

WHAT IS THIS LEGISLATION TRYING TO ACCOMPLISH?

Is it:

1. Revise the law in an attempt to clarify the concept of “promptly” as respects notification to law enforcement of a citizen’s status as a CCW permit holder?
2. Revise the law to reduce the penalties by amending the penalties noted in various sections of 2923 for infractions noted in 2923?
3. Removing duty to notify law enforcement of authorization to carry a concealed handgun?
4. Reduce the training time required to be certified to apply for the permit to carry a concealed firearm?

My point of view and support is for points 1 and 2 as noted.

I was a platoon leader in the US Army during the Vietnam conflict. Many actions in our training was required to be accomplished “promptly” and we did so. As the Army at the time was manned primarily by conscription, the average educational level of my platoon was the 4th Grade. Yet all of the approximately 200 soldiers under me understood the concept and meaning of promptly.

That said, I understand that times change as do circumstances and if one believes changing the wording in 2923 will help ensure safety of the CCW holder and law enforcement officers in interactions I support the measure.

Given that change, it is also appropriate to revisit the penalties provided that are noted within 2923’s various sections. Failure to comply with sections of 2923 are errors in the CCW permit holder’s judgement and are “process failures” so the penalties associated with failing to comply within sections of 2923 are appropriately lessened in the hierarchy of misdemeanor offenses. This too I support.

Item number 4 above is not a focus of this bill, and Item number 3 has been noted as a possible amendment to this bill.

As I attempted to explain (in my view, poorly!) in the last hearing on this bill, I was fortunate to have my instruction of all facets of 2923 explained by Mr. Hansen who many of us know as the primary proponent and architect of 2923 that allows Ohio citizens to carry a handgun concealed.

That section of the training was nearly one full day of the required two-day (considered to be the time required to cover all topics) training course. I also recognize I was remiss as a citizen in not being aware that changes were made by regulatory adjustments to the training topics and time required, that resulted in training being able to be accomplished in one day vs. two. That is the mistake I feel was made and why I do not support amending the bill to remove the duty to notify which I feel compounds the error.

My opposition to remove the duty to notify comes from my nearly day long class session interaction with Mr. Hansen and the intent regarding the RESPONSIBILITY one bears as a CCW holder. That is, the interaction with law enforcement is a conversation. It is a conversation that the CCW holder must initiate rather than simply respond to a law enforcement officer’s requests **to ensure the CCW holders safety**. Hansen would know.

Yes, the officer may know from a license plate registration check the OWNER of the vehicle is a licensed CCW holder. In addition, they are trained to ask if the driver (or anyone in vehicle) is carrying a handgun or if one is present in the vehicle.

As I noted in a prior session, a registration check is no assurance of the CCW status of any occupant. As in my case, I was in a rented vehicle. One could also be in a borrowed vehicle. It also provides no notification that anyone in vehicle other than the vehicle owner may be a licensed CCW holder.

As also has been noted, law enforcement officers have been trained to know to ask. Is that the first question asked in a traffic stop? When will any single officer ask the question? If you are in a rented or borrowed vehicle, will they ask for your DL first?

As was explained in my training for the safety of the CCW holder, it is imperative the CCW holder INITIATES the CONVERSATION so it is clear from the beginning that one or more occupants of the vehicle are licensed CCW holders and if there is a handgun present on a person in the vehicle or in the vehicle itself. The interaction is a conversation that the CCW holder initiates and makes no movement at any time without specific, directed instruction and absolute clarity to comply with a law enforcement officer's request.

As noted in the last hearing, a licensed CCW holder in another State, having identified himself as CCW holder, was shot and killed as he attempted to comply with the officer's instruction to produce their driver's license. That happened to be in their back right pocket, and their weapon was on their right hip. The officer was exonerated; the CCW holder was dead. With proper training, he'd be alive.

As Mr. Hansen instructed, the interaction is CONVERSATION that as the CCW holder, you initiate, and also do not assume to follow any request of the officer until you get clarification, or you notify, as in that example, your firearm is holstered on your right hip, and if you reach for your rear pocket for the DL, your hand will be adjacent to the weapon. Again, it is a conversation that requires exactness and absolute clarity and any movement requested is done from a precise conversation.

