

Testimony on H.B. 796  
House Civil Justice Committee  
Rep. Stephen D. Hambley Chair  
Vice Chair Richard Brown

Submitted by Sieglinde Martin on December 3, 2020

Chair Stephen D. Hambley, Vice Chair Thomas Patton, Ranking Member Richard Brown and members of the House Criminal Justice Committee, thank you for this opportunity to submit testimony against H.B. 796.

My name is Sieglinde Martin. I am testifying as a constituent, mother, grandmother, a retired pediatric physical therapist and resident of central Ohio for over 50 years.

I am sorry that due to the Covid-19 epidemic, I am unable to attend today's hearing as I belong to the most endangered population group.

I attended previous hearings and am familiar with Stand Your Ground laws. Listening to the presented testimonies, as well as reading and studying several analyses by lawyers and scholars support the following conclusions:

1. H. B. 796 is a most extreme Stand Your Ground bill.
2. H. B. 796 contradicts the premise that everyone is innocent unless proven guilty. It allows a private person to meter out the death penalty for crimes not punishable by death.

3. H. B. 796 gives no protection to the shooting victim. If an investigation determines that the shooter had no reason to fire at the victim, shot a bystander or produced other harmful effects, what compensation is the shooter liable for? If the victim survives, is the shooter required to pay for all expenses that will occur? I believe these issues need to be addressed and resolved before H.B. 796 becomes a law.

4. As written H. B. 796 is designed to protect the person who fires a gun as a means of self-protection.

It does protect an unarmed person from harm;  
it does not protect our children from harm.

It does not protect a jogger, biker, roller blader, swimmer, shopper or any person having a good time in a restaurant from harm.

The only one this bill protects is the person with a gun in his pocket or his hand – ready to shoot.

This bill does not even benefit gun owners. It is a narrowly targeted bill benefitting gun carriers.

5. Supporters of H.B. 796 portray people who want to use their guns in self-defense as law-abiding citizens. Unfortunately, this is open to discussion. Detailed scrutiny of the person who fired in self-defense, showed at times a prior criminal record. Could it be possible that H. B. 796 gives such a person the license to kill with impunity?

6. Some of the gun carriers are frightened elderly men or women. They feel vulnerable and want to fire their guns to protect themselves when assaulted by a stranger. I listened to their testimonies. Their reasonably sounding fear appears to be not supported by reality. When asked if they ever had experienced such a frightful scenario, as they are imagining, they could not name a single one.
  
7. After considering the above arguments, I plead with you not to support H.B. 796.

You are entrusted with the power to enact legislation for us, the people of Ohio.

No person testifying today has that power.

Ohio Gun Owners can't pass this bill.

The Gun lobby with all it's money can't pass it.

Even our Governor or our President cannot pass it.

Only you have the power to pass or not pass this bill.

Please, use your power wisely!

Thank you

