

**Testimony on House Bill 796**  
House Civil Justice Committee  
December 2, 2020

Submitted by:  
Shela Blanchard

Chair Hambley, Vice Chair Patton, Ranking Member Brown, and members of the committee, thank you for allowing me to present this testimony in opposition to HB 796. My name is Shela Blanchard. I am a volunteer with Moms Demand Action for Gun Sense here in Ohio, and I live in Columbus. Thank you for taking the time to hear my testimony. I am here to briefly share with you why, as an Ohioan, I am opposed to HB 796 and its sweeping rollbacks of public safety laws in our state.

I oppose this bill because the facts are clear: modifying current self-defense laws to remove the duty to retreat will increase the level of freedom to essentially Kill at Will. Do you remember Travon Martin, unarmed black child with a bag of skittles, and most recently Ahmaud Arbery, an innocent man who was attacked and gunned down for jogging through the neighborhood?

As a mother, each time my son leaves home I have to wonder will he return home alive? It hasn't mattered how much we train them how to respond to a verbal aggressor, we have continued to be beaten, unjustifiably charged, attacked and killed. I thought our community's and nation's goal was to save lives. It is clear, it depends on whose life is being saved.

I strongly believe Stand Your Ground would not help keep my family, friends, nor the citizens of Ohio safe. This law would allow a return to a Wild West, vigilante "shoot first" environment. My brothers and sisters are fearful for their lives, and the odds of prosecution are stacked against them.

I have lived through the horrors of losing a family member to gun violence. As a black mother with 2 sons and numerous nephews/nieces and great nephews/nieces, I am gravely fearful for their lives. The threats and harassment they receive because of the color of their skin are terrifying. They have experienced firsthand verbal attacks at their own school sporting event, only because of the color of their skin, to the point that it was necessary to remove themselves in fear of approaching physical attack. The incident could have turned out deadly. Although my nephews attend school in an affluent Ohio school district, racism escapes no community.

This is an ongoing issue in our community and our nation. Recently, if it were not for a video released several weeks after Ahmaud Arbery, 25, a black man, was shot and killed on Feb. 23, his death would have been another in a list of numerous cover-ups that have continued

repeatedly for years. The abuse of laws to justify the unjustified killing of people of color across this nation has to stop. Let Ohio be one that says no.

By removing duty to retreat from the current self-defense law, Stand Your Ground would allow some people the privilege to shoot first and ask questions later. Statistics are clear about who is more likely to be exonerated. Homicides are deemed justifiable *11 times* more often when the shooter is white and the victim black, than when the shooter is black and the victim white.<sup>[1]</sup>

Another way of putting this can be found in a recent article published by NBC (<https://www.nbcnews.com/news/nbcblk/arbery-case-exemplifies-abuse-stand-your-ground-damage-broad-systemic-n1212816>): “When white Americans who live in a ‘stand your ground’ state make self-defense claims in situations involving a black person's death, 36 percent are ruled justifiable homicides, Robert Spitzer, a professor of political science at the State University of New York, Cortland, said. When the situation is reversed and black Americans make self-defense claims in cases involving dead white people in these same states, just 3 percent see those deaths ruled justifiable homicides.” The odds are stacked against my brothers and sisters in this nation. In the same article, experts point out that the way the Arbery case was handled is an example of “the way that concepts such as **danger and fear**, even who is the aggressor and who has a right to self-defense are often manipulated or blurred in real life by race.” The fact remains, people of color are looked at as a threat: the color of their skin, tone of voice, stature and size are viewed as threatening. Why? As much as we like to believe that we live in a world where everyone is accepted, unfortunately that is not the case.

Is this what we want for the state of Ohio? At this time our current self-defense laws provides the ability for a person to use force, including deadly force, when the option to retreat is not available. Why would it be necessary to change the law? Whatever happened to walk away, whenever possible? Today, years after Civil Rights marches, protests, and calls for policies that benefit all people, we remain a country divided over how to reduce gun violence in our nation and our communities. Why are we divided on this issue?

The facts are clear: people of color are disproportionately affected by Stand Your Ground laws. Removing the duty to retreat from our current self-defense laws for Ohio will have the same outcome.

I ask that you consider the many lives already lost from dangerous policies in other states: Remember Ahmaud Arbery, Breonna, Travon Martin, Monica Brickhouse, Derek Fudge, Beatrice and countless others. According to some studies, 30 people die nationwide every month as a result of Stand Your Ground laws laws.<sup>[2]</sup> We have suffered far too much from gun violence in the state of Ohio; I know that I have. There is no need to “modify the current self-defense law” when in fact our current laws already provide the necessary protection for self-defense. Proponents could not cite a single example where that was not the case.

In light of the current events in our nation and state, I urge you to “Do Something” about gun violence in Ohio and vote NO on HB 796.

Thank you for time.

Shela Blanchard

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<sup>[1]</sup> <https://www.urban.org/sites/default/files/publication/23856/412873-Race-Justifiable-Homicide-and-Stand-Your-Ground-Laws.PDF>

<sup>[2]</sup> McClellan, C, Tekin, E. Stand Your Ground laws, homicides, and injuries. *Journal of Human Resources*. 2017; 52(3): 621-653.