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House Federalism Committee

May 29, 2019

Testimony on House Bill 178

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Chairman Becker and Members of the Committee,

My name is Michael Weinman, director of government affairs, for the Ohio Fraternal Order of Police. Thank you for allowing me to give opponent testimony on HB 178. Today, I am testifying on behalf of more than 25,000 active and retired members of the FOP from across Ohio.

HB 178 makes significant changes to Ohio's gun laws to the detriment of law enforcement by eliminating the concealed carry license. The bill removes the need for training and background checks. The bill eliminates the requirement that a person notifies an officer that they are carrying a concealed weapon. The bill practically eliminates the ability of an officer to conduct a Terry Stop to check for weapons. The bill allows for those being charged with a crime of violence to carry a concealed weapon. HB 178 permits those who have been convicted of resisting arrest in the past ten years, and misdemeanor assault on a peace officer, to carry a concealed weapon.

The FOP's opposition to HB 178 is about officer safety. Training, background checks, and duty of a concealed carry permit holder to inform an officer who has stopped her was thoroughly negotiated, and unanimously agreed to, during the numerous interested party meetings leading to the CHL. Force Science Institute conducted an extensive study that showed on average, it takes .23 seconds, if sitting in a vehicle, to draw a weapon and fire upon an officer. It takes that officer 2.4 seconds to respond to that threat. An officer's life can end in .23 seconds.

HB 178 will allow the untrained, the unvetted, those under indictment, and convicted criminals to carry a concealed weapon. While those are terrible, HB 178 does not allow peace officers an opportunity to protect themselves using a Terry pat-down. As Mr. Louis Tobin, of the Ohio Prosecuting Attorneys Association, pointed out in his testimony, the Supreme Court has ruled in *Terry v. Ohio*, that an officer may conduct a limited search for protection of themselves and others. HB 178 virtually eliminates this essential tool for law enforcement. Violent crime rates continue to fall and are at an all-time low. However, law enforcement deaths continue to be on a roller coaster. Assault on police officers is slowly, steadily increasing with 3,000 to 5,000 a year suffering injuries that force them to leave the

profession. For police officers, the violence has remained or has gotten worse.

HB 178 eliminates the duty to notify. This, coupled with the inability to conduct a Terry pat-down, creates an unsafe environment for law enforcement officers. No training, no background check, no suspensions or revocations of a permit, no duty to notify, no Terry pat down, is a recipe putting officers unnecessarily in harm's way. It should go without saying that not everyone who is in possession of a weapon is a law-abiding citizen. Officers cannot make that assumption of law-abiding versus criminal. The State should also not assume that those carrying a concealed weapon will voluntarily get training. There have been multiple published reports of NRA instructors falsifying training records for nearly a thousand people who never attended training. In numerous cases, these untrained people then perjured themselves to acquire a permit.

The FOP of Ohio is opposed to HB 178 as eliminating the requirement to get a CHL will open the door to the untrained, the unvetted, those under indictment, and convicted criminals to carry a concealed weapon including those from out of State. The FOP believes that current law meets the requirements established by *District of Columbia v. Heller* and therefore is Constitutionally sound.