**--Proponent written testimony--**

**Submitted for the record by**

**Jennifer Coleman**

**For the hearing before the Senate Committee on Government Oversight and Reform on**

**Ohio Senate Bill 237 - Enact Duty to Retreat Act-modify self-defense law**

**Tuesday, December 10, 2019**

Chairman Coley, Vice Chair Huffman, Ranking Member Craig and the rest of distinguished members of the Senate Government Oversight and Reform Committee:

Thank you for the opportunity to submit testimony in support of Senate Bill 237. My name is Jennifer Coleman. I am a 37 year old woman currently living in Stow, Ohio. I have one female child and I take my right to own and bear arms to defend myself and my child quite literally. I have always advocated for strong 2A rights and my life experiences further solidify the need to not limit self-defense laws in Ohio with a the Duty to Retreat provision. I am a proud Ohio CCW holder and I carry a concealed firearm with me wherever I can legally. When I heard the duty to retreat part of the self-defense law was being considered for amendment in the ORC by the Ohio Senate, I felt compelled to respond.

Before I begin my story, I would like to remind everyone that the Declaration of Independence, ratified in July of 1776, begins “with the right of life, liberty and the pursuit of happiness given by our Creator to each of us.” Fifteen years later the 2nd Amendment was ratified and it states that “the Right of the people to keep and bear arms shall NOT be infringed. “ Self-defense is a liberty given to every American and this is NOT a new concept. It has been around since the founding of America.

Publicly sharing my story is not an easy one but I am willing to do this in order for the members of this Committee to fully understand why we need to remove the Duty to Retreat portion of the self-defense law. My story is an account of stalking and domestic violence by two previous significant others. After the first incident and subsequently getting away from him, I considered going and getting my CCW license. I was not too hard pressed because he doesn’t believe in owning guns and I did not think he would ever physically harm me to the point of death.

After the second incident, by a completely different man, who owns several guns and is in the Army, I did go and get the CCW training classes. Then I subsequently applied for a CCW license so I could protect myself and my young child when not at home. If any person here has been in a stalking or a domestic violence situation, or knows of any sister, cousin, mother, aunt, etc. in a similar situation, I would hope you could understand what I was going through during this time. It was very stressful. When I learned of the Duty to Retreat portion of the Ohio Law during my CCW training class, my heart dropped. There are too many situations that I can imagine my crazy ex-boyfriend in that would make the duty to retreat portion very difficult for me to abide by. And then I would have to prove my innocence in Court if I discharged my firearm. How terrifying. Domestic violence abusers and stalkers typically know the ways to get around the laws. Even if they cannot, CRIMINALS DO NOT OBEY THE LAW.

I believe the SYG laws are tremendously misunderstood. All it does is allow people to defend themselves without having a so called “duty to retreat”. That concept of the no retreat rule has been around for over 150 years in American law. At the Supreme Court, SYG dates back to the unanimous 1895 case of Beard v. United States, in which Justice John Harlan affirmed the right to armed self-defense. He states “He was not obliged to retreat, nor to consider whether he could safely retreat, but was entitled to stand his ground, and meet any attack upon him with a deadly weapon, in such a way and with such force as, under all the circumstances, he, at the moment, honestly believed, and had reasonable grounds to believe, were necessary to save his own life, or to protect himself from great bodily injury.” I agree with Justice Harlan.

As current ORC stands, if you are attacked on the street by a violent aggressor, you are obliged to turn and run rather than to defend yourself. In a domestic violence situation, this could mean life or death for you and/or your family. This notion is contrary to hundreds of years of our jurisprudence and to the rights that protect all of us as Americans. SB237 will protect law-abiding gun owning citizens from having to leave a place where they're allowed to be to defend themselves. It's bad enough for an innocent person to find herself threatened by a criminal, but to then have to worry about whether she can retreat lest she face lawsuits is too much to ask. Requiring a person to retreat before using their firearm creates confusion, creates doubt, and can make it more difficult for that person to be able to defend themselves. In America, you are innocent until proven guilty. In Ohio, under the current Self-Defense Law, you are considered guilty until you can prove yourself innocent. Ohio has our fundamental right to defend ourselves completely backwards. It is time for our Ohio legislators to fix that and pass SB237.

So far, 36 states have passed a version of a Stand Your Ground law since 2005. Let us make Ohio the 37th state to give back inalienable 2A rights to its citizens.

Please vote YES on Senate Bill 237.

Thank you for your time and consideration.

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