

June 8, 2020

The Honorable George Lang
Chairperson, Criminal Justice Committee
77 S. High St
13th Floor
Columbus, OH 43215

Re: Opposition to HB 381

Dear Representative Lang and Members of the Committee,

My name is Brittany Dalton. I am an environmental scientist, gun violence survivor, and a resident of house district 9 in Cleveland Heights.

I believe that all people of Ohio have the right to be safe and represented. As elected representatives of all people of Ohio, you have a moral obligation to pass legislation that allows everyone to feel free from fear in public spaces. Therefore, I am deeply concerned about HB 381. Thank you for the opportunity to submit this testimony.

Stand Your Ground laws are proven to lead to increase gun violence and decrease safety in communities. Ohioians are overwhelming in support of laws that work to reduce gun violence. I am a scientist and value evidence-based research.

- The American Bar Association adopted a resolution in 2015 opposing Stand Your Ground laws based on racial bias and the balance of the rights of the accused with those of a victim. Research shows there is racial and ethnic bias in the judgement of threats. Stand Your Ground laws use subjective judgements for criteria of self-defense. The American Psychological Association stood in support of the resolution.
<https://www.apa.org/monitor/2015/05/upfront-stand-ground>
- Stand Your Ground Laws disproportionately impact communities of color. White shooters use deadly force, the homicide is deemed justifiable eleven times more often than when the shooter is black, and the victim is white.
http://www.ncdsv.org/images/TAMU_Does-strengthening-self-defense-laws-deter-crime-or-escalate-violence_2012.pdf
- Cheng et. al., 2012 found that in 20 states with Stand Your Ground laws from 2000-2010, there was a statistically significant increase in the number of reported murders and negligent homicide. http://www.ncdsv.org/images/TAMU_Does-strengthening-self-defense-laws-deter-crime-or-escalate-violence_2012.pdf

I urge you to hear the voice of the international demonstrations for racial justice over the past two weeks, the people of Ohio and of the world don't want policies that help white shooters avoid criminal prosecution by promoting implicit biases and systemic racism. Stand Your Ground laws are facing serious scrutiny after they were used to justify the murder of Ahmaud Arbery. We now have concrete evidence that the murder was racially motivated. <https://www.nbcnews.com/news/us-news/was-pursuit-killing-ahmaud-arbery-perfectly-legal-it-s-not-n1205581>.

<https://www.law.com/dailyreportonline/2020/06/04/racial-slur-shocks-hearing-in-ahmaud-arbery-murder-case/?slreturn=20200509113125>

As a survivor of gun violence, I also have serious concerns over how Stand Your Ground laws will impact innocent bystanders in public spaces. I was with my 8-year-old son behind his brother's elementary school at 4 pm on a Thursday afternoon when we were caught in the crossfire of one man shooting into a crowd of young adults on the school playground. He is using self defense as justification for firing on school grounds with innocent bystanders present. I do not want my children to grow up in a world where they must fear for their lives in the face of widespread vigilantly justice. Removing the duty to retreat in public spaces puts us all at risk. Stand Your Ground laws favor the rights of the shooter over the rights of innocent bystanders by granting immunity from civil suits. This is also a violation of my constitutional rights granted under the Due Process Clause. In Birmingham, Alabama a 4-year-old girl was killed and a 68-year-old man was injured during a shooting where Stand Your Ground was enacted as a defense.

This is an unnecessary and racist bill, that does nothing to make us safer, or to solve racial injustices in Ohio. It is a law that Ohioans do not want or need. We already have the Castle Doctrine law that allows Ohioians defend their homes or cars with deadly force. I urge you to vote against this dangerous reversal of common sense gun laws that puts us all at risk. Please vote NO on HB178

I am asking that you vote no on HB 381. Thank you.

Sincerely,

Brittany Dalton
Cleveland Heights, Ohio