

Testimony on House Bill 51
Government Oversight Committee
Date: May 22, 2023
Submitted by: Michelle Lee Heym

Chairman Peterson, Vice Chair Thomas, Ranking Member Forhan, and members of the committee, thank you for allowing me to present this testimony in strong opposition to HB 51, a bill that is a public safety threat to all Ohioans!

My name is Michelle Lee Heym. I work part time as a substitute teacher and live in Powell, Ohio with my husband Russ and my 3 girls. As parents, Russ and I want to leave this world a better place for our children. We chose Ohio after living in Simsbury, Connecticut. We lived there during the Sandy Hook School shooting in December 2012 and my life will never be the same. I now live a short distance from Columbus where my rising Senior at Ohio State can't even walk home from her night classes, without the fear of an extremist hanging out on the corner, brandishing an AR 15 and American flag. This is not freedom, and this is not a right the 2nd Amendment intended to provide. The 2nd Amendment was enshrined to protect our citizens. We don't have to preserve our right to bear arms. It is already preserved in the US Constitution and the Ohio Constitution.

Every single day, I'm afraid living in Ohio and I can't wait to move. I fear for the lives of my children every single day in Ohio and I never felt this way in Connecticut. I have been an Ohio Citizen since August of 2015, and I'll be damned if I'm going to sit on my laurels without saying something about a bill that is flat out dangerous for the citizens of this state. And you better believe, if this bill passes, when my Kate graduates high school, I'm moving as far from this state as I possibly can.

The bottom line is Ohio's communities are suffering every single day from the tragic effects of increased gun violence. Guns are the leading cause of death among children and teens in Ohio. In an average year, 65% of gun deaths in this age group are homicides. A bipartisan bill passed in Congress last summer that will enhance background checks for buyers under 21, support state red flag laws, disarm domestic abusers, to name a few of the components that will keep Ohioans safe. Below is a detailed guide for state and local leaders to implement these safety policies. Please reject HB51.

<https://www.everytown.org/press/following-white-house-ceremony-everytown-releases-comprehensive-guidance-for-state-and-local-leaders-on-implementing-the-bipartisan-safer-communities-act/>

First HB 51 is vaguely worded, and likely unconstitutional and would reject any past, present, or future federal firearm regulation that Ohio deems to be in violation of the right to bear arms. We just saw in March, the day of the third hearing, a federal judge toss out the exact same Gun law in Missouri ruling it "exposes citizens to greater harm." Missouri's Second Amendment Preservation Act was ruled unconstitutional by the U.S. and violates the Supremacy Clause.

Second, this bill is dangerous re domestic abuse and will sound the alarm for Ohio to be sanctuary for criminals. This bill will allow an abuser convicted of domestic violence or under a domestic violence restraining order to be deemed a "qualifying adult" (ORC sec 2923.111(A)(2)(B)) who could carry a concealed firearm without a permit. Such domestic abusers are currently prohibited from permitless carry in Ohio by virtue of current Ohio law which adopts the federal gun disability list. (18 USC sec.922(g))

Every month, an average of 70 women in the US are shot and killed by intimate partners and nearly one million women alive today have been shot or shot at by an intimate partner. This comes from a report on gun violence

against women, and pays specific attention to the disproportionate risks faced by American Indian/Alaska Native, Black, and Latina women as well as pregnant and post partum women. And 91% of all domestic violence fatalities in Ohio were done by a firearm.

https://www.odvn.org/wp-content/uploads/2022/10/ODVN_FatalityReport_2021-2022.pdf

Third, this bill is anti-police exposing those that employ law enforcement officers to civil suits and fines of \$50,000 per incident for enforcing federal gun regulations in state. And how are Ohio law enforcement supposed to differentiate between their duty to save lives and adhering to laws that will be dangerous for public safety. It's unethical. I found it interesting in the 3rd hearing in March, to listen to prosecuting attorneys tell you how hard it would be for them to catch criminals. Prohibiting law enforcement from working with a federal agent will increase the amount of criminals on the street, as detectives could use that data to catch the criminal. The FTA has the technology to do this and to block the enforcement of federal laws doesn't make any sense. Barring the state from hiring qualified, former federal law enforcement officers who in the past had enforced federal gun regulations is anti-public safety

Third, HB51 will fuel anti-government sentiment and encourage violence. If enacted, this bill would send a false message to criminals that federal gun laws will not be enforced in Ohio so Game on! Law enforcement in Missouri most recently, have expressed that this policy has made it much more difficult for them to do their jobs. They have filed letters and even a lawsuit supported 60 police chiefs in Missouri in opposition to that law.

Fourth, HB51 will unfairly cost Ohioans. Taxpayers should not have to pick up the tab when Ohio inevitably has to defend itself against the multiple lawsuits this unconstitutional bill will incur.

HB51 is the wrong direction for Ohio. Please oppose HB51.