

Bill Ison's Opponent Testimony for HB99 ~ Presented April 15, 2021

To the chairman and members of the House Criminal Justice Committee of the 134th session of the Ohio legislature,

My name is Billy Ison. I sincerely appreciate the opportunity to add my views and my voice to the discussion concerning HB99.

I am approaching 68 years of age and I have been a tax paying resident of Madison Local School District in Butler County, Ohio for 42 years. My two daughters and my two grandsons are graduates of Madison Local Schools. I have been a gun enthusiast for more than fifty years during which time I have witnessed three accidental discharges of guns with one of the bullets striking me in my left ankle when I was 18 years of age. Our school suffered a school shooting incident in 2016. I hope you will agree my combined life experiences qualify me to provide valuable input regarding the issues surrounding HB99 and I hope and trust you will give my input careful consideration.

I hope to accomplish the following things as a result of my testimony....

- 1. Provide some history of the past events at Madison Local Schools which have led to the introduction of HB99.**
- 2. Refute false assertions made by proponents of HB99.**
- 3. Expose hidden motives of the proponents of HB99.**
- 4. Dispute the need for armed civilians in Ohio schools.**
- 5. Reaffirm the need for statewide guidelines governing armed individuals in schools.**
- 6. Point out the true purpose of HB99.**

HISTORY OF PAST EVENTS AT MADISON LOCAL SCHOOLS

Unfortunately Madison Local Schools suffered a school shooting incident in 2016 when a distraught young male student brought a handgun to school and opened fire in the crowded school cafeteria. Two students received severe gunshot wounds and two others were injured by bullet fragments before the shooter fled from the cafeteria. Fortunately no one died as a result of the incident. At the time a single armed School Resource Officer was employed by Madison Local Schools and he was nearby and was in the cafeteria within a matter of seconds. Following this incident Madison Local Schools wisely chose to add a second armed School Resource Officer without any objections from the community and there have been no further gun incidents reported at our school since the addition of the second armed School Resource Officer five years ago.

Fast forward two years to February of 2018 when the Parkland Florida shooting occurred resulting in 17 deaths from a shooter armed with a military style assault rifle. You may recall student survivors of the Parkland shooting were instrumental in organizing a nationwide student protest in March of 2018 aimed at elimination of gun violence in schools. Forty three Madison students, including one of the students severely wounded in the 2016 shooting at Madison, attempted to take part in the nationwide student protest. Rather than using this as a teaching opportunity and supporting students who wished to participate in the nationwide protest, the administration of Madison Local Schools chose to punish all 43 students including the survivor of the 2016 shooting at Madison. According to television news reports at the time, an administrator of Madison Local Schools made a statement to the press explaining the

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punishment was necessary because the protest could have been viewed as advocating for gun regulations. The story of a school administration punishing a survivor of a school shooting at their own school for attempting to take part in the nationwide protest was so outrageous that the story was published on the front page of USA Today. This drew criticism of the Madison School Administration in the form of extremely critical emails from literally around the globe ... some from as far away as Australia. Almost immediately following, on April 24, 2018, the Madison Board of Education voted to adopt a resolution allowing authorized civilian school employees to carry loaded firearms on their person inside Madison schools. This caused strong concern and disapproval among many Madison residents and parents with children attending Madison schools who began to regularly attend monthly public board meetings to lawfully speak in opposition to armed civilians in our school. Our board was asked to provide research to justify their policy and to consider safer alternatives to improve safety at our school. After months of being ignored, in September of 2018 a group of concerned parents from the Madison community filed a lawsuit against the Madison BOE on the grounds that their policy failed to meet training requirements clearly explained in ORC 109.78d. This lawsuit is the same lawsuit which is the focus of HB99. It should also be noted that two other lawsuits against the Madison Board of Education have grown out of the controversy surrounding their policy, one lawsuit claiming violations of first amendment rights which is currently working its way through the federal court system, and another lawsuit for violations of Ohio's Open Meetings Act with a recent final ruling against the Madison Board of Education.

FALSE ASSERTIONS MADE BY PROPONENTS

The committee has heard proponent testimony claiming HB99 does not change current law but rather HB99 merely clarifies existing Ohio law. This testimony was followed by more proponent testimony which clearly indicates, as stated within the clear text of the bill itself, HB99 will DRASTICLY reduce state mandated training requirements for civilian school employees who 'go armed while on duty', from requiring a full police officer training certification, which requires in excess of 700 hours of training, to only 8 hours of training necessary to obtain a concealed carry permit (*six hours of which can be conducted on-line*). I assume your intelligence was insulted as was mine when it was stated this bill is a mere clarification of current long standing Ohio state law. I also urge you to keep this attempted deception in mind when evaluating other statements made by the same proponent, or statements made on behalf of the organization represented by that proponent.

