for Concealed Carry. I provide this testimony in support of House Bill 142.

I believe the biggest problem with the current law is that the term “promptly” is undefined and causes issues since any undefined term in the law allows police and prosecutors to define it arbitrarily. Thus a few seconds delay in notification may be allowed in one jurisdiction and the same few seconds may result in a criminal charge in another jurisdiction.

Not all police officers understand the current law. There have been incidents where licensees have been threatened with arrest even though they were not armed and thus are not required to inform.

So even though the General Assembly have strived to make gun laws consistent throughout the state, the application of this particular law may be applied differently in different jurisdictions due to a lack of understanding among LEO and to the lack of clear guidance on what the term “promptly” means.

Although “officer safety” is frequently cited as a reason for having a notification law, those that make such a citation can never clearly explain why only ten states require licensees to notify a police officer upon official contact.¹ The other forty states seem to have no problem with their lack of a notification law.

When organizations representing law enforcement testify against this law, I urge the committee to ask the following questions:

- What statistics or other facts do you have to show that lack of notification has been a problem in the forty states without a notification law?
- If notification promotes “officer safety”, what organizations representing law enforcement are actively promoting a notification law in any of those forty states?

I urge the passage of HB 142 as a welcome simplification of Ohio’s carry laws.

¹ Source: handgunlaw.us