



Ohio Prosecuting Attorneys Association

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House Bill 248
Written Opponent Testimony
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Chairman Becker, Vice-Chair Stoltzfus, Ranking Member Miller and members of the House Federalism Committee, thank you for the opportunity to offer written opponent testimony on House Bill 248, a bill that would amend Ohio's weapons under disability statute to allow persons under a weapons disability to purchase antique firearms. Allowing convicted violent felons and others who are under a weapons disability to purchase firearms undermines the purpose of our weapons disability statute and creates an unnecessary risk to public safety.

While we appreciate the problem faced by federally licensed firearms dealers who are prohibited from running a background check through the national instant criminal background check system (NICS) when the firearm is an antique firearm, the solution should not be to allow an individual who is under a weapons disability to purchase firearms. A better solution would be to seek to change the federal law or the NICS regulations to allow background checks under these circumstances, or, possibly, to require background checks on antique firearms purchases to be conducted through the Ohio Bureau of Criminal Investigation (BCI).

Simply put, allowing violent felons and others under weapons disability to legally purchase these firearms puts public safety at risk. This is not speculation. In August 2017, Paul Claren was convicted in Wayne County for the Aggravated Murder of his neighbor, Brian Galliher. Claren was a convicted felon with a violent past. Despite being under a weapons disability he was able to purchase the weapon he used to commit the murder, an 1858 Army .44 black powder revolver, from a federally licensed firearms dealer because the dealer could not run a background check. Claren is now serving a life sentence with no possibility of parole. Changing the law in the manner proposed in House Bill 248 gives license to these types of firearms sales rather than solving the problem of keeping firearms out of the hands of violent felons. We urge a different approach.

Thank you again for the opportunity to provide written opponent testimony. We would be happy to work with the sponsors, the committee members, and others to help accomplish the goal of protecting federally licensed firearms dealers, but in a way that keeps firearms out of the hands of dangerous criminals.