Proponents will have you believe there are '*outside actors*' trying to interfere with Ohio's legislative processes and working to change Ohio laws. I can only assume these statements are referring to the lawsuit which is the focus of HB99. I am familiar with this lawsuit, as well as the two other lawsuits against the Madison Board of Education, and I can assure you every plaintiff in all three lawsuits are Ohio residents who are only trying to do what they believe is in the best interest of their children and grandchildren and the other students and staff of Madison Local Schools by holding the administration of Madison Local Schools accountable for their violations of Ohio state laws and their violations of constitutional rights of citizens. I can assure you none of the plaintiffs in any of these lawsuits are '*outside actors*' as falsely implied by proponents of HB99. And the lawsuit which is the focus of HB99 definitely does not attempt to change Ohio laws in any way; instead the lawsuit simply seeks to hold the Board of Education of Madison Local Schools accountable for their flagrant violation of Ohio laws.

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HIDDEN MOTIVES OF PROPONENETS OF HB99

During the court proceedings of the lawsuit which is the focus of HB99, Buckeye Firearms filed a motion with the Butler County Court asking to join the case as a codefendant with the Madison Board of Education based upon the fact that Buckeye Firearms stands to lose a very large source of income if their FASTER training program would become legally unacceptable as a result of the lawsuit because their FASTER training program does not meet the training requirements clearly specified by ORC 109.78d. In other words, for years Buckeye Firearms has been marketing their FASTER training program to Ohio schools even though their program fails to meet state mandated training requirements clearly specified in ORC109.78d. Decisions related to safety of Ohio students and school staff should not be made on the basis of income and consequently the Butler County Court denied the request from Buckeye Firearms to join the case as a codefendant. I encourage your committee to also recognize the motives of Buckeye Firearms and likewise not allow the financial interests of Buckeye Firearms to influence your decisions regarding HB99.

NO NEED FOR ARMED CIVILIANS IN OHIO SCHOOLS

It is extremely important to our society that gun owners understand gun ownership and the possession of a concealed carry permit does not bring with them the authority to function in law enforcement and/or public security roles within our society. To let such a genie out of the bottle would have long term and dire consequences throughout our society. Law enforcement and armed security should remain solely in the hands of professional, highly trained and accountable law enforcement personnel. Failure to do so is an open invitation to an escalation of the dangerous gun culture which is already running amuck within our society as routinely demonstrated by the mass shootings in our country such as the recent mass shootings which took place in Atlanta Georgia and Boulder Colorado. These most recent mass shootings only add to the extremely long list of devastating mass shootings in our country which stretch back in time for decades. Ohio students and school staff are highly deserving of security provided by extremely well trained and accountable professional law enforcement personnel, as are all members of our society. At this time in our history with the epidemic of gun violence which is running rampant in our country, it is no time to allow poorly trained, unaccountable civilians to carry guns within our schools. School boards are unqualified to judge the acceptability of individuals to carry guns in our schools and they are certainly unqualified to oversee long term policies related to civilians carrying guns in our schools. School administrations should focus their time and attention on improving the educational and psychological development of students and leave policing and law enforcement duties in the hands of those best qualified to perform those duties. Allowing armed civilians in our schools sends a dangerous signal to students that it is necessary to carry guns everywhere within our society and promotes the dangerous gun culture which is at the root of the gun violence within our country.

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THE NEED FOR STATEWIDE GUIDELINES

The need for statewide guidelines for people carrying firearms in schools is self-evident. Without statewide guidelines, each local school district would be left to develop their own individual guidelines which would result in a hodgepodge of different policies within the jurisdiction of each law enforcement organization. Such a hodgepodge of different policies would undoubtedly result in confusion by first responders as they respond to shooting incidents at schools where they will already be dealing with very chaotic and ever changing, adrenaline infused situations which always accompany mass shooting events. For the safety of everyone involved, we owe it to our students, school staff, law enforcement, first responders and last but not least, to ourselves and our children and grandchildren to enforce statewide guidelines for all personnel carrying firearms within our schools.

THE TRUE PURPOSE OF HB99

As clearly explained within the plain text contained on page 5 of HB99 which reads as follows

“the purpose of those amendments is to expressly overrule the decision of the Twelfth District Court of Appeals in the case *Gabbard v. Madison Local School Dist. Bd. of Educ.*, 12th Dist. Butler No. CA2019-03-051, 2020-Ohio-118 0”.

Despite the much needed debate about the safety aspects of HB99, this clear and straight forward language contained within page 5 of HB99 makes it perfectly clear the purpose of HB99 is not to improve school safety, but rather to rescue the Madison Board of Education from a lawsuit stemming from their poorly and hastily planned illegal policy to allow armed civilians within our school. This attempt to use the legislature to overrule the decision of the Twelfth District Court of Appeals is just one more example of the devious means the Madison Board of Education is willing to employ to promote their pro-gun agenda and to avoid responsibility for their illegal actions. I urge the committee members to vote to reject HB99 on the basis that, due to the drastic reduction in training standards, HB99 represents a significant risk to the health, safety and indeed the very lives of the students and staff of **ALL** Ohio schools. Individuals and organizations which conspire to violate laws should be left to face the consequences of their actions rather than allowing them to mount legislative efforts aimed at changing laws so as to excuse their illegal behavior. I also ask committee members to view HB99 from the perspective of the safety of your own children and grandchildren and vote to reject HB99.

I will gladly respond with honest straightforward answers to any questions you may have for me.

Respectfully submitted,
Billy R. Ison