

## **Mitchell Pinsky Group Leader of Students Demand Action at The Ohio State University & Students Demand Action National Advisory Board**

Before I begin, I would like to thank Chairman Lang and the rest of the honorable Representatives for taking the time to listen to my testimony. It is exercises like these that allow the people to make their voice heard and uphold the underpinnings of our great democracy.

After the tragic shooting in Dayton that left nine Ohioans dead in 32 seconds, a new renewed call for gun reform emerged. Our leaders insisted they were ready to act, that they were ready to offer more than thoughts and prayers and to start fighting for common-sense gun safety measures that save lives.

Instead of moving forward on policies to make our communities safer that have the support of the majority of Ohioans and lawmakers from **both** sides of the aisle — like background checks in Senate Bill 183, and a red flag policy in Senate Bill 184 — the Ohio Senate is considering extreme and dangerous ‘Stand Your Ground’ legislation. This bill would upend the traditional “duty to retreat” and allow a person to shoot to kill in public, even when there is a clear and safe alternative to deescalate the situation.

I’m a sophomore at The Ohio State University and am the Founder and Group Leader of Students Demand Action at The Ohio State University, as well as a Students Demand Action National Advisory Board member. Ohio is my new home and I dedicate my free time to advocating for gun reform that would make Ohio safer for *all*. I am also from Florida — a state that is home to some of the deadliest and most controversial events of gun violence in the nation —and the first state to adopt Stand Your Ground.

In Florida, my house is 10 miles away from Marjory Stoneman Douglas High School. I had childhood friends there, saw the uncensored videos in real-time of frightened students screaming in their classrooms as bullets ricocheted in the halls and of students escaping their classrooms, only to see and step over the lifeless bodies of their peers. I **know** firsthand how gun violence can **shatter** a community.

And as a Floridian, I have also seen the controversy and violence that corresponds with the implementation of a Stand Your Ground law. I am terrified that Ohio is headed down the same perilous path.

Since Florida adopted the country’s first Stand Your Ground law in 2005, the research has been undeniable - Stand Your Ground laws **do not** deter crime, but instead are associated with an

**increase** in firearm homicides and injuries.<sup>1</sup> Florida's Stand Your Ground law is associated with a 32 percent increase in firearm homicide<sup>2</sup> rates, and in 79 percent of Florida Stand Your Ground claims, the person who invoked the<sup>3</sup> Stand Your Ground defense could have retreated to avoid the confrontation. In 68 percent of<sup>4</sup> those cases, the person killed was *unarmed*. There are heartbreaking stories from across the nation of Stand Your Ground laws leading to escalated violence and ending in a gun death in situations that could have been otherwise defused — more deaths that could have been prevented.

Not only is the law associated with more homicides, but the majority of killers who have avoided murder charges by invoking Stand Your Ground have a history of violence. Staggeringly, nearly 60 percent of those who have invoked Stand Your Ground in Florida had been arrested at least<sup>5</sup> once before they killed someone. In fact, it has been “those with records of crime and violence — who have benefited most from the controversial legislation,” according to an analysis of Stand Your Ground cases by the Tampa Bay Times.<sup>6</sup>

Studies have also found Stand Your Ground laws to have a **disproportionate** impact on communities of color. Research also shows that when white shooters kill Black victims, the resulting homicides are deemed justifiable 11 times more frequently than when the shooter is Black, and the victim is white.<sup>7</sup>

These statistics are exemplified by the 2012 murder of Trayvon Martin, a Black teenager who was unarmed as he walked through his neighborhood in Sanford, Florida. And although the shooter did not invoke a Stand Your Ground defense during his trial in this case, coverage of the shooting frequently included discussion of the law and Stand Your Ground was discussed<sup>8</sup> among jurors right before they rendered the shooter “not guilty” - despite a history that included<sup>9</sup> resisting an officer with violence, being restrained from seeing his former fiancé due to domestic violence, and making at least 46 calls to the police involving black males.<sup>10</sup>

Supporters of Stand Your Ground would like us to believe that Stand Your Ground is necessary legal protection for law-abiding Ohioans practicing self-defense. But the law already protects us

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<sup>1</sup> <https://everytownresearch.org/fact-sheet-stand-your-ground/>

<sup>2</sup> [https://everytownresearch.org/fact-sheet-stand-your-ground/#foot\\_note\\_9](https://everytownresearch.org/fact-sheet-stand-your-ground/#foot_note_9)

<sup>3</sup> [https://everytownresearch.org/fact-sheet-stand-your-ground/#foot\\_note\\_14](https://everytownresearch.org/fact-sheet-stand-your-ground/#foot_note_14)

<sup>4</sup> [https://everytownresearch.org/fact-sheet-stand-your-ground/#foot\\_note\\_15](https://everytownresearch.org/fact-sheet-stand-your-ground/#foot_note_15)

<sup>5</sup> [https://everytownresearch.org/fact-sheet-stand-your-ground/#foot\\_note\\_16](https://everytownresearch.org/fact-sheet-stand-your-ground/#foot_note_16)

<sup>6</sup> <https://www.tampabay.com/news/courts/criminal/many-killers-who-go-free-with-florida-stand-your-ground-law-have-history/1241378/>

<sup>7</sup> [https://everytownresearch.org/fact-sheet-stand-your-ground/#foot\\_note\\_6](https://everytownresearch.org/fact-sheet-stand-your-ground/#foot_note_6)

<sup>8</sup> <https://www.npr.org/sections/thetwo-way/2012/03/19/148937626/trayvon-martin-killing-puts-stand-your-ground-law-in-spotlight>

<sup>9</sup> <https://www.miamiherald.com/news/state/florida/trayvon-martin/article1953286.html>

<sup>10</sup> <https://www.washingtonpost.com/blogs/post-partisan/wp/2013/05/28/george-zimmermans-relevant-past/>

in cases of self-defense. And the evidence out of Florida couldn't be starker: Stand Your Ground makes our communities less safe and lets dangerous criminals get away with murder.

Ohioans have been asking for common-sense policies like a red flag law and background checks on all gun sales — popular, effective methods to keep guns out of the wrong hands and give families the tools to intervene when a family member is in crisis. The legislature quickly introduced a bipartisan bill to require background checks on all gun sales and a bipartisan red flag bill, days after the Dayton shooting. But those bills, Senate Bills 183 and 184, have stalled and neither has received further debate after an initial hearing.

Unless Ohio wants to follow Florida's path of easing up on criminals, like Trayvon Martin's shooter, who believed that he had a license to kill because of the "Stand Your Ground" law, I highly urge our lawmakers to abandon this dangerous legislation. And I urge **all** Ohioans to call their Representatives and tell them that we want common-sense legislation to make our communities safer, not extreme Stand Your Ground legislation that would take us backwards.

I want to conclude by encouraging each and every member of this committee to reflect on the events of the past 2 weeks regarding the death of George Floyd. Ohioans all over the state have protested and emphasized that racism is a **rampant** problem in the United States, whether it be through our implicit biases, attitudes, or stereotypes. We have seen how Ohioans have reacted to an act of racism that occurred in Minnesota. Do you really want to slap Ohioans in the face by passing this bill in this time when racial injustice is being illuminated?