

Testimony Opposing House Bill 99

House Criminal Justice Committee

Submitted by:

Andrea R. Yagoda

Chair LaRe, Vice Chair, Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for affording me the opportunity to testify in opposition to House Bill 99. I am a private citizen and a resident of Ohio for the last 46 years, concerned about the safety of our children and how this bill affects the same. My name is Andrea Yagoda and I presently hold a concealed carry permit. I have had a permit since the early inception of the law providing for such permits and it saddens me that this Committee is considering a bill that would permit any person with the minimal training enunciated in ORC 2923.125 (G)(1) to be armed in our schools. As a CHL holder I can honestly say that when I got my training it was in a classroom. We all went to the firing range together. Not one person in the class had actually spent two (2) hours at the range. Yes, as a group we may have been there for two hours but there is limited space in a firing range and we were not all shooting at one time.

ORC 2923.125 (G)(1) referenced in this bill provides *inter alia*, that

Each such course, class, or program described in one of those divisions shall include at least eight hours of training in the safe handling and use of a firearm that shall include training, provided as described in division (G)(3) of this section, on all of the following:

- (a) The ability to name, explain, and demonstrate the rules for safe handling of a handgun and proper storage practices for handguns and ammunition;
- (b) The ability to demonstrate and explain how to handle ammunition in a safe manner;
- (c) The ability to demonstrate the knowledge, skills, and attitude necessary to shoot a handgun in a safe manner;

(d) Gun handling training;

(e) A minimum of two hours of in-person training that consists of range time and live-fire training.

Since this Bill does not require that these persons actually obtain a concealed carry license, this Bill ignores OC 2923.125(G)(2) which reads, *inter alia*, that to satisfactorily complete the course one must pass a competency examination that shall include both of the following:

(a) A written section, provided as described in division (G)(3) of this section, on the ability to name and explain the rules for the safe handling of a handgun and proper storage practices for handguns and ammunition;

(b) *An in-person physical demonstration of competence in the use of a handgun and in the rules for safe handling and storage of a handgun and a physical demonstration of the attitude necessary to shoot a handgun in a safe manner.* (emphasis added)

Therefore, any person authorized, under this bill, to carry a firearm in our schools has not had to demonstrate competence in the handling of a firearm after only two hours of in person training.

My conceal carry education/training planted a seed. I cultivated that seed by continuing to practice safety and practice the handling and shooting of my weapons at a range. I learned about my guns and how to use them. As a result, the continued practice built up my confidence and skills. That would not have been the case with only the limited CHL training. I obtained my permit to protect myself. Without confidence that would not have been accomplished. In actuality, without that seed, far from being able to protect myself and my loved ones from harm, I would have been a danger to myself and others. A person lacking confidence in the handling of a firearm is a walking time bomb.

Two hours of training in the actual handling and firing of a weapon is wholly inadequate for an emergency situation like an attack on a school. To avoid the taking of innocent lives one may not just react one must be educated in how to approach a live active shooter situation.

In his testimony Representative Hall stated: “Educators should have the ability to carry firearms in the classroom to protect students and staff. In my bill, we simply give local control to allow for the local school boards and local governing bodies to decide what amount of training is necessary to allow teachers to carry a firearm in a school safety zone. “ However, this Bill, as written, does not limit the School Board’s ability to designate only educators to be armed. It gives them the discretion to authorize **any** individual who has the training required under ORC **2923.125 (G)(1)**. The Bill reads :

“Person authorized to go armed within a school safety zone" **means a person who has written authorization** from the board of education or governing body of a school to convey deadly weapons or dangerous ordnance into a school safety zone or to possess a deadly weapon or dangerous ordnance in a school safety zone, who conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization, and who has successfully completed firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code that qualify a person for a concealed handgun license”. (Under Bill 2923.122(G)(2)).

Therefore, a school board could authorize every employee and every parent who has a concealed carry license or can demonstrate s/he has the requisite training for a CHL to carry firearms on the school premises. It does not state for what purpose such persons have been authorized to carry these weapons. It would appear that the Bill does not state that carrying the weapon is for the protection and safety of the students against attack. To do so would basically establish these persons are acting as a “security guard” who must have the peace officer’s training. By his own statement Representative Hall admits that

these “persons” are acting like security guards. These “persons” are being asked to act like a security officer or a swat officer charged with the responsibility of protecting our children against an attack. A security officer by any other name, is still a security officer. These people are presumably charged with the same responsibility as those hired to protect and therefore should be required to have the same level of training. Proponents argue that those designated by the school to be armed should not be subjected to more training than those who have concealed carry permits. The difference is, I, as a permit holder carry to protect myself not others. I am not charged with the responsibility to protect school children from an attack by an armed individual.

While I agree that perhaps the physical fitness and other aspects of peace officer training may not be necessary, the skill assessment and written exam and the many hours of training should apply. Sergeant Spicer’s testimony was enlightening. He referred to continuing education and continual training in marksmanship; force on force training; yearly requalification; active shooter training, etc. Rather than a knee jerk reaction to an appellate court decision, if we are going to arm persons, other than law enforcement/security, in our schools, and are intent on lowering the threshold of the training required to something less than peace officer training, then this committee should take the time to establish a detailed training program for those who will be armed to insure the safety of our children, teachers, school personnel and law enforcement officers called to the scene of an active shooter situation. Further, perhaps there should be a reporting system to the Ohio Department of Education documenting which District has chosen to arm individuals in their schools, have complied with these requirements and the test results of each armed individual. After all we are dealing with an environment filled

with children. This committee should take a breath and give grave and studied contemplation of requirements that meet all of these demands and produce a bill that actually meets the goal intended. As a citizen, and voting constituent I ask this committee to vote no on this bill.

Thank you.

Andrea R. Yagoda