

Written Statement on Behalf of the Community Justice Action Fund

For a Hearing on

H.B. No. 381

Submitted to the Ohio House Criminal Justice Committee

Submitted by Greg Jackson, National Advocacy Director
Community Justice Action Fund

June 9, 2020

Mr. Chairman and members of the Committee, I am honored to submit this statement for the record on behalf of the Community Justice Action Fund.

The Community Justice Action Fund is a national network of thousands of gun violence survivors, advocates, family members of those killed, and concerned citizens about the gun violence epidemic in our country.

On behalf of the Community Justice Action Fund, I urge you to vote no on H.B. 381, which would create an expansive Stand Your Ground law by removing the duty to retreat before resorting to lethal force. We believe that this legislation would endanger the lives of people in Ohio, especially those in Black and brown communities that have historically been disproportionately victimized by Stand Your Ground laws.

Every year, more than 100,000 people are shot or killed by a gun--with Black Americans representing a majority of homicide victims. Black Americans are ten times more likely than white Americans to die by homicide with a gun.

Stand Your Ground laws are known to be manipulated to justify the killing of Black and brown people across the country. In recent news, the prosecutor cited Stand Your Ground laws as one of the reasons he avoided arresting the killers of Ahmaud Arbery months after his murder in Georgia. In a world where racism, racial profiling, xenophobia, anti-LGBTQ violence and other forms of discrimination are rampant, the last thing we should be implementing are laws that provide additional legal justification for killing another individual beyond self-defense.

A 2012 Texas A&M University study found that homicide rates increased seven to nine percent, in states with Stand Your Ground laws--representing an increase of 500 to 700 additional homicides each year.

Another study found that in states with Stand Your Ground laws, white homicide defendants who shot Black victims were more likely to have their homicides ruled justified than Black defendants whose victims were white. Data from the U.S. Commission on Civil Rights and the RAND Corporation indicates that if you are an African American asserting Stand Your Ground defense against a white person that was killed, you are TWICE as likely to be convicted, compared to cases where the victim was Black.

A 2016 study by the American Medical Association found that after Stand Your Ground laws were enacted in Florida, there was a 24.4% INCREASE in homicides overall and 32% increase in firearm-related homicides specifically.* In a 2017 follow-up study, there was a 75% increase in justified homicides (or the lawful use of lethal force) in Florida after these laws were enacted.

As you could see, there is strong evidence to prove that a law like H.B. No. 381 would not be an effective way to make the residents of Ohio safer. In fact, this law would likely lead to an increase of violence and homicides, disproportionately hurting Black and brown Ohioans. Stand Your Ground laws have a history of being racially biased, and their implementation would only further fuel the crisis of gun violence in Ohio. For this reason, we strongly urge members of the Ohio House Criminal Justice Committee to vote 'NO' on this bill, and any other iterations of Stand Your Ground laws that may appear in front of this legislature.

Please do not hesitate to contact Greg Jackson, National Advocacy Director at CJAF, with any questions. He could be reached at greg@cjactionfund.org