



Representative Nino Vitale
Ohio House District 85

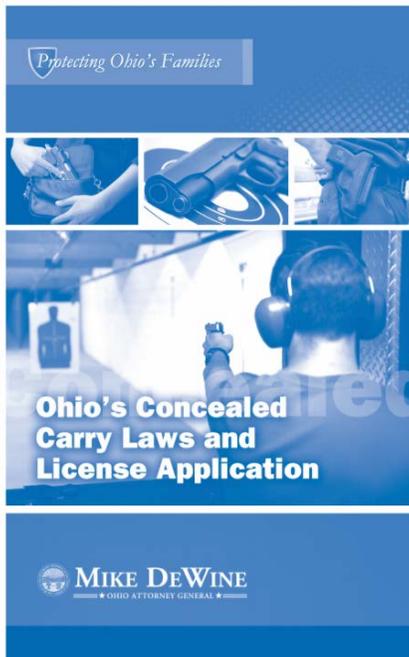
Sponsor Testimony on HB 452

Thank you Chairman Maag, Vice Chair Hambley and Ranking Member Bocchieri.

As many of you know, I am an NRA Pistol Instructor, Ohio Concealed Carry Instructor and I teach hundreds of students throughout the year at our shooting range in Urbana Ohio.

One of the biggest issues I hear is the confusion with lawful concealed carry in places of worship. Current Ohio law states a private property owner that does not wish permit holders to carry on their property must post a sign stating its prohibition. However, with places of worship, one must obtain permission from "the proper church authority" before carrying a concealed weapon in a place of worship. This is where the confusion lies.

I would like to now read from Attorney General Blue Book which many of you are likely familiar with if you participate in the Ohio CCW permit process.



Forbidden Carry Zones

The law sets forth several places where your license does not allow you to carry a handgun. Under the law, you may **not** carry a concealed handgun into the following places:

- Police stations
- Sheriffs' offices
- Highway Patrol posts
- Premises controlled by BCI
- Correctional institutions or other detention facilities
- Airport terminals or airplanes
- Facilities for the care of mentally ill persons
- Courthouses or buildings in which a courtroom is located
- Universities, unless locked in a motor vehicle or in the process of being locked in a motor vehicle
- Places of worship, unless the place of worship permits otherwise
- Child day-care centers
- Licensed Class D liquor permit premises, if you are consuming beer or intoxicating liquor or are under the influence. If you are not consuming, and not under the influence, you may carry unless there is a conspicuous sign prohibiting carry.

Possession of a concealed firearm is allowed in a retail store with a D-6 or D-8 permit as long as the concealed carry license holder is not consuming liquor. Class D permits are generally issued to an establishment that sells

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Here's what the law says.

Forbidden Carry Zones

The law sets forth several places where your license does not allow you to carry a handgun. Under the law, you may not carry a concealed handgun into the following places:

Places of worship, unless the place of worship permits otherwise.

What does, places of worship, unless the place of worship permits otherwise mean? It is unclear in the ORC.

If I attend a Catholic Mass, can or do I need to obtain permission from the parish council, the bishop, the parish priest or the parochial vicar? If I attend a protestant service, is it the pastor, the elders, the deacon, or the board of directors? If I worship in a rented facility, do I need to obtain permission from the leaders of the faith community as well as the private property owner? If I am not in the worship space, but a gathering hall, or corridor attached to the worship space, can a law abiding Ohio Conceal Carry holder legally carry in those areas? The law is grey, at best.

What constitutes a place of worship?

Just the worship space? What if I am in the social hall, the kitchen of the church, volunteering at the attached soup kitchen? What if the church building is not connected? What if an Ohio citizen is attending a wedding reception in the church hall?

And if a person from another state is visiting, they have no idea what the policy is in Ohio.

Additionally, many Ohioan's move from church to church and most churches are not clearly marked. This bill does not seek to allow guns to be carried in churches, it simply aims to make the laws when it comes to Ohio CCW clear for Ohio citizens. It seeks to have churches post, just like all other facilities, both government and private property, if they do not wish to have law abiding CCW holders carry in their buildings.

These are all questions that cause great confusion and put law abiding Ohio citizens at risk as they could possibly face arrest, a 4th degree felony conviction, \$5,000 in fines and 18 months in prison for carrying in a place of worship. Our neighboring states like Kentucky, Indiana and Pennsylvania have no such restrictions or confusion for their citizen's liberty. Law Abiding Concealed Carry folks in Ohio want to follow the law, but the law needs to be clear and posting makes things very clear.

