

“My name is Candy Petticord and I am a hardworking, tax-paying, law abiding, firearm owning wife and mother and I am writing today to beg you to please support HB 228.

I am aware that time and brevity is of the essence when dealing with issues of the court, therefore I will limit my testimony to 2 key issues of this bill that most directly affect myself and my family.

Sec. 2307.601 and Sec. 2901.09 address the issue of removing the "duty to retreat" stipulation from the protocol that a crime victim must follow before defending their life from a deadly attack and the various definitions that apply to this issue.

Speaking for myself, I am a well-trained, CCW licensed citizen and it has been drilled into my head by every single one of my many firearm and self-defense instructors that the use of deadly force, with or without a firearm, is to be an absolute last resort in any situation and this includes an event involving the protection of myself, my family, and/or the life of another. Truth be told, the last thing I would ever want to do is take someone's life, even the life of someone attempting to do harm to myself or to a loved one.

However, if I have made the decision to draw down on a threat with my firearm, I can say with complete confidence that, due to their actions and/or behavior, I have already definitively identified the individual as *an actual threat* to myself or to someone else and I have already considered a plethora of other options, including retreating, and for whatever reason I have determined that the other alternatives were simply not viable for this incident and that my only recourse is to defend myself with my firearm.

I believe the majority of CCW holders feel as I do – the last thing we would ever want to do is take a human life. However, if the tragedy of a self-defense shooting death occurs at the hands of a CCW holder, or even if a CCW holder only wounds someone else in the defense of his or her life, please understand that there is a huge probability that the CCW holder truly believed that the force applied was reasonable and necessary to prevent loss, harm, injury, or death.

The average CCW holder is not military or law enforcement, they are everyday people like myself who simply desire to be able to protect ourselves if law enforcement cannot get to us fast enough in the event of a violent encounter. We're not Clint Eastwoods looking for some punk to “make our day”, and, if a deadly force incident has occurred, the CCW holder has already been traumatized enough. This bill refuses to further compound their suffering by requiring them to prove over and over

again that they were justified in defending themselves or someone else instead of retreating.

Sec. 2901.05 addresses the issue of burden of proof in self-defense cases. Currently, Ohio law places the burden of proof on the victim. In cases of self-defense, this bill would shift the burden of proof to where it should be – on the prosecution.

At this time Ohio law clearly and irrationally discriminates against victims of violence who choose to defend themselves. As I mentioned before, I believe I can confidently say that it is not the desire of the typical CCW holder to be involved in any type of shooting and if they have been involved in a self-defense shooting situation, they are probably devastated. Picture this: I am a law-abiding citizen minding my own business, I get violently attacked by some thug, I choose to defend myself against this criminal, and then **I** am the one who has to prove my innocence – prove that I did nothing wrong and that I acted appropriately while fearing for my life?? Seriously?? How can this possibly be considered fair or just??

I have a wonderful husband and 12 beautiful children whom I love dearly and I am a peaceful, fun-loving person who does not go looking for trouble or problems. However, I am also a realist and I understand that bad things can and do happen to good people and sometimes when seconds count, the police are minutes away. Due to this fact of life, over the past year I have committed myself to over 200 hours of professional instruction in the use of my firearms and in learning basic self-defense skills so that if someone makes the very unwise decision to attack me or my loved ones who are in my presence, I am going to mount an effective defense using all of the knowledge and skill that has been afforded to me.

Again, I am a peaceful person and if a situation has occurred that has caused me to respond to a violent act with lethal force, I can assure you my Zen state is now completely jacked and my calm world has been turned totally upside down and inside out. However, while trying to process all that has happened, instead of being able to take at least some small comfort in knowing that the law would be on my side because I was “the Good Guy” who was only defending myself, unfortunately Ohio law, as is currently written, tells me that I will now need to answer 50 million questions from countless individuals to prove that I am not some trigger happy lunatic who took out the first person who looked at me sideways.

Hey!! Wait a minute - I’m the Good Guy, remember?? I’m the one who purchased my firearm legally, passed my CCW test, trained in the heat, cold, rain, and snow, and vowed that lethal force would always be used only as an absolute last resort. I’m the one who was minding my own business, probably contemplating what my daughter would be making for dinner that night, when this person’s violent actions collided with my quiet existence. In a sane world, shouldn’t the “Why’d you do

this??” questions be posed to the guy in the hospital or left unanswered because the perpetrator is in the morgue?? Why am I, the Good Guy, being persecuted??

As Jim Irvine, Chairman of Buckeye Firearms Association, so eloquently stated, "People under attack should be able to defend their life. They should not have legal hurdles to jump before acting to defend themselves. **They should not be second-guessed for years over a decision they were forced to make in a second.** *Ohio law should protect the victim, not the aggressor.* This bill corrects this problem with Ohio law." I could not agree more.

This bill would make it so that the CCW holder would not need to rehash that nightmare over and over trying to defend themselves yet again and suffer through the agony of explaining why they took a particular course of action that they absolutely felt was warranted at the time of the event.

There are ways to avoid almost any situation when the incidents are viewed through 20-20 hindsight and split-second decisions aren't necessary, life-altering, or permanent. However, when evil rears its ugly head, seconds count and a nanosecond can mean the difference between life and death for an innocent victim. There is a key word in Mr. Irvine's statement from before – **forced**. I do not believe anyone who has been **forced** to make an incredibly difficult and life altering decision due to the violent actions of another should be violently assaulted yet again by Ohio's legal system.

I sincerely and earnestly implore you to please support this bill.

Respectfully Submitted,
Candy S. Petticord”