

Testimony on House Bill 381 House Criminal Justice Committee

Submitted by: **Laura Robertson Boyd**

Vice Chair Plummer, Ranking Member Leland, and members of the committee, thank you for allowing me to submit this testimony in opposition to House Bill 381. My name is Laura Robertson-Boyd. I live in Bexley, Ohio, and I am a volunteer with the Ohio Chapter of Moms Demand Action for Gun Sense in America. We are a grassroots movement of American mothers and others fighting for public safety measures that respect the Second Amendment while protecting us from gun violence. Moms Demand Action is part of Everytown for Gun Safety, the largest gun violence prevention organization in the country with more than 6 million supporters.

Before I address the specifics of this bill, I first want to take a moment to acknowledge the incredible stress and hardship that Ohioans have been facing over the past few months due to COVID-19 and also in the past two weeks as tensions have flared during protests over the brutal killings of George Floyd, Breonna Taylor, Ahmaud Arbery, and more. In the past 3 months, Ohio has documented over 38,000 COVID-19 infections, and over 2,300 Ohioans have died from the virus (<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/dashboards/overview>). Ohioans filed over 1.1 million unemployment claims in the first 7 weeks of the pandemic – as much as the combined total of claims for the past 3 years, according to the Ohio Department of Jobs and Family Services (<https://www.dispatch.com/business/20200507/coronavirus-unemployment-claims-in-ohio-us-ease-but-still-high>). Ohioans are hurting – from fighting for their lives and losing loved ones to a highly contagious virus which has no cure, to losing their economic security – many losing their health insurance along with their jobs, and some have even lost their homes. Even worse, our citizens are hurting from years of systemic racism which treats our Black and brown brothers and sisters as less-than-human. Here in Columbus, as well as in other Ohio cities, we've seen peaceful protests for civil rights take dangerous turns in clashes with law enforcement, only exacerbating the hurt our communities are feeling.

In the midst of these ongoing national crises, I want to say that it is completely tone deaf for this committee to take up this dangerous bill that will only make our communities less safe by increasing the potential for gun violence. Our communities need healing right now. There are several pieces of legislation sitting in committees that this Legislature COULD choose to hear – including HB 317, requiring background checks on all gun sales, and HB 316, a “red flag” law – which could keep our communities SAFER. But instead, this Legislature is prioritizing the loosening of gun restrictions in Ohio, putting our communities at greater risk because you would prefer to follow the dictates of radical gun groups and people who have chosen to threaten even you if you do not do what they want. As an Ohio citizen, I am highly disappointed in the priorities of this governing body to advance dangerous gun legislation during such a difficult and fragile time for Ohio and for the entire country.

With that, I will now address this bill. HB 381 would put children, families, and communities at risk by making Ohio a “Stand Your Ground” state. Stand Your Ground laws upend traditional self-defense laws, encouraging armed vigilantism, as in the brutal murder of Ahmaud Arbery in Georgia, and giving civilians in public places more leeway to shoot than the U.S. military gives soldiers in war zones (1).

Recently I was shopping for groceries for my family at my neighborhood Kroger. It was 2:00 pm on a Tuesday afternoon when I was in the checkout line. An argument broke out between a man and a woman in the self-checkout line. Screaming and shouting ensued. As the argument got more heated, I could hear the man and woman threatening to get their guns to settle the dispute. I could hear a call for security over the loudspeaker, but the security guard never came. No other Kroger employees intervened. The man eventually started walking away toward the exit of the store saying, "I don't want to hurt you." The woman chased after him, shouting that he was "lucky" her gun was in her car, but she intended to get it. I do not know what happened when they

reached the parking lot. I had no intention of leaving the store with my groceries until the area had been secured as safe. All I can remember thinking is: I'm really grateful that after years of allowing the open carry of guns in Kroger stores, the Kroger Corporation finally reversed course after the tragic mass shooting in Dayton on August 4 last year and finally began asking customers to leave their guns at home (2). If either of those two individuals had been carrying a loaded gun in the store that day, the argument might have had a very different and deadly outcome.

If HB 381 were enacted into law and the duty to retreat in public places no longer existed, even when there is a safe alternative to resolve disputes, what looked like a heated argument in the self-checkout line at Kroger could have turned deadly in an instant. The shooter could get away with murder by claiming self-defense, and innocent grocery shoppers could be killed or injured in the process - just because we need to go to public places like grocery stores to feed our families. Indeed, research on the impact of Florida's Stand Your Ground law shows that in 79 percent of the cases where Stand Your Ground was invoked, the shooter could have retreated to avoid the confrontation (3)—just as happened, thankfully, in the grocery store incident I witnessed.

The bottom line is: HB 381 would put all Ohioans at risk. And we know that Black Ohioans will suffer those risks to a much greater degree, due to both individual and institutionalized racism. We know that white shooters of black victims are 11 times more likely to have their homicides ruled justifiable than black shooters of white victims. We have just seen that racial disparity play out in the murder of Ahmaud Arbery, whose killers would have escaped justice if the video had not surfaced (4). Lawmakers should put the safety of their constituents first and reject HB 381.

Sincerely, Laura Robertson-Boyd

1. Soltz, J. (2012, April 10). George Zimmerman Had More Legal Authority to Kill Than Our Troops Do at War. Think Progress. Retrieved from <http://bit.ly/2axdoI9>
2. Coolidge, A. (2019, September 3). Kroger changes gun policy, asks shoppers not to openly carry firearms. The Cincinnati Enquirer. Retrieved from <https://tinyurl.com/y53v9psx>
3. Spitzer, R. (2015, May 4). Stand Your Ground Makes No Sense. The New York Times. Retrieved from <https://tinyurl.com/s66zzx2>
4. Roman, J. (2013). Race, Justifiable Homicide, and Stand Your Ground Laws: Analysis of FBI Supplementary Homicide Report Data. Urban Institute. Retrieved from <http://urbn.is/2gGvGvM>.