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Senate Government Oversight & Reform Committee

December 4, 2018

Testimony on House Bill 228

Chairman Coley and Members of the Committee,

My name is Michael Weinman, director of government affairs, for the Ohio Fraternal Order of Police. Thank you for allowing me to give opponent testimony on HB 228. Today, I am testifying on behalf of more than 25,000 active and retired members of the FOP from across Ohio.

HB 228 makes significant changes to Ohio's gun laws to the detriment of law enforcement. The bill eliminates the duty for a driver and passenger, who are concealed carry license holders from keeping their hands in plain sight if they feel it is impractical. Force Science Institute conducted an extensive study that showed on average it takes .23 seconds, if sitting in a vehicle, to draw a weapon and fire upon an officer. It takes that officer 2.4 seconds to respond to that threat. This was touched on by proponent testimony yesterday. The officer is always behind the 8 ball. An officer's life can end in .23 seconds.

HB 228 reduces the penalty of carrying a concealed weapon without a license to a minor misdemeanor. It has been said that this change is to protect those who committed an unfortunate oversight. It has been my experience that individuals who stuff a pistol in their pocket, and do not have a concealed carry license, are not victims of an unfortunate oversight. They do so with the intention of harming someone. And that someone could very well be a police officer. I am a case in point. My assailant was a multiply convicted violent felon. Under the bill, if I was not charging him with anything else, I would have been forced to write him a \$25.00 ticket.

The minor misdemeanor also applies to those improperly handling a firearm in a motor vehicle. Again, consider the .23 seconds it takes to fire a weapon at an officer. Now, we have individuals who didn't bother to get a concealed carry permit that will have a weapon at hand because they have no fear of a \$25.00 dollar fine. And like those carrying a weapon on their person, are generally up to no good.

The FOP's opposition to HB 228 is about officer safety. Keeping hands in plain sight ensures that those carrying a firearm do not handle that firearm. The officer can see the hands that could kill him. Just how many cases are there of officers charging someone whose arm is in a cast and didn't have their hands in plain sight? Officers have been given discretion to act or not, they are not imbeciles. Furthermore, drastically reducing the penalty for improperly handling a firearm in a motor vehicle, or carrying a firearm on your person, eliminates any deterrence that exists now. The penalties are so low the State will see a reduction in the number of people getting licenses, unless a reciprocity agreement requires one. For these reasons the FOP is respectfully asking for a no vote on HB 228.