



**OHIO ASSOCIATION OF CHIEFS OF POLICE, INC.**

Testimony in Opposition of HB 228  
Heinz von Eckartsberg, Dublin Police Department  
Representing the OACP

Greetings Chairman Coley, Vice Chairman Uecker, Ranking Member Schiavoni, and members of the Senate Government Oversight and Reform Committee. My name is Chief Heinz von Eckartsberg and I represent the Ohio Association of Chiefs of Police. Thank you for the opportunity to offer testimony today in opposition to H.B. 228. Following are the OACP's two areas of concern in this bill:

- This proposed legislation modifies various laws regarding firearms in motor vehicles. Specifically, it modifies the current requirement to keep hands in plain sight when stopped by police by adding the wording; unless "it is impractical..." The advice to keep hands in plain sight when stopped by the police has been commonly given by many gun and concealed carry experts for some time. Two examples can be found at [ConcealedNation.org](http://ConcealedNation.org) and at [USACarry.com](http://USACarry.com). Both websites advise their readers that keeping your "hands on the steering wheel" in plain sight is their recommended course of action. The consequences of an unknown firearm and hands in other than plain sight could lead to confrontational or tense situations that can easily be avoided. In this proposed legislation it is also unclear what the definition of "impractical" is.
- Also in this bill, many of the penalties for illegally carrying a firearm are reduced to minor misdemeanors. We understand that a first degree misdemeanor for some of these violations may be inappropriate, but we cannot support the reduction of some of these violations to a minor misdemeanor. In particular, under this proposed bill, a person illegally transporting a loaded firearm in a car, and without a CCW permit, would only be guilty of a minor misdemeanor (currently a fourth degree felony), unless committing another offense. This means that, if a police officer stops someone for a traffic violation, and a person in that car has a loaded handgun under their seat or carried on their person, they could not be arrested unless they were committing another offense at the time, or were otherwise illegally in possession of that gun. Several studies have shown that legal CCW holders are much less likely to commit violent and non-violent crimes. As such, it stands to reason that far more violent crimes are committed by those carrying guns illegally. This single change takes away a vital tool for law enforcement in our efforts to prevent those violent crimes.

Thank you for your consideration and for allowing me to provide written testimony to the committee.

I am happy to answer any questions.