

Testimony on HB 381

House Criminal Justice Committee

Representative George F. Lang, Chair

Representative Phil Plummer, Vice Chair

Submitted by: Patty Benninger

Vice Chair Plummer, Ranking Member Leland, and members of the committee. Thank you for the opportunity to submit testimony opposing HB 381. My name is Patty Benninger. I am a retired teacher of preschool children, who taught over 40 years. I am married to a psychologist, who sees many unstable teenagers, and would hope that Ohio would take necessary steps to keep us safe from citizens who use lethal force even if they can safely retreat while under imminent threat.

I was shocked to read that “Stand Your Ground” laws give citizens in public places more leeway to shoot than the U.S. military gives soldiers in war zones. (“George Zimmerman Had More Legal Authority to Shoot and Kill Than Our Troops at War”, ThinkProgress, April 10, 2012). Service members’ Rules of Engagement for a conflict describe how a soldier must only protect himself from a deadly threat with necessary and proportional level of force. The service member is instructed to shout verbal warnings, show his/her weapon, and fire a warning shot when circumstances permit there is time to do so. In the Florida case of the shooting of Trayvon Martin, George Zimmerman didn’t even identify himself, and reacted less responsibly than a service member.

It is disturbing to learn that States that enact “Stand Your Ground” laws see increases in firearm homicide rates. The non-partisan Rand Corporation released a comprehensive report in September, 2019 which reviewed the effects of 13 gun policies at the State Level (www.rand.org/09/12/2019). It concluded that there was “moderate” evidence that these laws were associated with an increase in homicides. That argument that the “Stand Your Ground” law makes it safer for citizens has been proved false by these statistics of the firearm homicide rates

Since Florida had the first “Stand Your Ground” law it is important to note that in 79% of the “Stand your Ground” cases in Florida, the person who claimed “Stand Your Ground” could have retreated to avoid confrontation. (“Stand Your Ground Makes No Sense”, R. Spitzer, New York Times, May 4, 2015). A person should retreat from a potential violent situation when possible, rather than escalating it. Finding alternatives to confrontation was always an important concept I taught to my preschool students. As a society, we should be setting an example of diffusing violence.

Since there are no studies that associate expanding self-defense laws with deterring crime (The Social Science Journal, Cheng C. Hoekstra, 2016; 53(3)), it is unconscionable that advocates claim the “Stand Your Ground” law makes it safer for citizens. My job as a teacher, as well as my husband’s job as a psychologist, is to promote non-aggressive behavior in response to a potential conflict situation. We would hope Ohio could deter crime by opposing HB 381.

Respectfully submitted,

Patty Benninger