



OHIO ASSOCIATION OF CHIEFS OF POLICE, INC.

H.B. 425

**Written Testimony in Opposition
Chief Bruce Pijanowski, Ohio Association of Chiefs of Police**

Chairman Coley, Vice Chair Huffman, Ranking Member Craig, and members of the Senate Government Oversight and Reform Committee. I am Bruce Pijanowski, the Chief of Police for the City of Delaware representing the Ohio Association of Chiefs of Police. Thank you for the opportunity to present you with the concerns of Police Chiefs across the state with the proposed modifications to the duty to notify contained in HB 425.

The duty to notify an officer on a traffic stop of the presence of a firearm being legally carried establishes the lawful intent of the owner and alleviates any uncertainty in the stop, should the officer see a weapon. This is not an unreasonable or unconstitutional requirement.

At a time where we are asking law enforcement to deescalate and where the demands for reform are being heard loud and clear, why would we legislatively put police officers into the unknown when it comes to gun possession? When we don't know intent, we must act to ensure our safety. This is an outcome that is not necessary.

I can assure you that there are hundreds of stops that occur where the notice of possession of a firearm is a passing comment, with no further discussion, agitation or conflict. Law enforcement should and does handle these situations without conflict. OACP is a proponent of the Second Amendment, and a proponent for officer safety. The two do not have to be mutually exclusive. I am sure that there are situations you will be made aware of that counter this argument, but they are the unusual exception - not the common experience or the accepted practice. It is demeaning to professional law enforcement officers to use these exceptions as the basis for this legislation.

We are aware of the bill sponsor's concern with the prompt language and are willing to craft alternative language that addresses that concern. Unfortunately, this bill has been further amended to be less law enforcement supportive since its introduction. In addition, there are presumptions at play that assume we know every CHL holder before we deal with them, and that all CHL holders know and comply with the law. The lack of understanding for law enforcement experience in these areas is disappointing.

We also understand the concern with the level of the penalty but assert that reducing the penalty to an unclassified misdemeanor is inappropriate. A reduction is not necessarily a problem for OACP, but the violation must still be commensurate with the serious responsibilities one has with carrying a firearm.

OACP is not interested in infringing on Second Amendment rights, but we do ask that you carefully consider the negative impact on law enforcement and if it is acceptable in terms of the potential outcomes.

Thank you for considering our concerns.