The class session as I noted was nearly a day. A majority of the time was spent on a variety of examples of behaviors and assumptions all pointing to why the interaction is a conversation that the CCW holder must start and how, even though one may have been stopped for a traffic violation, you have to ensure absolute clarity in that conversation so you'll live to pay the ticket. This portion of the class also included a lengthy Q&A and Mr. Hansen fielded questions from the sublime to the ridiculous and some even humorous.

In any confrontation, an officer, regardless of training or experience is going to have physiological reactions that are autonomic. They happen in all of us. It's a condition of being human. They may be having a "good" day or a "bad"; be in any kind of mood; feeling any type of emotion, that any of us may have experienced. You don't know. You likely have been stopped for SOME kind of violation that only adds to your own stress and state of mind as well as the officer's.

That is why the CCW holder has the RESPONSIBILITY to START the conversation. There's only "downside" to not doing so, which is why I can not support removing the duty to notify.

Finally, any legislation related to firearms bring a lot of emotion.

Legal firearm owners own >200 MILLION firearms and ~10 BILLION rounds of ammunition. If we were the problem, it would be a much bigger problem.

What follow are 11 pages of FACTS on handguns, handgun deaths, CCW statistics and other FACTS that are either Ohio specific or show our State in relation to what is done nationally regarding handguns, and one's ability to carry them, concealed or not. An informed Legislature produces good legislation.

Thank you.

Gun deaths in Ohio

“Ten dead, including the shooter, in Dayton's Oregon District.”

“Four dead, including the shooter, inside the lobby of the Fifth Third Center last year.”

“Three dead at Chardon High School in 2012.”

The lives in these headlines were more than a number. But they became part of a number, a statistic. They joined the 13,001 people killed in Ohio – either by homicide, suicide or accident – using a firearm in the past decade.

Last year, that number was 1,504 firearm-related deaths – more than the 996 killed in fatal crashes but still far fewer than the 4,002 killed by drug overdoses.

Several ideas to reduce the number of firearm-related deaths, ranging from a "red flag" law and background checks on more guns to stiffer penalties on giving guns to minors. In other States, they have shown not to be effective.

Here's a look, compiled by the Ohio Alliance for Innovation in Population Health in 2019, at how many people have died in Ohio with a gun since 2009. The group is a collaboration between Ohio University and the University of Toledo to improve the health of Ohioans.

1. Most gun deaths are suicides.

Since 2009, 8,067 people have died by suicide involving a gun in Ohio, according to the new Alliance report.

Firearms were the most common means of suicide – involved in 50.6 percent of deaths in the United States in 2017, followed by suffocation (27.7 percent) and poisoning (13.9 percent), according to the Suicide Prevention Resource Center. The warning signs of suicide include threats or comments about suicide, increased alcohol and drug use, aggressive behavior, dramatic mood swings, impulsive or reckless behavior and social media withdrawal.

2. Firearm-related deaths affect all ages

In 2018, 23 children age 14 or younger died from a firearm. That same year, 366 people 60 years or older died in firearm-related deaths.

Firearms are the second leading cause of death for U.S. children and teens, next to crashes, and the first leading cause of death for African-American children and teens, according to the U.S. Centers for Disease Control and Prevention.

3. More white people died of gun deaths in Ohio.

In 2018, 1,014 white people, 437 black people and 27 people of another race died in firearm-related deaths.

