

TESTIMONY **AGAINST** HB 178
HOUSE FEDERALISM COMMITTEE
Rep. John Becker, Chair
Rep. Reggie Stolfus, Vice-Chair
Rep. Adam C. Miller, Ranking Member

Submitted By: Andrea R. Yagoda, Private Citizen

Chairman, Becker, Vice Chair-Stolfus, Ranking Member Miller and Members of the Committee: Thank you for allowing me to participate in this hearing today on HB 178. I am a private citizen and a resident of Ohio for the last 41 years, concerned about the safety of our community and how this bill affects the same. My name is Andrea Yagoda and I presently hold a conceal carry permit. I have had a permit since the early inception of the law providing for conceal carry permits. I obtained my permit as a result of what turned out to be a credible threat against my life. A client and I were threatened. No one, including myself, took it seriously until my client was shot and killed by the person making the threat. After that, threats and conduct, made in my line of work, which appeared threatening to me were taken seriously. The woman who carried out the threat went to prison. I appeared, on my own behalf and on behalf of the victim's family to oppose release at every parole hearing. When release was imminent I sought my conceal carry permit to protect myself, my family and my home. Up until that time I had no experience with firearms of any kind but here I was a 50-year old woman preparing to defend herself with a firearm, if necessary. Had HB 178 been in effect, at that time, I would have purchased a firearm and carried it with me. I would have told myself that I would get training and go to the shooting range to learn about my gun and to properly shoot it. But I know, even now, that life and work would have gotten in the way and the training and practice would not have happened as I would not have found the time.

The mandatory education and training were invaluable to me - not just to learn about the safety in handling a firearm but to build my confidence in the use of one.

Did I know that you should never point a gun at anyone? Yes. Did I know that in transferring a gun you lower the weapon towards the ground? Yes. But without the training would I have thought about that when handling the gun? No. After the training I did not have to think about it, it was automatic for me.

Did I know that if a firearm was fired with the safety on, normally it would not fire? Yes. But did I know that if fired with the safety on and then the safety taken off it could fire? No. I learned that in my mandatory training.

Did I know that a bullet discharged from a revolver could travel for a mile or greater? Absolutely not. Never even really thought about it until my mandatory training/education. I am pretty confident that I am not the only one. We hear stories about people celebrating by shooting guns in the air and falling blocks away hitting an innocent bystander. Obviously, they were not thinking about it either. It is common sense that in homes with children firearms should be stored securely where children do not have access but we have learned that common sense does not always prevail. I would hope that at age 50 I was more mature than the normal 21 year old and had more common sense than someone my junior and yet these were things I did not contemplate. Yet this legislative body is considering putting a concealed firearm in the hands of anyone 21 or older with limited exceptions.

My conceal carry education/training planted a seed. I cultivated that seed by continuing to practice safety and practice the handling and shooting my weapons at a range. I learned about my guns and how to use them. As a result, the training built up my confidence and skills. That would not have been the case without the mandatory training/education prescribed. I obtained my permit to protect myself. Without confidence that would not have been accomplished. In actuality, without that seed, far from being able to protect myself and my loved ones from harm, I would have been a

danger to myself and others. A person lacking confidence in the handling of a firearm is a walking time bomb.

I have heard the argument that the law as is stands will not deter criminals from obtaining guns. Well, we have laws against murder, yet folks kill each other daily. We have laws prohibiting theft, but we still have thefts. Do we abandon laws based on the argument that certain folks will not abide by them? No, we do not. I have no way of knowing how many folks out there have been deterred from carrying a concealed weapon because we have a permit process in place nor how many have been declined a permit due to a record check. What I do know, is that those who have permits have learned something about firearm safety and the handling of a firearm. HB 178 actually encourages people who have no experience with firearms to carry and conceal them. What could possibly be the rationale for this?

As a permit holder I cannot think of any reason why this body would delete the requirement that a driver approached by a law enforcement officer be required to advise said officer of the presence of a firearm. Every time a police officer stops a vehicle s/he is at risk. While an officer may never know what awaits him/her when s/he approaches a vehicle at least he is alerted, at present, that the occupant of the vehicle has a carry conceal permit and that the occupant may have a weapon, one small measure to insure the safety of our law enforcement officers.

Some fear individuals will be charged for failing to give notice because, under certain circumstances, they forget. I have been involved with officers three times. The first for speeding. I automatically put my hands on the wheel and advised the officer that I was carrying. The second I was involved in an automobile accident when struck in the rear while stopped at a red light. Although dazed and hurt I still advised the officer of the presence of my firearm although it was in the rear of my vehicle and not anywhere near me. The third time was again when I was struck by a vehicle. I put my hands on the wheel and advised the officer that a firearm was not in the vehicle.

This reaction came natural to me. I can honestly say that no matter what happens with this bill, I will automatically put my hands on the wheel and notify any officer of the presence of a firearm or absence thereof in my vehicle for my safety and that of the officer but I cannot guarantee others will do so.

Honestly, I do not understand the grave concern about this. Did you ever leave a grocery store and forget to pay for an item on the bottom of your cart? Every day citizens are involved in situations where they do something or fail to do something and lack the "intent" to commit crimes. Some officers exercise their discretion and do not charge, some do but it works its way through the system and most times the cases work out equitably. Did you hear about dozens or hundreds of cases to the contrary, during proponent testimony? In my quick review of the testimony presented I did not see any at all. We cannot indulge ourselves in every "what if" scenario.

Although none of us really know how we will react when and if forced to use deadly force with our adrenalin flowing, I am confident that I am better equipped to do so due to my mandatory training/education.

As a citizen, and voting constituent I ask this committee to vote no on this bill.

Thank you.

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