



OHIO ASSOCIATION OF CHIEFS OF POLICE, INC.

House Bill 585 Proponent Testimony

Chairwoman Anielski, Vice Chair Hambley, Ranking Member Ashford, and members of the House State and Local Government Committee, thank you for the opportunity to provide testimony in support of H.B. 585 on behalf of the Ohio Association of Chiefs of Police. It is our belief that the provisions contained in H.B. 585 will assist in reducing the availability of weapons to persons that are not legally permitted to own them, will benefit the accuracy of the National Instant Criminal Background Checks (NICS) System, and most importantly will give family members and law enforcement a tool to restrict firearm access from persons who might be suffering a mental health crisis.

Current events are clearly a driving force behind the introduction of H.B. 585. The provisions that strengthen definitions and make them more consistent with federal definitions will give state and local law enforcement options when a person violates the law. It would also create additional conditions related to weapons under disability that again are designed to keep firearms from people that should reasonably be barred from possessing firearms due to their criminal past.

We do not believe these provisions are an infringement on the Second Amendment. Our position is that people that illegally own and use firearms are the ones that we should focus our attention on. The changes in definition, which make Ohio come into line with current federal restrictions, do just that. The proposed additional conditions related to weapons under disability similarly address the segment of society that has a violent or criminal background. While we are unequivocal that criminals should not own or carry firearms, we are also aware that the process used to seek relief from disability is being placed back into this legislation. The OACP supports this amendment, and believes people can and do rehabilitate and deserve second chances.

We also support the provisions of this legislation that creates the extreme risk protection orders. Imagine this scenario: On any given night, a person is intoxicated and suicidal, and threatens to shoot themselves with a firearm that they own. They are taken to the hospital for evaluation, treated, but ultimately released. The investigating officer correctly confiscated the firearm on the night in question. The owner, who was suicidal just days before, comes to the police department for their firearm. All should be able to agree that there is some risk in this scenario. This is a not an uncommon occurrence.

As the law currently stands, the firearm must be returned. It is our position that the extreme risk protection order that is proposed would give law enforcement and family members a tool to temporarily separate an at risk person from their firearms, while providing due process and a

means for appeal. Every day we struggle with how to properly care for individuals with mental health issues. We do not want ill people in jail, and there is limited bed space for adequate treatment. Consequently, many people with significant mental health issues are returned to the community every day.

We recognize that these events are many times acute and will not be lifelong disabilities. That is one of the reasons that we support this legislation, because it also introduces due process via a hearing, a defined timeline, and an appeals process. It is our belief that this will be a valuable tool that addresses some of the concerns that have been raised over the course of current events. We are not interested in engaging in a Second Amendment assault, and are more than willing to work with anyone that stands opposed to this legislation, and has the reasonable goal of ensuring public safety and protecting Second Amendment rights.

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Ohio Association of Chiefs of Police