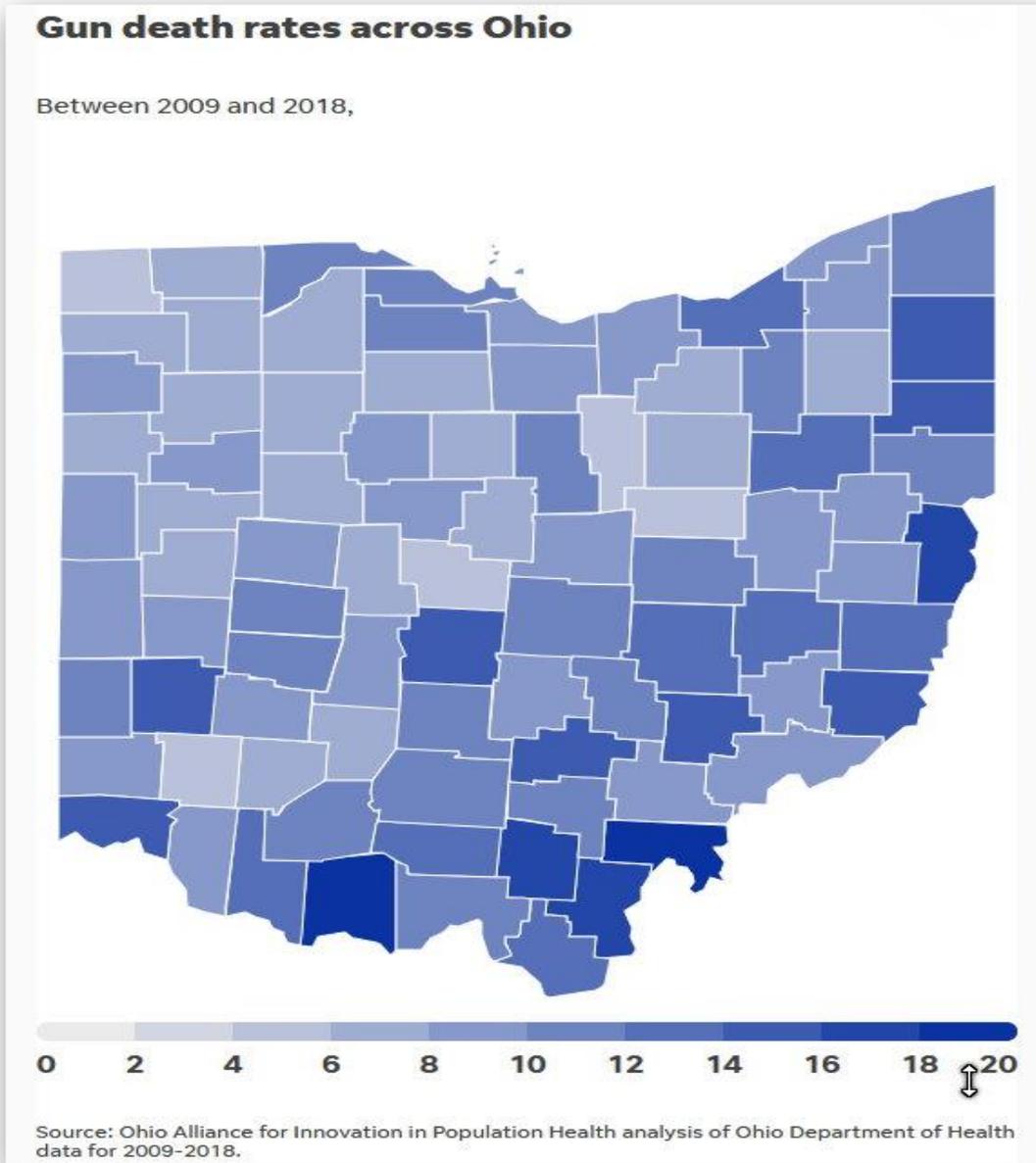
That's a raw number, but more context is helpful.

The homicide rate was much higher among black men in Ohio – 37.15 per 100,000 firearm homicide deaths – than white men – 1.83 per 100,000 firearm homicide deaths. Conversely, the suicide rate was higher for white men – 12.47 per 100,000 firearm suicide deaths – compared to black men – 6.91 per 100,000 firearm suicide deaths.

