

Testimony on House Bill 178 / Sub. Bill HB 425
Senate Government Oversight Committee
Rep. John Becker, Chair
Rep. Reggie Stoltzfus, Vice Chair
Rep. Adam C. Miller, Ranking Member

Submitted by:

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Thank you, Chair Becker, Vice Chair Stoltzfus, Ranking Member Miller, and committee members, for allowing me to submit this testimony on the “permitless carry” bill.

I am a private citizen who believes that this bill would not only increase gun violence risks for me, my family, and for my fellow Ohioans, but would also infringe the right to life, liberty and the pursuit of happiness that underlies our Constitution as well as ALL of its amendments.

Over the past several weeks, I’ve heard opponent testimony provided to this committee, including statements from those who are very familiar with firearms and well understand the likely consequences of passing a permitless carry bill. Facts and figures have bolstered this opponent testimony, but when discussing gut-level issues such as the right to defend oneself, I have noticed that facts, figures and logical argument frequently take a back seat to emotion and ingrained beliefs. Unfortunately, strong emotions and beliefs can translate to poorly written legislation that can have tragic real-world consequences. Since the Missouri legislature eliminated laws requiring a permit to buy a firearm, for example, the state has seen a 25 percent increase in its homicide rate (see <https://www.sciencealert.com/scientific-evidence-that-strict-gun-control-works-saves-lives>). This 25 percent increase represents actual people whose families must have wished to keep them safe.

In response to permitless carry opponent testimony provided in June 2019, one committee member repeatedly voiced concern for the safety of his adult daughters. The desire of a father to keep his daughters safe is certainly understandable, but if his daughters’ safety is this representative’s chief concern, wouldn’t he want to be sure that eliminating these restrictions would *actually* make his daughters safer? Evidence suggests that bills such as permitless carry makes people, including his daughters, LESS safe (see above citation). Maybe the representative is confident that the lessening of restrictions would not imperil his daughters because he is sure they would be vigilant gun owners, and, if necessary, would be fully capable of using their weapons without accidentally harming themselves or innocent bystanders. If this representative believes his daughters need no restrictions for themselves, does he also trust other people’s sons and daughters to be responsible and competent gun owners?

Several times during the 2019 permitless carry hearings, another committee member stressed the importance of personal responsibility. I couldn’t agree more that acceptance of personal responsibility is essential to a functioning society. However, even if most gun owners fully understand their obligation to get adequate training, to properly secure their weapons, and to use them only when absolutely necessary and without harming any

innocent lives, can we really trust that all of them will ALWAYS follow gun safety rules? My own father stressed the importance of personal responsibility, honesty and integrity when I was growing up, and his lessons have certainly stuck with me. Even so, I'm aware that I have occasional lapses in judgment, and that fear or anxiety may inspire less-than-perfect responses in dangerous situations. I also know that my good intentions don't always translate into positive action. Not one of us is perfect, and while we might wish to live with fewer restrictions, we need those restrictions to ensure that the rights of ALL are properly respected.

One committee member said more than once in a recent hearing on permitless carry that a person with evil intent will find a way to get a gun whether or not it is legal to do so. This is certainly true. We have speed limits, but even those who consider themselves upstanding citizens frequently disregard those limits. Does this mean we should have no speed limits, and no consequences for ignoring them? In fact, traffic deaths rise when speed limits are raised (see <https://www.consumerreports.org/car-safety/higher-speed-limits-led-to-36760-more-deaths-study-shows/>). If we had NO speed limits or any consequences for driving at dangerously high speeds, could we realistically depend on our fellow citizens' sense of personal responsibility to drive safely?

Lawmakers must always attempt to balance the competing interests of all citizens, a task that is undeniably difficult. No law can eradicate criminal behavior. We can only hope to reduce it as much as possible while maintaining a reasonably free society. As one committee member has stated, a person bent on murder will always find some sort of weapon to use. However, many and perhaps most murders are not premeditated, but, rather, are committed in a fit of passion against a known victim with whatever weapon is most accessible (see <https://science.howstuffworks.com/life/why-do-we-kill2.htm>). We know that increased access to guns translates to an increase in homicides (see <https://www.hsph.harvard.edu/hicrc/firearms-research/guns-and-death/>). While a kitchen knife could certainly kill a person, killing a person with a gun is so easy and so lethal that even a toddler can do it. Even worse, the presence of a gun increases the likelihood that an innocent bystander may also be killed.

We can never guarantee our children's or our grandchildren's safety. We can only try to keep them as safe as is reasonably possible. However, if evidence shows us that children are less safe when guns are more accessible, then aren't we shirking our personal responsibility if we do not seriously consider such evidence?

We have all heard stories of toddlers gaining access to unsecured weapons and killing themselves or others. If permitless carry becomes law, wouldn't it be logical to assume that the reduction of training requirements might similarly increase the likelihood that an innocent child would gain access to a deadly weapon? Would the members of this committee be willing to take personal responsibility for approving a permitless carry bill if they understood it could contribute to additional accidental deaths?

I heard a committee member assert that our Constitution's Second Amendment is a "God-given" right. I find that statement curious, for a couple of reasons. First, I wonder whose God is giving the right to carry a lethal weapon. Is it not, rather, the Constitution's Bill of Rights that includes the Second Amendment? Secondly, the limitations imposed on the Second Amendment are frequently ignored. The right to bear arms is not, and never has been, absolute, but is granted within the context of a "well regulated militia." (See

<https://www.theatlantic.com/politics/archive/2018/03/second-amendment-text-context/555101/>).

There are disagreements about what “well regulated militia” actually means, but even if that phrase is completely disregarded and the *District of Columbia v. Heller* decision similarly ignored, the Second Amendment is still only one of many and must be considered within the context of the Constitution’s conferred right to life, liberty and the pursuit of happiness for all citizens. When the Second Amendment infringes *my* right to life, liberty and the pursuit of happiness, I must assert my right to demand reasonable restrictions on and protection from those who carry deadly weapons in public.

When considering whether a permitless carry bill would properly balance the rights and interests of all Ohio citizens, committee members must take into account polls indicating that the majority of Ohioans want reasonable gun restrictions (see https://www.cleveland.com/datacentral/2018/03/ohioans_want_new_gun_restricti.html). Committee members also should listen carefully and respectfully to all testimony. I trust all committee members will, in future hearings, be willing to challenge their own beliefs and emotions when determining what’s best for Ohioans.

Thank you for the opportunity to share my concerns.