

Substitute House Bill 228
Opponent Testimony
Senate Government Oversight and Reform Committee
December 4, 2018

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni and members of the Senate Government Oversight and Reform Committee, thank you for the opportunity to offer opponent testimony today. My name is Tom Roberts and I am the President of the Ohio Conference of the National Association for the Advancement of Colored People (NAACP). The NAACP was founded in 1909 and is the oldest, largest and most widely respected civil rights organization in the county. As a bipartisan, civil rights membership organization, throughout its history, the NAACP has stood firm in its commitment to addressing issues involving racial discrimination and disparate treatment in employment, housing, civic engagement, education and police relations. More recently, the NAACP is faced with a severe challenge to public safety in the form of the proposed “Stand Your Ground” legislation.

The NAACP is aware of Ohio H.B. 228 which is commonly referred to as the “Stand Your Ground” legislation and is scheduled for consideration by the Ohio Senate. This Stand Your Ground legislation would give persons the right to use deadly force to defend themselves without any requirement to evade or retreat before using such deadly force. While all persons have the right to “self-defense” the proposed Stand Your Ground legislation would greatly expand the concept of self-defense, would eliminate the obligation to retreat before utilizing deadly force and would expand the locations at which persons have no duty to retreat. Significantly, the burden of disproving a claim of self-defense would also shift from the defendant to the prosecution and would have a disparate impact in communities of color.

The NAACP is keenly aware of the fact that Black men are often perceived as being more suspicious, threatening and dangerous than people of other races. This reality was the basis for the unjustified shooting deaths of Tamir Rice, Trayvon Martin and countless other African Americans that have been shot and killed in spite of the fact that they posed no threat of harm to themselves or the community in which they lived. If Stand Your Ground legislation becomes law, this type of implicit bias will, predictably, result in the slaughter of more African Americans based solely on the fact that they are perceived as being a threat, regardless of whether that perception is based in reality. Basically, the Stand Your Ground legislation will justify the murder of innocent people, particularly innocent Black people whose suspicion is actually based on racial prejudice, racial hatred and racial perceptions, none of which have any basis in fact.

The national NAACP, the NAACP Ohio Conference of Branches and NAACP Branches throughout the state of Ohio are also strongly opposed to the Stand Your Ground legislation since it would make it easier to murder human beings without the perpetrators facing any legal consequences. The NAACP strongly believes that, instead of introducing legislation that will take us back to the “*Wild Wild West*” days, our legislators should be considering comprehensive and sane gun control laws which would

make our communities safer. Towards that end, the NAACP would recommend that neither the Ohio legislature nor the Governor move forward on this legislation and that it be held in committee for further consideration as part of a comprehensive bill next year that would adequately address the use of guns and deadly force.