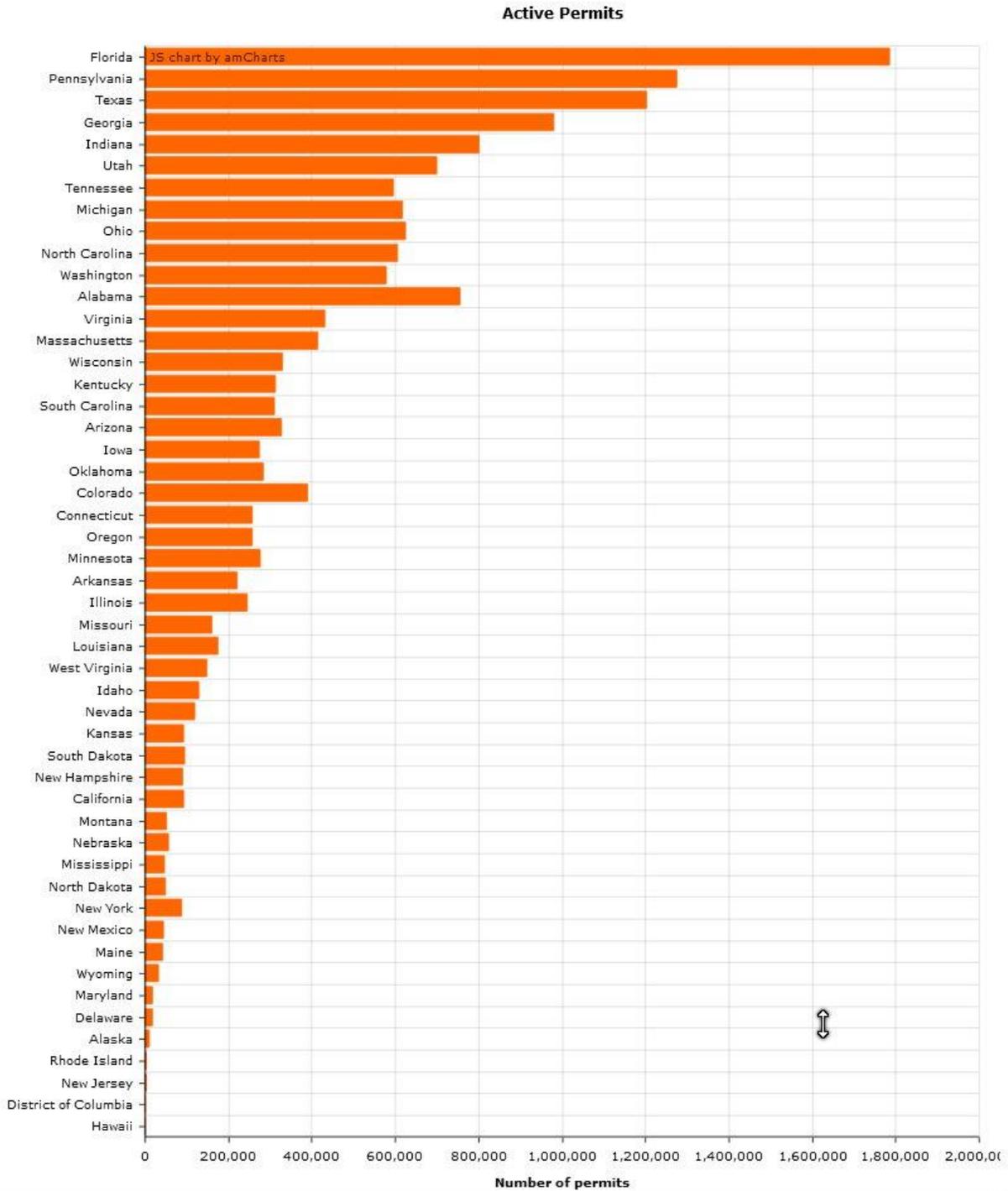
4. The rate of firearm deaths was higher in southern and eastern Ohio.

While the rates of firearm homicides were highest in the cities, the rates of deaths by suicide were highest in southern and eastern Ohio, according to the Alliance report.

Putting all firearm deaths together, southern Ohio's Adams County had the highest rate of 20.3 firearm deaths per 100,000 residents. Between 2009 and 2018, 13,001 people died by a firearm. The rate of deaths ranged from 20.3 deaths per 100,000 residents in Adams County to 5.08 deaths per 100,000 residents in Ashland County.



Active Concealed Carry Permits (2017)



Active CCW Permits by State

State	Active Permits	Data Updated
Alabama	755,618 est	June, 2017
Alaska	9870	March 16, 2017
Arizona	325421	December 28, 2017
Arkansas	220,224	March 14, 2017
California	92,000	December 31, 2016
Colorado	388,646	April 30, 2017
Connecticut	255,502	April 30, 2017
Delaware	17,436	March 28, 2017
District of Columbia	124	July 3, 2017
Florida	1,784,395	June 30, 2017
Georgia	979,006	May, 2017
Hawaii	0	December 31, 2016
Idaho	129,312	June 16, 2017
Illinois	243,245	May 31, 2017
Indiana	799,546	March 31, 2017
Iowa	273,852	December 31, 2016
Kansas	93,092	March 27, 2017
Kentucky	311,994	December 31, 2015
Louisiana	173,881	December 31, 2016
Maine	42,000	June 30, 2017
Maryland	17,414	March 16, 2017
Massachusetts	412,369	December, 2016
Michigan	616,508	June 2, 2017
Minnesota	276,109	July 1, 2017
Mississippi	46,598	June 21, 2016
Missouri	160,184	December 31, 2012
TOTAL	17251354	

