

December 4, 2018

Senator Coley
Chairperson, Senate Government Oversight and Reform Committee
1 Capitol Square
Columbus, OH 43215

Re: Opposition to HB 228, the “Stand Your Ground” bill

Dear Chairman Coley and Members of the Committee,

My name is Lara Kowalcyk. I’m a resident of Columbus, Ohio and an eleventh grader at Grandview Heights High School. Thank you for giving me the time to present my testimony. I am here today to share with you why, as an Ohioan and a student, I am opposed to HB 228 and its sweeping rollbacks of public safety laws in our state.

As a student, I regularly have to practice what to do in case of a school shooting even though, until recently, I couldn’t fathom something like that happening to me or my peers. Last March, however, there was a threat at my high school. A message was found in the boy’s bathroom stating that there would be an attack the day of the ACT exam. I talked it over with my parents and decided to attend school that day. As soon as I walked into the school, I felt the weight of my decision bear down on me. At Grandview, we rarely have a police presence, but that day there were two police officers patrolling the school. Even with that level of security, I found myself constantly looking over my shoulder and being aware of every possible exit. This fear shouldn’t be in our schools, but passing a Stand Your Ground law won’t get rid of this fear of assault by a fellow student or a stranger, in fact, it probably will increase that fear.

Generally, Stand Your Ground laws allow people to use deadly force when they feel threatened or if they perceive others are being threatened. On the surface, this sounds reasonable, but in practice, it is an ineffective way to resolve highly charged situations. In America, with approximately 11 million citizens having a license to carry a gun, Stand Your Ground laws can make even everyday encounters between strangers very dangerous. What we need are laws to defuse confrontation, not laws that encourage deadly responses that may be based on misperceptions or deep-seated prejudices.

Furthermore, passing Stand Your Ground laws has not prevented gun violence in other communities. States that have enacted Stand Your Ground laws have seen a significant rise in firearm-related homicide rates. For example, in 2005, Florida passed a Stand Your Ground law that gives citizens no duty to retreat, no duty to retreat in defense of property, presumption that use of deadly force is lawful, immunity from arrest or prosecution, and immunity from civil suits. Since then, the rates of firearm-related homicide in Florida has risen 32%. The homicides that are considered justifiable by the courts have also tripled since 2005. States without Stand Your Ground laws saw a 5% decrease in homicides after 2005. Enacting this legislation will put more communities at risk than ever before.

In addition, Stand Your Ground laws create an atmosphere in American communities that it is okay to shoot first and ask questions later. This is a huge problem if the confrontation is the result of a misperceptions or prejudices. For example, look at the case involving a teenager in Michigan. Brennan Walker was 14-years-old when he woke up late, missed his bus, and got lost

on his way to school. Walker went up to a house and knocked on the door. A surveillance video shows that, seconds later, the owner Jeffrey Ziegler attempted to shoot at the young boy. The surveillance video showed that this act was racially motivated, however, if this evidence wasn't provided to the courts, Michigan's Stand Your Ground law would have prevailed. Since not all shootings have substantial evidence to prove that it was a hate crime, Stand Your Ground laws have a disproportionate effect on communities of color.

I vividly remember the day I went to school with fear penetrating my every move. It was horrible, and yet I find that this fear is being repeated more often in my daily life. I find myself looking over my shoulder when I walk to the local coffee shop in my really safe neighborhood. I find that I become more scared when other communities report horrific acts of violence because I think it could happen at my school, my favorite hang-out or at a concert that I am attending. I am also generally scared that some "compromised individual" may find my appearance or behavior threatening and take lethal action against me. This is my "new normal" and — just so you know — many other teenagers in this country feel as I do. And like me, many of them will be of voting age soon, and we will vote.

I want violent behavior in America to stop, and I strongly believe that Stand Your Ground laws will not achieve that end. I want laws to reduce gun violence. I want laws that restrict the ownership of weapons of mass destruction. I want increased mental health services for our communities. I want my Ohio legislature to become proactive in developing policies that will help to resolve the problem. I don't want additional fear from a Stand Your Ground law that will create more fear because I will never know who I might offend or who might have access to military-styled weapons.

I firmly believe this legislation will not benefit Ohio. The proposed Stand Your Ground law would allow individuals to use deadly force whenever they feel a threat to themselves or others, and the new law would not require the shooter to provide evidence that the action is justifiable self-defense. Further, and just as troubling, the proposed law would limit our local governments' ability to control handgun regulations. This proposed law is a recipe for more shootings, not a policy to reduce the violence that has become way too common. I am respectfully asking Ohio lawmakers to vote no on HB 228. I hope I can count on you to do that.

-Lara Kowalcyk