What this bill states is that we treat a worship space just like any other private facility. If they do not wish for law abiding Ohio CCW permit holders to carry, simply post a sign, as stated in the Ohio CCW Blue Book. All CCW permit holders are trained to look for this sign. And so are any out of state CCW permit holders. This is what happens when you go to any other private property such as Home Depot, Olive Garden, your local hair salon, the local movie theatre, etc. It is very clear if the owner of the property allows or does not allow carry as we simply look for the posting sign or one like it shown in this testimony.

The legislation I am proposing simply makes faith communities operate the same as these other private properties. If a faith community does not want firearms on their property, they post a sign. This way the local faith community can still decide, but legal concealed carry holders in Ohio and from other states are not put at risk due to the current and confusing law. It becomes very clear to us if this property owner allows or does not allow concealed carry.

Again, what this bill DOES NOT do is allow CCW in a place of worship. It simply puts worship space under the same rules as all other private property, making things consistent and simple for Ohioans. It still remains the decision of the place of worship. All they need do is post the sign. In a quick look online, I found signs as low as \$3.54 and probably cheaper if you buy in bulk. (see the example below)



ZING 2762 Eco Security Window Decal, N Polystyrene Self Adhesive, 2/Pk

by Zing Green Products

[Be the first to review this item](#)

List Price: \$15.99

Price: **\$3.54** (\$1.77 / Window Decals) **Free shipping** for Prime members

You Save: \$12.45 (78%)

In Stock.

Want it tomorrow, Nov. 15? Add it to a qualifying order within **1 hr**

[Details](#)

Ships from and sold by Amazon.com. Gift-wrap available.

Size: **5" x 7"**

Style: **Window Decal Recycled Polystyrene**

Adhesive Label Recycled
Polystyrene
\$9.59 (\$4.80 / Security Labels)

**Window Decal Recycled
Polystyrene**
\$3.54 (\$1.77 / Window Decals)



While none of us hope to ever be confronted with a horrible scenario in our places of worship, or anywhere else, we have to face the reality that we live in a society where some intend on doing harm, even in churches. Ohio citizens deserve clear and easy to follow laws from their government. Lest we think this is a rare occurrence, I would point you to three fairly recent critical incidents.

* Emanuel African Methodist Episcopal - June 17, 2015 -Charleston, South Carolina

This is the well-known mass shooting at a church where nine of those in attendance were killed, including South Carolina State Senator Rev. Clementa C. Pinckney.

* Freewill Baptist Church - March 25, 2012 - Spartanburg, SC

Aaron Guyton was inside the recreation building of his grandfather's church when he saw Jessie Gates, a member of the congregation, pulling a shotgun from his vehicle. Guyton leapt into action, locking the doors to the church where services were going on. After Gates kicked in the door and pointed the shotgun at Rev. Henry Guyton and several parishioners, Arron Guyton drew his concealed carry firearm and was able to hold Gates at gunpoint while members of the church disarmed the attacker.

* New Hope Church - Dec. 9, 2007 - Colorado Springs, CO

A gunman toting a AR-15 opened fire at this church, which serves more than 10,000, killing two and wounding three. Attendant Jeanne Assam grabbed her concealed carry firearm and confronted the gunman. She was able to stop him with lethal force before he was able to pull the pin of a grenade he had in his hand, saving many.

Ashtabula, OH—On March 31, 2013, witnesses say the 25-year old man accused of walking into the Hiawatha Church of God in Christ and fatally shooting his father after an Easter service was yelling about God and Allah after the killing.

Worth nothing, the Mennonite faith has pacifism as a cornerstone of its teachings. However, the Mennonite Mutual Insurance Company recently published a document entitled "Guns in Churches: Addressing Church Security Needs". It quotes from the Christian Security Network, which says "It's all about awareness... No church is immune from this kind of thing and they have to start now," ... "these situations put the staff, church members, and visitors at risk."

To end, I will present you with this quote from the Mennonite Mutual Insurance Document which sums this issue up well. "No one can completely stop bad things from happening, it is unfortunately part of our human condition and the society we live in. However, a well-designed plan can reduce not only the severity, but also the level of liability a church may encounter if, or when, something tragic does occur. At the end of the day, we must be able to say as good stewards, "We trusted God and did our very best to care for the people and property entrusted to our care."

The law is confusing for faith-based citizen of Ohio and is confusing to law abiding CCW permit holders. As Patrick Henry stated, "Liberty should be the direct end of our government" and I urge you to make this part of Ohio law clear and vote yes on this bill. Thank you Chairman for this hearing and I will now answer any questions you may have.