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THERE ARE NOW

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PERMITLESS CARRY STATES



State	Active Permits	Data Updated
Montana	50,050	March 14, 2017
Nebraska	55,710	March 27, 2017
Nevada	119,162	June 1, 2017
New Hampshire	89,084	December 31, 2016
New Jersey	1,212	2012-2013
New Mexico	42,839	March 16, 2017
New York	88,205 est	June, 2017
North Carolina	604,737	May 31, 2017
North Dakota	48,700	December 31, 2016
Ohio	623,000	December 31, 2016
Oklahoma	283,587	May 8, 2017
Oregon	256,943	May 1, 2017
Pennsylvania	1,275,000	March 15, 2017
Rhode Island	2,560	March 14, 2017
South Carolina	308,406	December 31, 2016
South Dakota	93,438	May 31, 2017
Tennessee	594,498	June 2, 2017
Texas	1,200,746	May 31, 2017
Utah	698,920	March 31, 2017
Vermont	No permits issued	
Virginia	429,837	March 14, 2017
Washington	578,299	March 15, 2017
West Virginia	147,801	February 28, 2015
Wisconsin	328,907	June 1, 2017
Wyoming	31,758	March 16, 2017
TOTAL	17251354	

Gun Ownership Notes

Statistics on concealed carry permit data cannot be considered an accurate measurement of gun ownership. There are three main reasons;

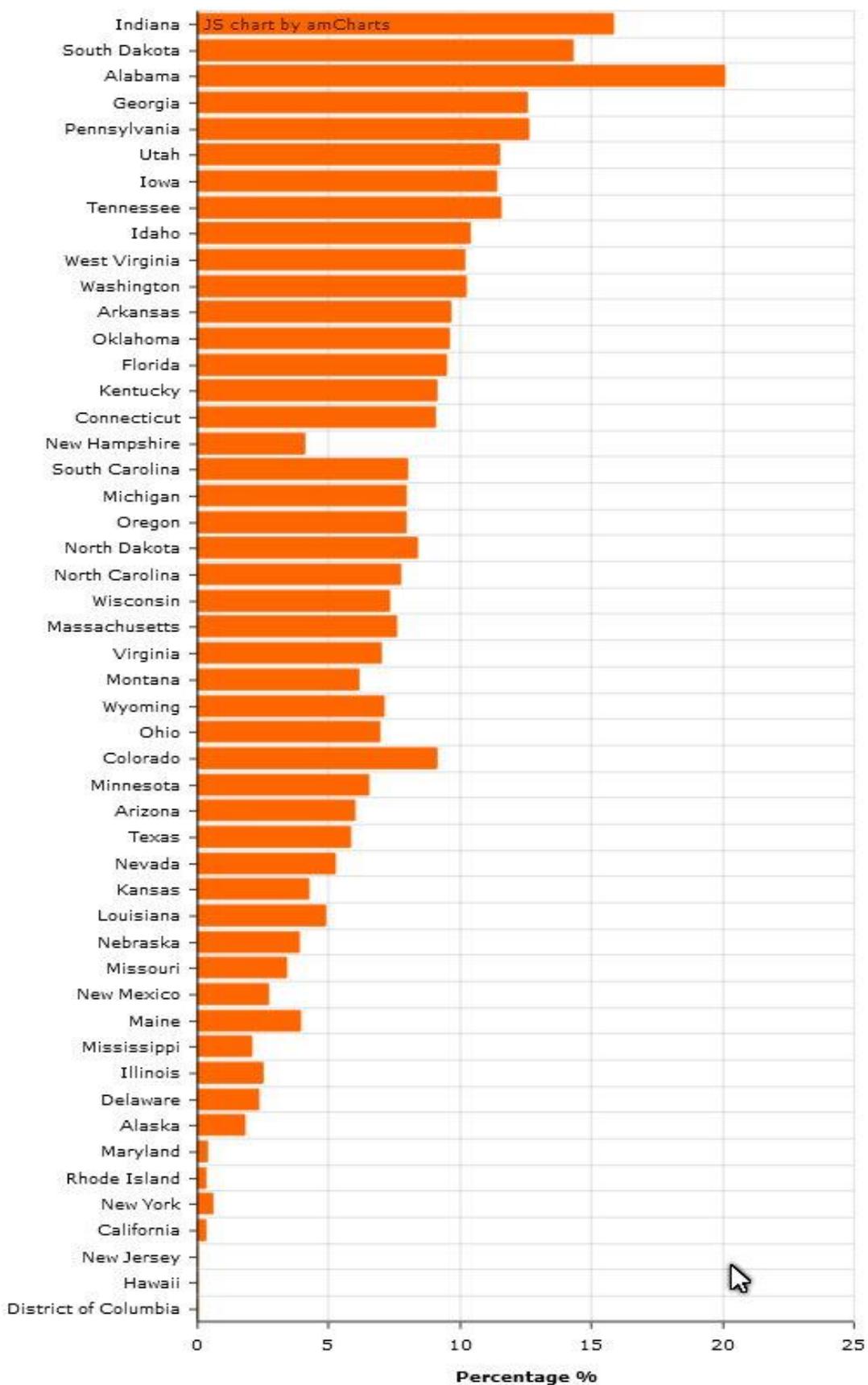
- These figures do not take into account persons who carry handguns in the 14 states that do not require a permit. People usually only obtain a permit in these states for out-of-state travel. Plus the fact no fee's or training is required probably means these states have some of the highest rates of handgun ownership.
- It is difficult to obtain data from some states. Data in New York and Alabama is not collected at the state level, it is left up to the counties or cities.
- About 687,840 of the permits are "non-residential" which can distort the figures as the holders most often have another permit in their home state.
- Some of the data is over a year old so does not take into account recent growth.



