

NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
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MEMORANDUM

DATE: December 3, 2018
TO: Senate Government Oversight and Reform Committee
FROM: John Commerford, Deputy Managing Director
RE: House Bill 228

On behalf of the National Rifle Association of America and our members in Ohio, I would like to express our support for Substitute House Bill 228. Sponsored by state Representatives Terry Johnson and Sarah LaTourette, Sub. HB 228 makes numerous necessary reforms to Ohio state law.

Under current law, an individual that uses deadly force to protect themselves or their family is treated in a completely unique way. The bedrock of our judicial system is your right to due process and the fact that you are innocent until proven guilty. Ohio is the only state in the nation which requires the defendant in these types of cases to prove, by a preponderance of the evidence, that their use of deadly force was lawful. The important changes contained in Sub. HB 228 would ensure that those who are accused of a crime in a self defense case receive a fair and just trial.

Additional changes contained in Sub. HB 228 would address an individuals duty to retreat when facing a threat. There is no duty to retreat in current law for an individual in their home, business or personal vehicle. The language before you would extend this to any place a person has a lawful right to be. When faced with a imminent threat, an individual needs to focus on the best manner of defense for themselves and their family. While an avenue of escape will naturally be sought if safe and available, it should not be the only option required under the law.

Contained within Sub. HB 228 is an important provision which would protect the constitutional rights of those who live in subsidized housing. Unfortunately the National Rifle Association has seen this issue come up many times in various states. Law abiding gun owners should not be forced to forfeit a constitutional right due to their economic status or address.

Sub. HB 228 in an important step forward and provides significant improvements to the Second Amendment rights of law abiding Ohioans. On behalf of our members within the state, I respectfully ask that you support this legislation. Please feel free to contact me at 703-267-1384 if you have additional questions or concerns.