

**Ohio Gun Owners**

Ohio’s Grassroots Gun Rights Organization

3195 Dayton-Xenia Road, #900-306

Beavercreek, OH 45434

**MEMORANDUM**

**DATE:** December 05, 2018

**TO:** Honorable Members of the Senate Government Oversight and Reform Committee

**FROM:** Chris Dorr

Director, Ohio Gun Owners

**RE:** House Bill 228

Chairman Coley, Vice Chairman Uecker, Ranking Member Schiavoni, and members of the Senate Government Oversight and Reform Committee, thank you for the opportunity to offer testimony on House Bill 228 today.

I’m Chris Dorr, the Director for Ohio Gun Owners.

Ohio Gun Owners is Ohio’s newest gun-rights organization, our members are quite insistent about their firearms freedom, and some would say that, of the four gun-rights organizations in Ohio, we are the most Deplorable. They’re probably right.

We are, without a doubt, the largest grassroots Second Amendment organization in Ohio.

Sub-House Bill 228 represents what “could have been” for Ohio’s best citizens.

You see, the BEST citizens in any state are its law-abiding carry permit holders. Ohio is no exception.

In fact, I think that Ohio gun owners are probably the best gun owners in America.

And we are very law-abiding.

We are very law-abiding, and the Ohio Fraternal Order of Police, which is one of the big anti-gun lobbies, if not the BIGGEST anti-gun lobby in Ohio, probably doesn’t want me telling you all this, but in Florida and Texas, for example, permit holders are convicted of misdemeanors and felonies at one-sixth of the rate at which police officers are convicted.

Now, don’t take that as a slight towards police officers or our law-enforcement community. Heck no!

I only mention that to brag up gun owners, because gun owners are the best. Bar none.

And that’s why our current self-defense laws have been such a slap in the face to gun owners for so many years.

But that’s also the reason why Ohio Gun Owners, our members and our supporters across Ohio find a great measure of dissatisfaction with the current composition of Sub-HB228.

You see, a lot of other states used to be similar to Ohio in their treatment of law-abiding gun owners as essentially third-class citizens.

But starting with Florida and winding their way across America, gun owners started mobilizing at the grassroots level, systematically removing the obstacles blockading their path to a complete restoration of their fundamental human right to self-defense.

They started passing Stand-Your-Ground laws by the dozen.

That’s why it is OUR contention and our members’ contention that a far superior path to correcting our atrocious current laws would be to pass a full-orbed Stand-Your-Ground law.

That’s what Wyoming did just this year, AFTER the Parkland, FL killings.

A full-orbed Stand-Your-Ground law is the best backstop for Ohio’s BEST citizens because it removes the fear gun owners have every day when they strap on their firearms and go to work, that fear that they’ll have to have to, God-forbid, use that firearm for self-defense.

They have a fear that they may win the struggle to defend their lives or their loved ones, but that by doing so they’ll end up at the mercy of an unchained court, depleting them of their wealth, and getting victimized AGAIN.

That’s why, in addition to moving the burden of proof to disprove a self-defense claim back to the prosecution, Sub-HB228 should ALSO include criminal immunity from anti-gun prosecutors.

That’s why Sub-HB228 SHOULD include a pre-trial immunity hearing like Florida and other states have passed, so that for those forced to use a firearm for self-defense they can avoid being the next Jay Rodney Lewis.

Jay Rodney Lewis’ case out of Iowa made national news a few years ago because he was heard on 911 audio ELEVEN times telling his attackers to back away, that he had a gun and that he’d shoot them!

But after he was forced to shoot the thug (gang-banger) attacking him, the anti-gun prosecutor, a guy named John Sarcone (who HATED gun owners and the Second Amendment) threw Lewis in jail for 112 days – because he could.

And in Iowa, the burden of proof to disprove a self-defense claim is already on the prosecution!

So during those 112 days, while Lewis sat in his cell, his apartment was evicted, his belongings put on the curb and stolen, his guns stolen, and his dignity stripped from him.

All because he used a firearm to stop the threat that was coming at him.

8 hours after the jury heard the case, and only shortly after they heard the 911 audio, he was found 100% not-guilty by the jury.

And Jay Rodney Lewis is a black man. His attackers were white.

His scenario and many more like them in the future can be avoided right here and now in Ohio by FIXING Sub-HB228.

In fact, Chairman Coley, I have an amendment right here in my hand that would do exactly that, if you are interested.

On a personal note, if you would, you’d become Ohio’s biggest rock star for gun rights in the next couple of hours!

But back to Sub-HB228, another thing it lacks is a “threatened use of force” provision.

When it comes to stopping threats against their lives or serious bodily harm, Ohio gun owners should have the ability to use whatever tool is at their disposal to do that.

But they should also have the legal standing to use that tool to DEESCALATE a violent situation, too!

In that instant, when their life or their loved one’s life is on the line, nobody is in a better position to make the judgement call of whether or not to pull the trigger than the person holding it.

But they should know that Ohio law protects them in this decision-making process, too, and they should know that by doing so they are not opening themselves up to an “assault with a deadly weapon” charge!

Myriad scenarios exist where the deployment of a defensive firearm by a law-abiding gun owner could deescalate a violent scenario and potentially save a life, but Ohio law and Sub-HB228 do not provide for this.

Imagine being engaged in a conversation with someone when out of the blue, someone violently attacks your blind spot, body-slamming you to the ground.

As you land on the ground, you roll over to grab your pistol, seeing your attacker a few feet away, still on scene and still on his feet.

Is he going to attack again? Is he preparing to get a knife out of his pocket to stab you, or a gun to shoot you?

In the 1.5 seconds since his attack, you don’t have a lot of time to account for all of the factors present.

But under Ohio law and under Sub-HB228, if you pull your firearm to deescalate the situation and you can’t PROVE that your attacker started it, you’re toast.

If you hadn’t guessed it, I’m describing the scenario in Florida this summer at the gas station.

If gun owners were restored their right to use tools to deescalate violent, deadly situations, it might just save the life of the attacker, too, while still accomplishing the main objective of removing the threat against the innocent person’s life.

Mr. Chairman, and members of this committee, to gun owners who holster a firearm to protect ourselves and loved ones every day, these issues aren’t just theory.

They’re things we think, ponder, consider and worry about every day, the ramifications of which can be life-altering.

Representative LaTourette said yesterday that she’s not a carry permit holder, so that might explain some of the oversights in the way this bill was written.

Regardless, we respectfully request that these very important items be amended back into Sub-HB228.

I have some of the amendments to FIX Sub-HB228 here in my hand, if you would like to consider them.

So on behalf of the thousands of deplorable, mobilized members of Ohio Gun Owners, a number which grows every day, please address these concerns, and I thank you for this opportunity to testify before you today on Sub-HB228.