With the trend towards permitless concealed carry, it will become more difficult to obtain data on handgun ownership. It is safe to say that the figure of 17 million issued concealed carry permits is an under estimate of the total active concealed permits in the United States.



% Population with Permit



State	% Population
Alabama	22%
Indiana	18%
South Dakota	17%
Pennsylvania	13%
Georgia	13%
Tennessee	12%
Utah	12%
Iowa	12%
West Virginia	12%
Kentucky	11%
Idaho	10%
Washington	10%
Arkansas	10%
Oklahoma	10%
Florida	10%
Colorado	10%
Connecticut	10%
North Dakota	9%
South Carolina	9%
Michigan	8%
Oregon	8%
North Carolina	8%
Massachusetts	8%
Wisconsin	8%
Wyoming	8%
Ohio	8%

State	% Population
Minnesota	7%
Montana	7%
Texas	7%
Virginia	6%
Arizona	6%
Nevada	6%
Louisiana	6%
New Hampshire	5%
Kansas	4%
Maine	4%
Nebraska	4%
Missouri	4%
New Mexico	3%
Illinois	3%
Delaware	2%
Mississippi	2%
Alaska	2%
New York	0.6%
Maryland	0.4%
California	0.3%
Rhode Island	0.2%
District of Columbia	0.2%
New Jersey	0.01%
Hawaii	0%
Vermont	No Permits issued

CCW Permit Holders Who Break The Law

CCW permit holders according to the statistics are unlikely to break the law. Remember there are over 16.3 million permit holders in the US so any violations are very rare. In fact there are probably no other groups of people in the US who are as law abiding. If we compare concealed carry permit holders to the police we can see just how law abiding they really are. The Police Quarterly conducted a study that showed police committed;

- 703 crimes per year (average from 2005 - 2007)
- 113 of those crimes involved firearms violations

That may be an underestimate when you take into consideration that not every crime committed by the police gets media attention. From 2005 - 2007 there was about 685,464 full time police officers in the US. This allows us to calculate that there was;

103 crimes per hundred thousand officers.

The crime rate for the entire US population was 37 times higher;

3,813 crimes per hundred thousand people

It may be that police crimes do not get reported as much due to fellow officers staying silent. But you cannot ignore the fact that there is a big gap between the police and the general population when it comes to reported crimes. If you look at the following figures you will see that concealed carry permit holders are actually more law abiding than the police.

