

# CATHOLIC CONFERENCE OF OHIO

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## Interested Party Testimony

HB 228

December 4, 2018

Chairman Coley, Vice Chairman Uecker, Ranking Member Schiavoni and members of the Government Oversight Committee, my name is Jim Tobin. I am an associate director with the Catholic Conference of Ohio. The Catholic Conference of Ohio opposes the provision within HB 228 that would substantially expand the locations at which a person has no *duty to retreat* when under a perceived threat of violence.

In opposing this provision, we are not contesting the right to responsible gun ownership, or the right to act in self-defense. We commend advocates on both sides of the concealed carry issue whose sincere desire is to reduce societal violence.

However, we believe that the duty to avoid violence (retreat), when possible, is an essential component of self-defense and respect for life. Defending one's life can, at times, justly require the use of lethal force, but use of lethal force should be a last resort and of absolute necessity. Other criteria for deciding between retreat and force include the imminent threat to life and the need for a proportional response.

We believe that Ohio's current law strikes a fair balance in regard to self-defense. Change is not needed and may result in unintended negative consequences such as increased "stand-your-ground" confrontations.

We also question the enforceability of the proposed change to existing law. When two or more persons claim the legal right to be present at the same location, and neither needs to retreat, confrontations can become overly provocative, and culpabilities difficult to ascertain.

We believe that society is enriched -- and more lives are protected -- when our laws fairly balance one's right to self-protection with one's equally strong obligation to avoid, whenever possible, lethal actions. Again, we believe Ohio's current law is adequate in this regard and should not be changed.

In closing, along with removing the changes regarding the *duty to retreat*, we would encourage the addition of Senator Eklund's and Senator Kunze's SB 288. The companion House version, substitute HB 585, was amended to tighten up the original bill. These bills incorporate the recommendations from the Governor's workgroup on gun violence. I had the privilege to represent our Conference on this workforce. Adding at least the provisions that provide for "extreme risk protection orders" would be reasonable and helpful.

Thank you for this opportunity.