



**LWVO Opponent Testimony on SB 383 - Duty to Retreat  
Before the Senate Government Oversight and Reform Committee  
By Rosie Craig  
December 8, 2020**

Chairman Coley, Vice Chair Huffman, Ranking Member Craig, and esteemed members of the committee: My name is Rosie Craig. I write today as a member of the League of Women Voters of Ohio to speak on their behalf, in opposition to SB383. The League of Women Voters is a non-partisan organization, taking a non-partisan approach to the dangerous proliferation of firearms. SB383 is the latest proposed liberalization of Ohio's gun laws. It follows on the heels of a 16-year legacy of CCW Laws passed, revised and amended by this governing body. Yet now, Ohioans are less safe than ever from gun violence. According to the CDC, the number of deaths per year in Ohio has increased 70% since Ohio CCW was enacted. (1)

LWVO took opposition to concealed carry in its delegate body at the State Convention of 2001. We opposed the passage of the original CCW legislation in 2004. We remain opposed to the subsequent liberalizations of the CCW laws which have taken place since then, including preemption of local gun laws, expanding places where guns can be carried, rendering cities powerless to keep gun out of public parks, allowing loaded guns to be carried in cars, and finally the "castle-doctrine" law passed in 2008, lifting the duty to retreat before engaging in the use of deadly force while in one's home or automobile.

Now with SB383, legislators look to expand the castle doctrine to any place one is legally allowed to be. SB383 would lift the burden of retreat for a gun carrier when one *feels* threatened to shoot just about anyone, anywhere. This legislation would not even require the consideration of retreat.

Studies summarized and compiled in the government report, [Examining the Race Effects of Stand your Ground laws and Related Issues](#), U.S. Commission on Civil Rights have demonstrated that states with SYG laws see an increase in gun homicide. Such increases have been anywhere from 8% to 24% depending on the study and where it

was conducted. Nearly 70% of SYG cases which make their way to a court room stem from disputes which then turn violent, not from a forcible felony or threatening act. (2)

Due to the death of George Floyd, we are in turbulent times as our citizenry grapples with issues of police brutality. Fairness in our criminal justice system is being called into question. Multiple studies show that there is racial disparity in the application of SYG laws in the courts. In studies of the 23 states with stand-your-ground laws, white homicide defendants with black victims were more likely to have their homicides ruled justified than black defendants whose victims were white. Depending on the particular study, that number could be as much as 12 times as high. Simply put, SYG laws further pollute our already two track criminal justice system. (3)

SB383 has a supposed concern for safety. Shamelessly, proponents play word games, saying this is not about stand your ground, a common term to identify a grouping of laws. Instead they claim that the bill is about the removal of “a duty to retreat,” the actual language written into such laws in order to safeguard against errant loss of life.

With these trends and issues in consideration, I urge members of the committee to vote against this bill and to consider instead common-sense gun regulations which have reduced gun deaths in other states, like Massachusetts where the gun death rate is  $\frac{1}{4}$  of what it is in Ohio. (4)

Thank you for hearing my testimony.

*The League of Women Voters of Ohio, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.*

Footnotes:

(1) In Ohio there were 934 gun deaths in 2003 and since CCW in 2004 that number has risen to 1589 for the year 2017. *Center for Disease Control*

(2) Examining the Race Effects of Stand Your Ground Laws and Related Issues, U.S. Commission on Civil Rights, p.6.

<https://www.usccr.gov/pubs/2020/04-06-Stand-Your-Ground.pdf>

(3) Ibid p. 16-17.

(4) <https://lawcenter.giffords.org/scorecard/#MA>