

Chairman Becker, Vice Chair Stoltzfus, Ranking Member Miller, My name is Gary Witt, one of the directors of Ohioans for Concealed Carry. Thank you for giving me the opportunity to present proponent testimony on HB 425.

The kids are fighting, the wife is trying to settle them down, the dog is barking and the officer that pulled you over is at your window as you wonder why you are being stopped. Under these circumstances it is very possible that notification that you are armed is not at the forefront of your mind yet distractions can subject you to fines, attorney costs and jail time among other things if you do not notify within the arbitrary "prompt notify" period of time that the officer has established. Is it justice that someone who doesn't notify promptly receives the same class of violation that a person who is convicted of domestic violence?

Every since Restaurant Carry was passed and the dire warnings of doom and gloom didn't materialize in 2011 OFCC members have made removal of the duty to retreat the most sought after improvement to Ohio's concealed carry laws. When a Canton police officer told an armed concealed handgun licensee who had tried to notify that he was armed, the officer said he should have stepped back, drew his Glock 40 and put ten rounds into him. OFCC has the police dash cam video of this incident on line, there is no disputing what the officer said.

It would seem to a lay person that an officer approaching a vehicle would always be in a sense of heightened alert. It would seem that the heightened alert could cause more problems than it resolves. Consider the case of Philando Castile. In 2016 he was a 32 year old African American man who was stopped by a Minnesota police officer because one of his brake lights was inoperative. He notified the officer that he was carrying and while attempting to retrieve his driver license as requested, the officer shot and killed him. I have to ask myself if Mr. Castile had not notified would this traffic stop have ended the same way?

With that sense of heightened alert in mind, law enforcement has as yet to adequately explain how notification enhances officer safety. Last session the FOP testified against HB142 before this committee on the grounds notification threatened officer safety citing a 187% increase in ambush killings of law enforcement officers the previous year. A common definition of ambush is a surprise attack by people lying in wait in a concealed position. An individual sitting in a vehicle with a law enforcement officer at the side of his vehicle isn't exactly in a concealed position.



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OFCC strongly supports language in the bill that puts the responsibility on the law enforcement officer to ask if the citizen is armed.

Thank you for your time and attention. I will attempt to answer any questions that you may have.