

Proponent Testimony for H.B. 227

Thank you, Chair Wilkin, Vice Chair White, Ranking Member Sweeney, and House Government Oversight Committee Members for the opportunity to provide proponent testimony today for H.B. 227, with regards to concealed weapons and concealed carry without a license.

My name is Judi Phelps. I am a wife, a mom, and small business owner of On Guard Defense -- a training center and shooting range in the Hocking Hills region of southeast Ohio. I am industry-certified as an instructor in both unarmed and armed defense disciplines. Like many other firearms instructors, I offer concealed carry classes to Ohio citizens who wish, and are able, to check the boxes mandated by the legislators by attending my class so that they can apply for their Ohio Concealed Handgun License (CHL).

While I have spent many years advocating, and providing testimony, in support of various gun bills and otherwise, H.B. 227 is of particular interest to me. I applaud the bill's sponsors, Representatives Brinkman and Jordan, along with the many co-sponsors which are too lengthy to name here in the spirit of brevity. This bill, by far, is the most comprehensive of gun bills that I have seen before the Ohio legislative body that will serve to finally, reverse and repeal, the inherently discriminatory gun laws on the books in the state of Ohio.

First, this bill changes the terminology from Concealed Handgun License (CHL) to Concealed Weapons License (CWL). This is a major distinction since most folks in Ohio erroneously refer to our existing CHL as a CCW (concealed carry of weapons), which is a common term and law adopted by many states, but unfortunately not in our own -- yet. Why this distinction matters is that under current law, if I am carrying a pocketknife and use it in self-defense, then I could be in violation of the law unless I describe it as a utility knife (used to open boxes), that I so happened to have needed to defend my life.

Many law-abiding citizens, especially women, opt for non-lethal devices to carry for myriad reasons. Perhaps they are not comfortable with guns; maybe they live in a place where guns are prohibited; or they don't meet the minimum age requirements to carry. These non-lethal (or secondary defensive) devices include forked batons, pepper spray, edged weapons (pocketknives), brass knuckles, etc.....all of which under current law may be prohibited due to being deemed a "concealed weapon" other than a handgun ("CHL"). This bill would remove the barriers that stand before women (and others) to choose what defensive tools they deem right to protect themselves and their families.

Second, repealing the duty to notify law enforcement officers when stopped that we are in legal possession of a firearm is long overdue! Ohio is one of a handful of states that requires such notification. The reality is such that the moment a law enforcement officer runs a plate through the Law Enforcement Automated Data System (LEADS), he/she is notified as to whether the registration of that vehicle belongs to a Concealed Handgun Licensee. CHL holders are among the safest of our citizenry due to the rigor in background checks and the like, so we are the least likely to commit a crime and are not to be feared by law enforcement or otherwise.

In fact, in a report written by Crime Prevention Research Center, President John Lott, noted that it is *“very rare for permit holders to violate the law”*. He went on to compare the crimes committed by permit holders to both police officers and the general population. He found that *“police committed 103 crimes per 100,000 officers, while the general population committed 3,813 per 100,000 people, 37 times as much as the police crime rate.”*

Lott went on to report his findings that when combining the data for Florida and Texas, *“we find that permit holders are convicted of misdemeanors and felonies at less than a sixth the rate for police officers”*.

Lott stated that, *“among police, firearms violations occur at a rate of 16.5 per 100,000 officers. Among permit holders in Florida and Texas, the rate is only 2.4 per 100,000. That is just 1/7th of the rate for police officers. But there’s no need to focus on Texas and Florida — the data are similar in other states.”*

Therefore, those law-abiding citizens that wish to arm up are doing so to protect themselves and their families – not to go out and become criminals or try to pose as though they are augmenting law enforcement.

It should also be noted that the LEADS system does nothing to notify law enforcement officers of a citizen’s carry status if they are in a vehicle other than their own, including commercial and rental vehicles...so “loopholes” already exist which renders the current law to being useless.

