

Testimony on House Bill 425
House Federalism Committee
Rep. John Becker, Chair
Rep. Reggie Stoltzfus, Vice Chair
Rep. Adam C. Miller, Ranking Member

Submitted by:
Lisa Voigt

Chair Becker, Vice Chair Stoltzfus, Ranking Member Miller, and members of the committee, thank you for allowing me to present this testimony in opposition to House Bill 425. My name is Lisa Voigt, and I am speaking to you today as a concerned private citizen, mother, and professor at The Ohio State University. Because of my profession, I began following Ohio’s gun legislation during the passage of the bill in December 2016 permitting universities to allow guns on campus. Although that bill passed, I was relieved that during the more recent “lame duck” session (December 2018), the most dangerous provisions were removed from what began as a “Stand Your Ground” bill, including one that would have reduced the penalties for concealed carry without a permit to such a degree that it would have had a similar effect to the bill you are considering once again today. This bill—which would allow anyone to carry a concealed weapon in public without a permit, background check, or safety training—is opposed by vast majorities of the population: 88% of Americans (Strategies 360 Survey, March 2015), 90% of Ohioans (Survey USA, March 2016), and even 81% of gun owners (Public Policy Polling, May 2018).

In a lecture at OSU’s Glenn School of Public Affairs by Dr. Cassandra Crifasi, a gun policy researcher and gun owner,¹ Dr. Crifasi referred to her research on the repeal of Missouri’s permit-to-purchase handgun law in 2007, which resulted in a 25% increase in firearm homicides.² More recently, since Missouri’s passage of Permitless Carry in January 2017, the city of St. Louis has experienced another 25% increase in aggravated assaults with a gun.³ Statistics on the rates of aggravated assaults with firearms in Alaska and Arizona, which passed Permitless Carry bills in 2003 and 2010, respectively, show similarly shocking and cautionary

¹ Dr. Cassandra Crifasi is “one of the few gun policy researchers in the nation who not only owns guns but regularly shoots for sport... Crifasi, 34, is part of what she calls ‘the large moderate swath that is invisible’: those who believe the Second Amendment protects citizens’ right to have a firearm in their home, but also believe that right should be regulated by effective, evidence-based gun policy” (<https://magazine.jhsph.edu/2017/fall/features/cassandra-crifasi-hopkins-moderate-gun-owner-gun-policy-researcher/index.html>).

² <https://www.jhsph.edu/news/news-releases/2014/repeal-of-missouris-background-law-associated-with-increase-in-states-murders.html>

³ http://www.slmpd.org/crimestats/CRM0013-BY_201712.pdf

results (+82% in Alaska and +39% in Arizona).⁴ When I asked Dr. Crifasi after the lecture about the most effective policies to reduce gun violence, she clearly stated that by far the most important policy—since it is so well demonstrated in the research on states where permitting laws have changed—is *strong* permitting requirements. In short, you actually are in a fortunate position, since the current law which enjoys such vast popular support is also the one that happens to be in the best interest of public safety. All you have to do is reject this bill.

During the proponent testimony on HB 178, the previous version of this bill, I was struck by the common ground between many of their arguments and the ones you will hear from opponents. Many proponents acknowledged that the government has the authority to regulate constitutionally guaranteed rights, including those of the Second Amendment. As Justice Scalia stated in the *Heller* decision, “like most rights, the right secured by the Second Amendment is not unlimited” and it is “not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose”⁵—the latter being the opinion of only a few of the proponents I heard.

Furthermore, almost all of the proponents I heard described the importance of training to operate a gun safely—the training that this bill would no longer require. I don’t think I heard any complaints at all about that training being onerous or difficult (in fact, I heard more comments about how insufficient 8 hours of training was). This opinion about the importance of training seems to be shared by many of the commentators on a Buckeye Firearms Facebook post I saw about this bill—including trainers, who surely understand its importance and function a great deal more than I do. Some described how their experiences teaching showed them how little some gun owners—even ones who had been shooting their whole lives—knew about safely handling a gun or about the rules, laws, ethics, or consequences of carrying firearms. For this reason, they expressed strong opposition to the bill. They sounded a lot like a comment in a recent news article about a bill in Tennessee that dropped permit and training requirements for guns kept in vehicles, which has led to more than double the number of guns stolen from vehicles since 2015. Representative Hardaway, one of that bill’s co-sponsors, said, “It didn’t cross my mind that we would have that many stupid people with weapons in their cars... These are the unintended consequences that we have an obligation to go back and fix.”⁶

⁴ <https://everytownresearch.org/permitless-carry/>

⁵ <https://www.law.cornell.edu/supct/html/07-290.ZO.html>

⁶ <https://www.npr.org/2019/05/09/717178960/more-guns-in-cars-mean-more-guns-stolen-from-cars>. See also this statement by Stanford University Professor John J. Donahue III: “There are certainly beneficial uses of guns by permit holders that thwart or even deter crime, but these positive influences are outweighed by all of the ways—often not well understood—in which gun

Finally, as one witness supporting the bill testified, “Are there people that should not own guns because of their offenses? Absolutely.” Those of us testifying in opposition could not agree more. Surely such people include those charged with felonies and convicted of misdemeanor or negligent assault, domestic violence, and resisting arrest offenses.⁷ If this bill passes, those offenses would no longer prohibit people from carrying a concealed weapon in public; for that matter, enforcing federal law that would continue to prohibit some people from having a firearm would be difficult if not impossible for a police officer to do without a permit, as was discussed several times during proponent hearings.

In sum, if you, the members of the committee and most sponsors and proponents of the bill, agree that the government has the authority to regulate constitutionally guaranteed rights; if the current permit and training requirement is causing no harm to individuals; if removing this requirement would cause great deal of harm to individuals and to public safety, as has been amply demonstrated in other states; and if we are currently in the midst of a public health crisis, with 100 Americans dying every day from guns, a rate 25 times higher than any comparable country—a crisis that since the Dayton mass shooting, has been causing Ohioans to cry out for our legislators to #dosomething about gun violence—then the conclusion that you must draw about this bill is clear. Please oppose HB 425, and thank you for the opportunity to submit this testimony against it.

carrying elevates violent crime. In addition to any misconduct by the actual permit holder—such as the mass shooting in 2017 that killed five and wounded six others in the baggage claim area at the Fort Lauderdale-Hollywood Airport—*gun carrying often leads to lost and stolen guns and occupies the time and complicates the task of law enforcement in ways that undermine their crime-fighting capacities*” (<https://blogs.scientificamerican.com/observations/arming-teachers-is-not-a-good-option/?redirect=1>, Feb. 28, 2018, my emphasis).

⁷ “As a result, the bill allows the following categories of persons who are not eligible for a concealed weapons license to carry a concealed deadly weapon:

- A person who is currently being charged with a felony, a misdemeanor drug offense, a misdemeanor offense of violence, negligent assault, or falsification of a concealed weapons license;
- A person who has been convicted of a misdemeanor drug offense or misdemeanor assault of a peace officer;
- A person who, within the past ten years, has been convicted of misdemeanor resisting arrest;
- A person who, within the past five years, has been convicted of two or more counts of misdemeanor assault or negligent assault;
- A person who, within the past three years, has been convicted of falsification of a concealed weapons license or of any misdemeanor offense of violence other than resisting arrest, assault of a peace officer, or domestic violence;
- A person whose concealed weapons license is suspended because the person was convicted of a specified misdemeanor offense involving an interaction with law enforcement;
- A person who has not completed the required competency certification;
- A person who is not a resident of Ohio or employed in Ohio.” (<https://www.legislature.ohio.gov/download?key=11570&format=pdf>)