Florida revoked 11,189 concealed carry permits for violations such as misdemeanors or felonies between 1987 -2017. This works out an annual rate of 10.4 permits revoked per 100,000.

Texas had 148 concealed carry permit holders convicted of a misdemeanor or felony in 2016. This works out to a conviction rate of 12.3 percent per 100,000. When the Texas and Florida data is combined it shows that CCW permit holders are convicted of felonies and misdemeanors at a rate of 2.4 per 100,000. While among police the rate is 16.5 per 100,000 officers. Texas and Florida have some of the highest rates of CCW permit holders but the figures are similar in other states with less permit holders.

In summary CCW permit holders are convicted of crimes at less than a sixth of that for police officers.

CCW Permit Holders Charged/Convicted

State	Year	Crime	Charged or Convicted	% of Total Convictions	Out of Total Violent Crimes
Louisiana	2016	Any Felony	16	0.0092	
	2015	Any Felony	19	0.0123	25,208
	2014	Any Felony	15	0.0109	23,983
Michigan	2016	Aggravated Assault	17	0.003	
	2015	Aggravated Assault	11	0.002	
	2016	Violent Crime	22	0.053	41,231
	2015	Violent Crime	18	0.00352	42,348
Minnesota	2015	Any Assault	0	0	7,094
	2014	Any Assault	0	0	
	2013	Any Assault	0	0	
	2012	Any Assault	0	0	
	2011	Any Assault	0	0	
	2010	Any Assault	0	0	
Oregon	2016	Any Felony	19	0.0074	
Oklahoma	2016	Any Felony	20	0.0071	
	2015	Any Felony	16	0.0062	16,506
	2014	Any Felony	15	0.0069	
	2013	Any Felony	15	0.0078	
	2012	Any Felony	10	? Unknown due to no permit data	
Tennessee	2016	Any Assault	0		
	2015	Any Assault	0		40,400
	2016	Any Felony	29	0.0049	
	2015	Any Felony	31	0.0061	
Texas	2016	Aggravated Assault	8	0.00067	
	2015	Aggravated Assault	10	0.0011	67,727

The percentage of total convictions indicates how many concealed carry permit holders account for the crime compared to the general population. As an example if we look at Texas in 2015 you will see that just 0.0011 of permit holders accounted for the crime of aggravated assault.

NICS Denials

1998 - 2019

1587509

TOTAL FEDERAL NICS DENIALS

DAYS THAT A

30

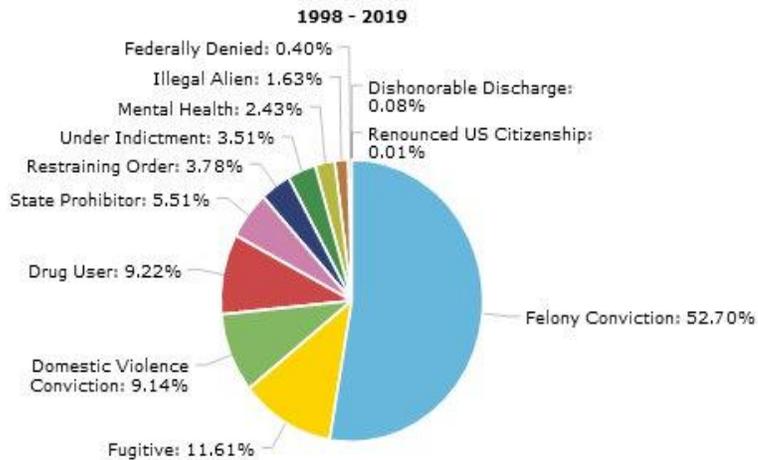
NICS CHECK IS VALID

DATABASES THAT A

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NICS CHECK SEARCHES

JS chart by amCharts



Felony Conviction	836,574	Fugitive	184,273	Domestic Violence Conviction	145,162
Drug User	146,367	State Prohibitor	87,440	Restraining Order	59,948
Under Indictment	55,695	Mental Health	38,611	Illegal Alien	25,825
Federally Denied	6,321	Dishonorable Discharge	1,192	Renounced US Citizenship	101

Hover over pie chart for details