

Testimony on
SB 383
The Senate Committee on Government Oversight and Reform
The Honorable William P. Coley, Chair
December 9, 2020
Jesse Craig

I wish to voice my opposition SB 383. My name is Jesse Craig.

Thank you for your willingness to read my testimony.

This “Duty to Retreat” bill does not fool Ohioans who are concerned about gun violence. This is indeed a Stand Your Ground (STG) bill. SYG is an umbrella term to identify a class of laws with similar characteristics. A “duty to retreat” is the legalese used to write a law where the intention is to avoid needless loss of life. The title of this bill itself is not honest. Why not call it for what it is, a bill to *lift* a duty to retreat so that Ohio can become a SYG state.

Law enforcement officers know that use of deadly force is a complex skill set. It requires hours of intensive training and well-honed skills. We are talking about skills which go well beyond shooting at a well behaved paper target.

Rather than resort to deadly force, current law requires someone to retreat from danger *if able*. If not reasonably able, Ohio law *already* allows for the use of lethal force in self defense. Stand-your-ground legislation would make it easier for someone who goes looking for trouble to get off the hook if someone is killed or injured. This encourages a the shift in the mindset among gun carriers who feel emboldened to use deadly force when other options are available.

Who in their right mind wouldn't retreat from danger if given the chance. But evidence suggests that by far, cases of stand your ground that make it to the courts usually involve disputes that turn violent. We teach our children, you have a right to disagree, you don't have a right to become violent. Shouldn't we be reinforcing the same principles for adults who don't WANT to walk away but continue to escalate a dispute? Even worse, we now know that SYG

laws have been applied with telling racial bias. In studies of 23 states with SYG laws, a white homicide defendant whose victim is black is 12 times more likely to have their homicides ruled justified than when the defendant is a black person who claims self defense when the homicide victim is white.

Guns for self defense are often left around for children to access. Most school shooters get their guns from home or a relative. We need to dispense with the current mythology that guns in the home make us safer. Instead of passing Stand-your-ground in Ohio, we should be raising money for sending gun locks home with school children. We should be making laws for universal background checks and laws to make gun owners more accountable if a child should take a gun to school. Shall we soon see an end to this pandemic, only to see our children return to in-person learning, fearful that they could be a victim of a school shooting? Rather than arming our ill trained school staff to carry guns in schools, our schools should work to educate parents about the need to lock their guns. Legislative efforts like SB 383 only serve to promote fear and promote more gun ownership, with no attention to the public's need to be educated of the risks of gun ownership.

The Ohio General Assembly should dispense with the gun lobby's agenda. Please vote No on SB 383. Then work to pass common sense gun legislation such as universal backgrounds checks for gun purchasers, child access prevention laws, and a ban on assault weapons and on high capacity magazines. We must reverse the preemption of municipal gun ordinances (Home Rule) so that municipalities have better tools to fight gun violence in their streets! . Such laws are consistent with the constitutionality as set forth in the 2008 Supreme Court "Heller" decision. These common sense gun laws in other states have been shown to reduce gun violence and save lives.

On the other hand, research has shown that states with Stand your ground laws have seen an increase in gun homicide even while other crime rates have gone down. Who are the people who will benefit from SB 383? People who want more guns in more places? People who want

fewer consequences if they use a gun unlawfully or inappropriately? People who are prone to racially reactive or agitated behavior? These are the people who will benefit from this bill while others Ohioans will be less safe.

SYG advocates who declare that it is proper for law-abiding citizens to protect themselves, do so by omitting the fact that governing bodies and the courts at federal, state and local levels ALSO have a ***right and a duty*** to protect citizens from needless gun injury and death through the enactment of common sense gun laws. .

Thank you for reading my testimony.

Jesse W. Craig