Third, I’d like to think of myself as a Constitutional purist – in that I believe our Creator granted our ability to defend ourselves and our own from harm or death, with whatever tools we deem necessary to do so.

I also believe our Second Amendment supersedes any other entity from infringing on the rights of the law-abiding citizen to keep and bear arms. Unfortunately, we’ve allowed over the years for those natural and fundamental rights to be usurped; chipped away at to where we are now on the side of fighting to get those rights back, which is why I support

this bill...to right the wrongs that have been perpetuated against law-abiding Ohioans for far too long.

Fourth, the fact of the matter is that the existing concealed carry laws are inherently racist and discriminatory. Some folks can't afford to purchase the required training or otherwise would be forced to take unpaid time off work to attend that training.

Some folks can't afford the application and license fees required to apply for the concealed handgun license under existing laws. Other folks live in federally subsidized housing (i.e., HUD) which our current laws prohibit firearms on those premises.

As is plain to see, our concealed carry laws very much discriminate against poor Ohioans of all colors.

According to *The Ohio Poverty Report* published February 2019, "*while minorities usually have higher poverty rates than the majority, most poor people in Ohio are non-Hispanic whites.*" This supports the fact that rural areas make up most of our state, specifically Appalachia, a region that is known to be predominantly poor white families with little to no access to Internet connectivity, quality education, jobs, healthcare and beyond. Likewise, poor folks in urban areas are typically blacks and other minorities, many of whom also struggle to access important services.

The report further states that approximately 60.7% of Ohio's poor are white while approximately 39.3% are minorities consisting of blacks, Hispanics, bi- and multi-racial persons and otherwise. Of that minority group, blacks represent the largest segment at approximately 25%.

Why would Ohio have laws on the books that discriminate against Ohio's poor? Especially when poor communities tend to have much higher rates of crime! Are poor folks less worthy of the right to protect themselves and their families while at home or out in public? I think not!

Existing gun laws are unconstitutional and the work of evil men. All are created equal in the eyes of God and deserve the right to protect themselves from the threat of great/grave bodily injury or death without exception and without the permission of a government entity. This bill would remove the discriminatory barriers from allowing all law-abiding Ohioans the ability to protect themselves and their families.

Finally, I will close with the fact that I am disappointed in this bill in that it applies to Ohioans 21 and older, when the age of majority in our state (and in the nation) is 18 years of age.

I forgot to tell you that in addition to the titles I started my testimony with, that I am also proud to state that I am both an Army wife and an Army mom.

My son has had boots on the ground in the Middle East serving our country for nearly 10 months. He took an Oath to defend us from enemies foreign and domestic and did so when he was only 19 years of age. Not old enough in this state to have a concealed handgun license or to have a beer, but old enough to sign his life away to defend our country and the rights that he did not have as a civilian. This is wrong and needs to be addressed immediately!

Either we, as Ohioans, declare the age of majority (adulthood) as 18 and along with that these adults can vote, enlist in the military, consume alcohol or cigarettes, or purchase and carry firearms – OR – the age of majority is 21 before they earn those rights (and potential consequences) to be able to enlist to give life and limb for God and country. There's no half-stepping it.

I am beyond blessed that my son has served his country, has fulfilled his mission, and at any moment, my cell phone could ring with the news I have been waiting to hear for nearly a year. My son calling to say the only three words I've wanted to hear since he deployed. Those words are, "Momma, I'm home!".

He turned 21 while deployed so he wants to purchase his handgun, obtain his concealed carry permit – both of which he could not do while he was in a desert shit hole in the name of "freedom".

I urge you to pass H.B. 227 in short order. For my son, and all of our sons and daughters that have the courage to take a stand that most others never will. They train, they arm up and they fight for all of us only to come home and be denied the ability to protect themselves and their families without jumping through hoops and checking boxes built by bureaucrats that know nothing about sacrifice or much else.

It is time we, as Ohioans, stand up for our Second Amendment rights, which are our God-given rights, and protect ourselves from enemies foreign and domestic.

Thank you for your time. I'll be glad to answer any questions you have for me.

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