

Opposition Testimony on Senate Bill 215
House Government Oversight Committee
Shane Wilkin, Chair
Andrea White, Vice Chair
Richard Brown, Ranking Member
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Submitted by:

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Thank you, Chair Wilkin, Vice Chair White, Ranking Member Brown, and committee members, for considering this testimony on the “permitless carry” bill, SB 215.

This legislation would expand the ability to carry concealed handguns to certain criminals and people charged with crimes who cannot currently obtain such a license. Ohioans have heard legislators tell us time and again that gun laws only penalize law-abiding citizens. However, SB 215 would allow ANY Ohioans 21 and older to carry a concealed weapon, as long as they are “allowed under state and federal law to possess it.” How would we have any idea, if training and background checks are no longer required, whether or not those carrying lethal weapons are “law-abiding”?

I have heard the argument (from a state senator who recently voted FOR SB 215) that, since eight hours of training is so minimal, there is no reason to require it any longer. Her argument suggests to me that training requirements should be *increased* rather than eliminated. But surely only eight hours of training is better than NO training. Would we give car keys to someone who has never driven before and has no idea of safety concerns when operating a vehicle?

This bill would increase gun violence risks for me, my family and my neighbors, as well as law enforcement officers. It would also infringe the right to life, liberty and the pursuit of happiness that underlies our Constitution and its amendments.

Several years ago at a Statehouse hearing, I heard statements from those familiar with firearms who understand the likely (dire) consequences of passing a permitless carry bill. For example, when the Missouri legislature eliminated laws requiring a permit to buy a firearm, the state saw a 25 percent increase in its homicide rate (see <https://www.sciencealert.com/scientific-evidence-that-stricter-gun-control-works-saves-lives>). Does our legislature REALLY want to endanger more Ohioans just so a few people can avoid the obligations that should come with any right to carry a lethal weapon? We don’t allow people to carry bombs or drive military tanks. In the military, guns, bombs and tanks are used in specific ways, under scrutiny, and with extensive training. Why should we assume that ordinary citizens are mature and skilled enough to responsibly own and care for a lethal weapon, without permit, background check, or training requirements?

An argument I’ve heard from those advocating for a relaxing of restrictions on guns owners is that a person with evil intent will find a way to get a gun a whether or not it is legal to do so. This is certainly true. We have speed limits, but citizens frequently disregard them. Does this mean we should have no speed limits and no consequences for ignoring them? In fact,

traffic deaths rise when speed limits are raised (see <https://www.consumerreports.org/car-safety/higher-speed-limits-led-to-36760-more-deaths-study-shows/>). Handguns require more skill to use properly than a car and are at least as lethal, but SB215 would permit Ohioans without any training in the use of guns to carry a concealed handgun and sneak up on others. Before obtaining a driver's license, Ohio law includes classroom time, on-the-road practice with an instructor, 50 hours of on-the-road experience with a licensed citizen as well as a written test and driving exam, over a minimum of six months time. I've not heard of any legislation changing the requirement of obtaining a driver's license to zero hours and no exams. These requirements are in place to increase safety on the road. Legislation regarding concealed carry and who may obtain a license should be about safety, and not about rushing to put guns in the hands of more people, citizens and criminals alike.

You might be free to own a gun and carry it without a permit, but how free is the police officer who, during a traffic stop, has to GUESS whether or not the driver is carrying a weapon that could take that officer's life? While it's true that this bill was recently amended, the current version of SB 215 only requires citizens to tell police they are carrying IF an officer specifically asks. The bill also would allow persons convicted of a misdemeanor assault on an officer to legally carry a concealed handgun. This bill, if passed, clearly would endanger law enforcement officers. Mayors and law enforcement groups strongly oppose this legislation, with good reason.

Lawmakers must always balance the competing interests of all citizens. No law will ever eradicate criminal behavior. A person bent on murder can always find some sort of weapon to use, but some weapons are more effective than others at getting the job done, and very quickly. Further, most murders are not premeditated, but are committed in a fit of passion against a known victim with whatever weapon is at hand (see <https://science.howstuffworks.com/life/why-do-we-kill2.htm>). Increased access to guns translates to an increase in homicides (see <https://www.hsph.harvard.edu/hicrc/firearms-research/guns-and-death/>). A kitchen knife can kill a person, but we know a knife is not nearly as effective as a gun. Sadly, even a toddler can kill a person with a gun.

We have all heard stories of toddlers gaining access to unsecured weapons and killing themselves or others. If permitless carry becomes law, we can expect it will be more likely that an innocent child will gain access to a deadly weapon. Would the members of this committee be willing to take personal responsibility for the additional accidental deaths that likely would result from this bill's passage?

I have heard many times (including from one of our state legislators) that our Constitution's Second Amendment is a "God-given" right. I have to wonder, when I hear such a claim, whose God gives the "right" to carry a lethal weapon. Is it not, rather, the Constitution's Bill of Rights that includes the Second Amendment, an amendment whose limitations are conveniently ignored? The right to bear arms is not, and never has been, absolute. It was granted within the context of a "well regulated militia." (See <https://www.theatlantic.com/politics/archive/2018/03/second-amendment-text-context/555101/>). No federal court has held that requiring a permit to carry a loaded, concealed handgun in public violates the U.S. Constitution.

There are disagreements about what "well regulated militia" actually means, but even if that phrase is completely disregarded and the *District of Columbia v. Heller* decision similarly

ignored, the Second Amendment is still only one of many and must be considered within the context of the Constitution's conferred right to life, liberty and the pursuit of happiness for all citizens. When the Second Amendment infringes *my* right to life, liberty and the pursuit of happiness, I must assert my right to demand reasonable restrictions on and protection from those who carry deadly weapons in public.

Thank you for allowing me to share my concerns.