

Testimony Opposing **HB796**

Chair Hambley, Vice Chair Patton, Ranking Member Brown and members of the House Civil Justice Committee, thank you for accepting my testimony

My name is Sharon Kokot. I am a lifelong Ohio resident and a voter. I am writing to oppose in the strongest terms, the HB796 "Stand Your Ground" bill. Removing the duty to retreat when there is a reasonable and safe alternative will cost far more lives than it will save. Further, it provides protection for the perpetrators of racist murders committed under the guise of self-defense.

This has been proven beyond a shadow of a doubt in states like Florida and Georgia. Since Florida passed its Stand Your Ground law in 2005, there has been a 32% increase in firearm homicide rates. Does that mean more "bad guys," i.e., perpetrators are being killed? No. Quite the contrary. In 68% of cases, the person killed in these altercations was unarmed. Unarmed, not a "bad guy," but shot dead because the law made it easy to shoot without thinking first. And who was doing the shooting and claiming self-defense? In some cases, it may have been someone who got scared and tragically misjudged the situation. But worse, in the majority of cases, nearly 60%, the killer who claimed self-defense had been arrested in the past, and a third of those defendants had been accused of violent crimes in the past. This means that in most cases, Stand Your Ground is allowing people suspected of crimes to kill unarmed people and blame the victim for their crime.

Now, let's look at whether Stand Your Ground laws reduce crime. According to a publication by the National Bureau of Economic Research and an article in The Social Science Journal, the answer is no. There is no study that shows broadening self-defense laws to be a crime deterrent. (1)

Why would we want to pass a law that doesn't deter crime and in fact increases homicide? This makes no sense!

Proponents of Stand Your Ground have said that they want to eliminate the risk that those who rightfully defended themselves or others would face criminal penalties. But there was no big increase in such cases to motivate this legislation. Where did this motivation come from? Modifying Ohio's self-defense law would not only fail to enhance public safety, it would endanger it. And, for people of color, that danger would become all the greater. When white shooters kill black victims, those homicides are called justifiable 11 times more often than when the shooter is black and the victim is white.

This played out recently in the Ahmaud Arbery case in Georgia. A video showed clearly two white men in a truck chasing down a black man as he tried to run away, murdering him, calling it self-defense, and allowed to go home. No arrests until 10 weeks later. Do we want this in Ohio?

Given today's heightened awareness of the pervasiveness and pernicious effects of systemic racism, passage of HB796 would be seen as an action that enables racism to do its worst, and legislators would be held accountable. This comes at a time when Ohioans are demonstrating daily to show their commitment to ending systemic racism.

We have the right to self-defense already written into Ohio law. We don't need anything more. Please do what is best to keep Ohioans safe. Vote "no" on HB796.

1 Cheng C, Hoekstra M. Does strengthening self-defense law deter crime or escalate violence? Evidence from castle doctrine. National Bureau of Economic Research. 2012. See also: Gius M. The relationship between stand-your-ground laws and crime: A state-level analysis. The Social Science Journal. 2016; 53(3): 329-338.