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Phillip M. Robinson Jr.
State Representative
Ohio House District 6

The Protect Law Enforcement Act / House Bill 259 Sponsor Testimony
House State & Local Government Committee
December 7, 2022

Chairman Wiggam, Vice-Chair Johns, Ranking Member Kelly, and members of the Ohio House State & Local Government Committee, thank you for the opportunity to testify in support of House Bill (HB) 259, the Protect Law Enforcement Act, (PLEA). My joint sponsor, Representative Adam Miller, and I look forward to productive conversations with the committee and all related stakeholders.

We can all agree that we want to keep Ohioans safe. We also want to both aid and keep safe law enforcement as they keep us safe. One of the best ways to accomplish this is through HB 259, creating universal background checks in the state of Ohio. PLEA, if enacted, would require all firearms transactions to be processed by the National Instant Criminal Background Check System (NICS), closing the current loopholes in law that allow many guns sales to occur without a background check through online sales, at gun shows, and other private transfers.

Current federal law already requires licensed dealers to perform a background check at the time of purchase. HB 259 would hold unlicensed gun sellers in Ohio to the same standards as federally licensed dealers and would make Ohio a point of transfer state, meaning that a background check would be required at the time the transaction is conducted. Private sellers would complete transfers and sales at either a federally licensed dealer or with their local law enforcement agency who already conduct background checks. This would not inconvenience unlicensed sellers or buyers. Federal firearms listings indicate that every Ohioan lives within 10 miles of a gun dealer, with over 2,200 unique gun dealers in the state. To put that into context, that's twice the number of post offices and four times the number of McDonald's in the state.

To reduce violent crime, gun violence and mass shootings, and deter self-harm; we need to keep guns out of the hands of minors, felons, criminals, and domestic abusers. By passing HB 259 and closing the loophole in the background check process, we can help end easy access to guns by those who should not have guns and anyone who would sell them firearms.

It is just as important to support police and law enforcement as it is to protect Ohioan. For each person that poses a danger with a gun that doesn't have one after failing a background check, that's one less crime scene where an officer or civilians could lose their lives. Police officers deserve to feel secure on the job so they can do their jobs and keep our communities

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safe. Members of law enforcement are some of the first who would tell you about their concerns with the easy access to firearms, like online sales. When you look at the statistics, it is evident why we need to take action.

Online gun markets like Armlist.com are where a massive number of unchecked gun sales are taking place between strangers, potential criminals, and other prohibited purchasers. Each year, more than 130,000 ads offering firearms for sale are listed on Armslist in Ohio where no background check is legally required. Ohio has the highest number of total ads that did not require a background check across the country. Research from 2018 on buyers on Armlist.com revealed that 1 in 12 would-be buyers in Ohio would have failed a background check, a rate of nearly six times higher than those who fail background checks at licensed dealers.

Since 1998, NICS data shows more than 86,000 gun sales in Ohio were denied based on their background check. On average each year, the background check system blocks nearly 1,700 illegal sales to convicted felons and more than 800 illegal sales to domestic abusers in Ohio. With that many denials through licensed dealers, imagine the number of sales that would be denied to buyers from unlicensed sellers if a background check had occurred.

My constituents and most Ohioans have shown they want action on this issue. More than 90% of Ohioans support universal background checks for gun purchases and 87% of Ohio gun owners support background checks. Part of this is a reaction to gun violence in our state.

On average, 1,600 Ohioans are killed with guns and over 3,750 wounded each year. Ohio has the 17th highest gun violence rate in the United States. Between 2011 to 2020, the rate of gun deaths increased 44% in Ohio, compared to a 33% increase nationwide. In the same time period in Ohio, the rate of gun suicides increased 21% and gun homicides increased 79%, compared to a 12% and 70% increase nationwide. In Ohio 74% of female intimate partner homicide victims are killed by guns. Firearms are also the leading cause of death among children and teens in Ohio. Black children and teens in Ohio are 5 times more likely than their white peers to die by guns. And don't assume this is all happening in our denser, urban metropolitan areas. Based on ten year averages, Jefferson County in eastern Ohio had the highest gun death rate in 2019 and Pike County in southern Ohio had the highest in 2020. Several rural counties in southern Ohio consistently have higher decade average gun death rates than more populated areas in Ohio.

There's also a financial cost to our state. Gun violence costs Ohio \$22.3 billion each year in medical, work-loss, policing and criminal justice, employer, and victim quality-of-life costs;

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of which \$493.7 million is paid directly by Ohio taxpayers. That's \$1,904 per resident each year. Imagine what those funds could go to if we could get a handle on gun violence in Ohio.

Like most other states, Ohio has had mass shootings like the 2019 Dayton shooting and many other high profile cases, but there are even more mass shootings the press don't report on because of where they occur in the inner city and are not counted the same way. If even one of those shootings could have been prevented by universal background checks, if one of the thousands of lives lost could have been saved, it would be worth it.

Currently 22 states and Washington, DC have extended the background check requirement beyond federal law to at least some private sales, whether the sale occurs at a gun show or elsewhere. Many states with well-known gun cultures like Ohio have a state background check process or permit requirement to purchase or sell firearms. Iowa, Michigan, Nebraska, and North Carolina have a permit and background check requirement for the purchase of handguns. Pennsylvania requires a background check at point of sale for handguns. And there are 13 states, including Colorado, Oregon, Vermont, Virginia, and Washington, that require universal background checks at all sales and transfers of all firearms, including unlicensed sellers.

States with laws requiring background checks for all gun sales were associated with 10% lower homicide rates. Studies have found that states requiring background checks for all handgun sales have 48% lower rates of gun trafficking in cities and 29% lower rates of gun trafficking across state lines. Research and surveys have found that only 5% of unlicensed sellers will do a background check for buyers if there is no legal requirement. However, states that have passed universal or expanded background checks have a high degree of compliance with 84% among unlicensed sellers.

PLEA is a plea to support law enforcement's efforts to keep dangerous weapons out of dangerous hands. It is a plea to help keep children, students and families safe. It is a plea for the commonsense gun safety reform that Ohioans want.

Chairman Wiggam, Vice-Chair Johns, Ranking Member Kelly, and members of the committee, I thank you for your time and I am happy to answer any questions you have.

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