



Ohio Gun Owners

Ohio's Grassroots Gun Rights Organization
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MEMORANDUM OF SUPPORT - HB62

DATE: April 21, 2021

TO: Members of the House State and Local Government
Committee

FROM: Chris Dorr
Director, Ohio Gun Owners

RE: Support for Second Amendment Preservation Act

After the Boulder, CO supermarket murders, President Biden stumbled in front of the nearest Fake News cameras to declare, "I don't need to wait another minute, let alone an hour, to take commonsense steps that will save lives in the future."

Coming from a 'Resident in Chief whose definition of "common sense" represents a radical departure from the traditional, conservative ideals that our nation was founded on and that made America the greatest country in human history, we take the president at his word when he states that he wants to ban our AR15's, ban our magazines, destroy our due process and track, trace and register us like sex-offenders through the creation and implementation of a national gun registry.

The fact is, Joe Biden and the handlers actually running his administration in DC want to totally destroy our individual right to own firearms, and he has said so.

That's why we encourage this body and this chamber to pass HB62, the Ohio Second Amendment Preservation Act (SAPA).

One of the members of this committee asked during the previous hearing on the bill if this legislation was being offered seriously, or if it was being offered as a reaction to the national calls and actions taken by Congress and Quid-Pro-Quo Joe Biden in pursuit of gun-control.

The answer to that question is yes.

This bill is intended to render incapable in the state of Ohio the federal government's ability for widespread enforcement of federal laws and rules and orders that are inconsistent with the stipulations in the bill.

As noted in previous testimony, the anti-commandeering doctrine that composes the foundation of this bill is time tested and proven in SCOTUS precedent, dating as far back as 1842 with *Prigg v. Pennsylvania*, in which the court held that federal government could not force states to implement or carry out the Fugitive Slave Act of 1793.

More recently, in 1987 liberals hijacked this doctrine to protect illegal immigrants in Oregon, and since that time, hundreds of jurisdictions have passed similar "sanctuary city" ordinances and laws, thereby shielding criminal, illegal immigrants from arrest, detainment and deportation.

As ReasonTV pointed out in a recent video, defying federal law is something that the majority of states already do in some way or another, either through becoming immigration sanctuaries or through the legalization or decriminalization of certain drugs.

SAPA law simply adopts those same tactics, but for lawful purposes.

And SAPA law is effective at protecting the widespread, general gun-owning population from federal tyranny because of simple math: there are currently about 3600 ATF enforcement agents in the United States with an annual maximum caseload of eight to ten thousand individual cases.*

With roughly 400 million guns in circulation among private owners, it is easy to see how effective this bill would become.

I would like to point out that in other states where they are considering this bill, politicized law-enforcement groups have worked to prevent these laws from passing, much like they worked hard here in Ohio to prevent concealed carry from passing in 2004 and more recently Senate Bill 175 from last General Assembly, which simply repealed Ohio's terrible "duty to retreat" law.

While various excuses will undoubtedly be offered in this committee as to why they believe this bill should be scuttled and citizens' rights imperiled by federal encroachment, their opposition usually boils down to a combination of two things.

- 1) Partnering with federal agencies to provide law enforcement is extremely lucrative and they do not want to endanger that.

As previously mentioned, federal government is so bloated and overgrown that it cannot enforce its own laws, so it relies on bribing state and local law enforcement agencies to carry out their enforcement for them.

Those bribes come in the form of joint-task force funding, Department of Homeland Security Grants and civil asset forfeiture, and can be a very addicting revenue stream from which to wean.

If they are prevented from enforcing federal gun-control, they lose the funding opportunities they would have otherwise had.

- 2) The threat of federal gun charges as leverage in court for marijuana and other drug violations.

For example, say someone gets arrested for a drug charge and they have a firearm in the car. Prosecutors like to use the threat of a federal gun charge (as

firearms possession is illegal when combined with drugs) as leverage to get plea bargains or to get suspects to turn state's evidence against other drug users, etc, all in the failed "war on drugs."

The fact of the matter is that Joe Biden, Nancy Pelosi, Chuck Schumer and the assortment of Bloomberg-funded groups they surround themselves with have openly declared their intentions to irradiate our individual right of self-defense.

Some legislators have suggested that instead of pursuing the protections found in HB62 that gun owners should instead focus on passing county-level ordinances and resolutions in the hopes of achieving protections from the tyranny on display in Washington, DC.

But the fact of the matter is that the sovereign state of Ohio and this General Assembly have the duty to its citizens to step in, as has been done many times in the past, and put federal government on notice that their overreach will not be tolerated in this state.

Gun owners across Ohio are fantastic people. They uphold law and order, they believe in peaceful redress of grievances, they believe in our system of government with its beautiful system of checks and balances, and they are very much unlike the rioters, the looters, the arsonists, the shooters and the mobs we see so commonly on our streets today.

As such, they deserve these protections, they are entitled to these protections, and we urge this committee and this body to codify these protections by passing this bill quickly.

*Source: Tenth Amendment Center