

From: Michael Chaka, MD
Submitted on 06/08/2020

Testimony in opposition to HB 381
Submitted to The House Criminal Justice Committee

To Chairman Lang and the Members of the Ohio House Criminal Justice Committee,

Thank you for allowing me to testify today. My name is Michael Chaka. I am a physician based out of Cleveland, Ohio and I am writing to voice my Strong opposition to HB 381, the so called 'Ohio Stand Your Ground Act."

As a physician, my primary concern regarding HB 381 is that I believe it will lead to an increase in senseless deaths in our state. Since the template bill was passed in Florida back in 2005, Florida and many of the other states that approved similar bills have not seen the law become the deterrent for crime that proponents of the bill would avow. In contrast, Rand.org, a non-profit organization that has been following and analyzing the evidence on the homicide rate in regards to stand your ground laws, shows that there is supportive evidence that such laws increase the homicide rate, estimating an approximate 6-11% increase in homicides based on the published papers that were analyzed¹.

Such laws have been cited more frequently in the news as the justification for shooting-related violence. Reading through several of the incidents, can you not imagine encountering a similar situation in your day-to-day life? The shooting of Jordan Davis in Jacksonville occurred at a gas station due to a dispute over loud music. The shooting of Markeis McGlockton in Florida occurred over a parking spot. Both scenarios resulted in the named men being killed. Ask yourselves, how many times have you temporarily lost your temper while driving? You see someone take the parking spot you were waiting for, so in a moment of anger you go out of your car to complain. The other person becomes threatened and shoots you without hesitation. One person's knee-jerk reaction has now resulted in a permanent loss of another's life. This is sadly not an exaggeration; the subjective nature of this law, and others like it, renders such a law unfit to protect the general public.

These are not deaths that a civilized society should condone. Laws like HB 381 remove the common-sense notion that we should try to de-escalate tensions and instead allows people to become judge, jury, and executioner, responding to a perceived threat with an incongruent amount of lethal force. The desire to move forward with this bill also suggests that the proponents have little understanding of

¹ Rand.org (non-profit studying papers on effects of stand your ground laws on homicide rates). <https://www.rand.org/research/gun-policy/analysis/stand-your-ground/violent-crime.html>

the current protests raging across the country and our own state. At the core of these protests is the opposition of impulsive and illegitimate uses of deadly force, especially towards People of Color. A study published in the journal of Social Science and Medicine found that “Individuals (i.e. defendants) in Florida were more likely to avoid charges if the victim was Black or Latino but not if the victim was White. Indeed, individuals are nearly two times more likely to be convicted in a case that involves White victims compared to those involving Black and Latino victims.²” The paper was published back in 2015. The fact that we are still discussing a similar law when people across Ohio and the country are protesting the indiscriminate killing of African Americans is tone-deaf at best and morally repugnant at worst. Such a law is the reason that Trayvon Martin’s killer was allowed to go free.

As a physician, I rely on the most up-to-date evidence in order to make informed decisions that affect people’s lives. This bill will also affect people’s lives, and the information is telling you that HB 381 and laws like it will increase Ohio’s homicide rate. An informed legislature on the right side of history will not consider this harmful and dangerous bill.

Thank you for considering my testimony.

Michael Chaka, MD
chakamr@gmail.com

² Social Science and Medicine article of racial disparities in Stand your Ground laws.
<https://www.sciencedirect.com/science/article/abs/pii/S0277953615300642>