



Ohio Coalition Against Gun Violence

PREVENTION THROUGH EDUCATION, ADVOCACY AND PUBLIC AWARENESS.

To: House Committee on Federalism and Interstate Relations

From: Jennifer Thorne, Executive Director, Ohio Coalition Against Gun Violence

Re: HB 201, House Committee on Federalism and Interstate Relations Hearing, June 20, 2017

Date: June 19, 2017

Chair Roegner, Vice Chair Lipps, Ranking Member Leland and members of the Committee on Federalism and Interstate Relations: Thank you for the opportunity to share opponent testimony with you on HB 201, which would eliminate the training, background check, and licensing requirements for carriers of hidden, loaded firearms in our public spaces. We believe that permitless carry is bad public policy, bad for public safety, and puts law enforcement at an increased risk of harm.

Training Requirements

The current process training requirements to obtain a concealed carry license in Ohio is important to protecting our public safety. The total time required for training used to be 12 hours but was reduced to 8 hours with a minimum of 2 hours of in-person training that consists of range time and live-fire training. The law requires certified training in the following matters:

- The ability to name, explain, and demonstrate the rules for safe handling of a handgun and proper storage practices for handguns and ammunition;
- The ability to demonstrate and explain how to handle ammunition in a safe manner;
- The ability to demonstrate the knowledge, skills, and attitude necessary to shoot a handgun in a safe manner;
- Gun-handling training.

Additionally, you must have two hours of in-person training, including range time and live-fire experience. The applicant also must complete an examination that tests his competency. The test must include a written section on the ability to name and explain the rules for the safe handling of a handgun and proper storage practices for handguns and ammunition.

Additionally, the exam must include an in-person physical demonstration of competency on handgun usage and rules for safe handling and storage of a handgun. It also must require a physical demonstration of the attitude necessary to shoot a handgun in a safe manner. The training and written exam may be completed online or as a combination of in-person and online training. The online portion of the training must include a component that regularly engages the person.¹

¹ Ohio Attorney General Concealed Carry Laws Manual, Revised 3/21/2017.

Under HB201, the requirement to receive this training would be eliminated. It would then be legal for someone who has never even fired a gun to carry concealed in our public spaces.

Background Checks

Those who want to legally carry in public must also pass a criminal background check. The NICs background check will fail anyone who:

- is a convicted felon or under indictment for a felony;
- is a fugitive from justice;
- is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act, codified at 21 U.S.C. § 802);
- is adjudicated as a mental defective or has been committed to any mental institution;
- is not in the United States legally or anyone who has been admitted to the U.S. under a nonimmigrant visa;
- has been discharged from the Armed Forces under dishonorable conditions;
- has renounced their United States citizenship;
- is subject to a court order restraining the person from harassing, stalking, or threatening an intimate partner or child of the intimate partner; or
- who has been convicted of a misdemeanor crime of domestic violence.²

To obtain an Ohio Concealed Carry License, the following must also be true above and beyond passing the NICs background check:

- You must not have had a concealed carry license issued by another state suspended.
- If you live in another state, you must be employed in Ohio.

The Ohio Revised Code also spells out the kinds of misdemeanor crimes of domestic violence: knowingly cause or attempt to cause physical harm to a family or household member; recklessly causing serious physical harm to a family or household member; knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

Under HB201, a criminal background check would no longer be required to legally carry a hidden, loaded gun in our public spaces. We also recognize that many firearms are purchased through loopholes in our background check system, so it's entirely plausible that an individual could entirely bypass the background check system and be legally carrying in public.

² 18 U.S.C. § 922(g) (1)-(9) and (n))

Licensing Requirements

From 2014 to 2016, 4,300 concealed carry licenses were suspended, 1,600 were revoked, and over 3,600 were denied. At the same time, there were 247,000 licenses issued and 138,000 renewed.³ What this shows us is that the current concealed carry licensing system -- the only current legal pathway for most Ohioans to obtain concealed carry permits -- is catching thousands of people who should not be carrying in public.

Ohio Concealed Carry License Statistics

	Issued	Renewed	Suspended	Revoked	Denied
Q4-2016	24,100	9,714	546	100	336
Q3-2016	25,474	8,754	316	297	346
Q2-2016	32,259	11,276	352	176	520
Q1-2016	36,118	11,242	355	124	432
Q4-2015	20,388	10,309	331	68	254
Q3-2015	16,000	10,129	334	95	280
Q2-2015	19,608	12,042	352	276	311
Q1-2015	15,593	12,071	302	91	272
Q4-2014	13,912	10,097	369	71	198
Q3-2014	11,945	11,159	338	107	179
Q2-2014	16,004	15,058	355	84	243
Q1-2014	16,205	15,832	350	111	262
TOTALS	247,606	137,683	4,300	1,600	3,633

Allowed Weapons

The current concealed carry laws only allow handguns to be carried by license holders. HB201 would allow other kinds of firearms to be carried in a hidden, loaded fashion in our public spaces -- including by people who do not have concealed carry licenses.

Conclusion

While Ohio Coalition Against Gun Violence is opposed to public carry, we recognize that all of the steps in the process of obtaining a concealed carry license in Ohio are important to our public safety.

³ Ohio Attorney General Concealed Carry Licensure Statistics Reports (Q1-2014 through Q4-2016). Available at <http://www.ohioattorneygeneral.gov/Files/Publications-Files/Publications-for-Law-Enforcement/Concealed-Carry-Publications/Concealed-Carry-Statistics>

The argument we hear from our opponents regarding loosening restrictions on public carry is that we need to make it easier for “good guys” to be armed to protect us against the “bad guys” who don’t follow laws anyway. There are a few issues with this argument:

1. Everyone is a “good guy” until they aren’t. In other words, everyone is law abiding, mentally stable, free from addiction, free from anger issues until they aren’t. All of us can share personal stories of people who we once viewed as “good” who have crossed these lines.
2. Yes, there are some people who don’t obey some laws, but we still have them in place because they are good public policy. We should not make it easier for people with bad intentions to do bad things, or good intentioned people to be reckless.

Another provision of this bill would remove the duty to inform a law enforcement officer that you are carrying a concealed weapon when stopped. We have already offered opponent testimony on a HB 142, a separate bill that would do the same thing, To sum up that testimony: We feel that the bad actions of a few individuals in law enforcement should not impact what is currently a good policy that protects public safety. Proponents of this legislation that included a video of a traffic stop where a law enforcement officer acted improperly. However, as we learned at the conclusion of their testimony, the law enforcement officers involved in that incident lost their jobs. We therefore see no need to change the current policy that gives individuals with concealed handgun licenses the responsibility of informing law enforcement that they are carrying a concealed handgun when stopped.

We urge this committee to oppose HB201. Thank you for the opportunity to speak with you today and I will be happy to answer any questions.