**To:**Senate Oversight Committee

**Subject:**  H.B. 228

December 3, 2018

Chairman Coley and Committee Members,

My name is Julie Eichorn and am sad that I have to testify again against a stand your ground bill. As you know here in Ohio we have Castle Doctrine which allows for self defense in your home and in your car. That has served our state well for many years. HB 228 is being touted as a bill that eliminates the duty to retreat and expands the Castle Doctrine rules to anywhere you are legally allowed to be. This law is not necessary.

Stand Your Ground laws do not promote healthy conflict resolution. Too often they foster an “attack” response or even worse, vigilante “justice”. And because easy access to guns and concealed carry laws make lethal weapons immediately available to most anyone – including the untrained and irresponsible - that attack response becomes deadly.  HB 228 removes the duty to retreat in a self-defense situation thereby creating a “Stand Your Ground” defense here in the State of Ohio.

Some claim that these faulty laws assure innocent people of greater safety.  From what I have learned, studies indicate that these laws do NOT make us safer.   A Texas A&M study analyzed 20 states with Stand Your Ground laws, including Florida, and found that the laws do not deter violent crime. In fact, there is a clear increase in homicides in those states, resulting in up to 700 more shooting deaths nationwide each year. Stand Your Ground laws also disproportionately affect communities of color. According to an Urban Institute study, when white shooters kill black victims, 34 percent of the resulting homicides are deemed justifiable, while only 3 percent of deaths are ruled justifiable when the shooter is black, and the victim is white. Far from making me feel safe, these findings and recent cases are cause for alarm, and highlight the fact that human error is allowed to reign under these laws.

For parents of teenagers, Stand Your Ground laws add a level of concern which should not be tolerated  in modern society. Walking down dark streets, sneak drinking, and hanging out in secluded areas – all are risky behaviors that are fairly common among adolescents.  Facing a trip to a detention hall or even the police station are the consequences of most of these actions. Facing a gun should not be.

Stand Your Ground laws permit deadly force under certain circumstances.  But it is much easier for the shooter to claim those circumstances existed than for the dead teenager to tell his or her side of the story.  For generations, American mothers and fathers have taught their children that this country is exceptional, because we are a nation of laws and justice.  Kill first, explain later is not justice.

Stand Your Ground laws on top of concealed carry and the gun industry’s feverish endeavor to sell more guns put our children at risk. Children - and adults - who may simply have been in the wrong place at the wrong time are now more likely to die at the hands of the armed and angry.    This is unacceptable. Standing, killing and explaining later should not be tolerated in any community.

Currently, there are 22 states that have “Stand your Ground” laws on their books that allow for the lethal use of force in self-defense situations. According to a report issued by Mayors Against Illegal Guns issued in 2013, 14 states have the presumption that use of deadly force was lawful and 8 grant immunity from arrest or prosecution.

Again, some claim that these faulty laws assure innocent people of greater safety.  The evidence does not support this assumption. I understand that some may feel that race is being injected into this conversation unnecessarily. But the studies and FBI data show that “Stand Your Ground” laws do disproportionately affect communities of color. The opposition likes to quote an article printed in the Tampa Bay Times that asserted that African American people actually benefit from “Stand Your Ground” laws.  However, that article did not account for the fact that nearly 4 in 5 killings of African Americans in Florida where this law has been invoked have resulted in the killer being freed. Far from making us feel safe, these findings and recent cases are cause for alarm, and highlight the fact that human error is allowed to reign under these laws.

I am asking that you table this bill. Ohio does not need it and we will be less safe because of it.

Thank you for your attention.

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Additional info:

*1.       Is there Racial Bias in “Stand Your Ground” Laws?*

                Frontline – [WWW.pbs.org](http://www.pbs.org/)

         Of the 20+ states that have SYG laws, eight states (all from the south) use the phrasing “Stand your Ground”

         Per a Texas A&M study the rates of murder and non-negligent manslaughter increased by 8% in states with the SYG laws. Resulting in an additional 600 homicides per year in the states that have enacted these laws

         The same study felt that this was because more people are using lethal force in self-defense or that the situations are more likely to escalate to use of violence in these states

         In non-SYG states, whites are 250 percent more likely to be found justified in killing a black person than a white person who kills another white person, in SYG states that number jumps to 354%

2.       *Hannity is wrong: Stand your Ground Laws Don’t “Benefit” African-Americans*

Mediamatters – [www.mediamatters.org](http://www.mediamatters.org/) *Aug. 22, 2013*

         Justifiable homicides have tripled in Florida since SYG went into effect.

         In Florida, in killings involving victims of color (black or Hispanic) – 78% of the deaths were considered justified. For killings involving white victims the rate sinks to 56%

         The Tampa Bay Times article that Hannity was quoting distorts the actual results of the data. It is true that when the defendants are black 55% were deemed justifiable while only 53% of white defendants were deemed justifiable. But what it did not take into account was that nearly 4 in 5 killings of black people were deemed justified.