

1306 Lakeside Ct.

Worthington, OH 43085

Subject: **Testimony regarding HB 228 / SB 180 from Matthew Burns**

Chairman Coley, Vice-Chair Uecker, Senators, thank you for the opportunity to present testimony in opposition to HB 226 and SB 180. I am here to speak on behalf of my developmentally disabled brother, Dougie.

Dougie is a lifelong resident of Medina County, a client of the Medina County Board of Developmental Disabilities and currently lives in a group home. He is employed through Windfall Industries at Root Candle. I am his guardian.

Some backstory on Dougie. My brother is deemed to be 'non verbal.' Though he speaks, it's difficult for those not familiar with him to understand him. Further, he does not have the cognitive abilities to understand House or Senate bills or this legislative process, yet he depends on all of us to enact laws that advocate for him and safeguard him and his peers. I am grateful to be able to speak on his behalf to you this evening.

My family – along with many other families – have worked for decades in partnership with local government, community groups, fire and safety officers and local businesses to create environments where my brother feels safe and welcomed. Dougie regularly attends community activities in Medina, and events with family throughout the state when he comes to visit us. At 65 years of age, he especially enjoys group outings with his friends. These dear friends are peers he has grown up—and grown old—with, and they are men and women who behave differently than you and me. The sounds they make, the way they move, the expressions found on their faces are unique to them – and different from most.

Initial feelings of discomfort and fright are common for many who first come upon my brother and his peers when they are out in public. Some might even feel threatened by the sights and sound these loving and beloved men and women make. I have first-hand experience seeing this and addressing situations.

In today's world, I'm fortunate to have moments of pause that allow me to speak, to explain and to introduce my brother. How wonderful it is when encounters of initial mistrust and fear are transformed into encounters where people can meet and better understand my brother and his friends. That is the world I want for him and every similarly disabled Ohioan.

Yet, I imagine a world where those moments are taken away, and replaced with a gunshot that says it's OK to kill when you feel threatened. That's not doing the right thing for my brother Dougie and any similarly disabled Ohioan who depends on you and me for protection.

My parents fought diligently for his inclusion in community life. My mother made a point of including my brother Dougie in all our daily family activities – from attending church, to grocery shopping to dining out with friends and family. Were HB 228 and SB 180 to become law, I will fear for my brother's safety in church, at the store and when eating out. That's not a direction forward for this fragile population that depends on us for protection.

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Four (4) key items of concern to me follow:

1. Undoing decades of work with partnerships with law enforcement and community:

Note the shooting of a man with autism's care provider in Miami, Florida in 2017. Police officers responded to a 911 call indicating a man was in the street with a gun. When they arrived, they found this adult with a developmental disability playing with a toy truck in the street, while his provider tried to get him to return to his home. When the autistic man didn't comply with their orders, an officer fired three times, shooting the provider. What's of note here is this: if trained officers can make such a mistake, how much more likely that an untrained, upset or unstable person with a gun could shoot-to-kill, before ever knowing the person they are dealing with is physically harmless, simply autistic?

<https://www.miamiherald.com/news/local/crime/article90905442.html>

2. Puts our law enforcement in harm's way:

What happens to our law enforcement officers' safety when dealing with the amplified instability of misunderstood situations involving developmentally disabled individuals and citizens permitted to shoot before retreating in public venues?

3. Runs counter to local government:

The churches I attend have pastors who have explicitly stated that they do not want guns in the church. Indeed, the Diocese of Columbus reminds all of its faithful that the duty to avoid violence (retreat), when possible, is an essential component of self defense and respect for life. HB 228 has a punitive preemption provision that bars city and municipal leaders from supporting the rights and wishes of their constituents and runs counter to the faith lives of many.

4. Lastly, why these bills:

With all that faces us today, why are we focused on such sweeping reform without better engaging your local constituents in town halls or the like to get their input?

In short, Senators, I am requesting your assistance to keep our families safe from gun violence, especially for Ohioans who rely on those of us who are "developmentally typical". Please vote to protect my brother and his peers' ability to live in inclusive and safe communities **and add your voice to those who oppose HB 228 and SB 180.**

Thank you for the opportunity to testify. I would welcome helping you engage the with law enforcement, fire and rescue professional and families in my brother's home town of Medina or in my home town of Columbus to address solutions that meet everyone's needs, including those of the disabled.

Matthew E. Burns