

HB 99 – Regards person authorized to go armed within school safety zone

Chairman LaRe, Vice-Chairman Swearingen, Ranking Member Leland and fellow members of the Committee, thank you for allowing me to write in support of HB99.

I am a proponent of this bill who has a unique perspective, I believe.

I have been a law enforcement officer in Greene County for 26 years. I have been a member of the Fraternal Order of Police for 26 years. I currently work full time as a Sergeant for a city police department. I am the head firearms instructor for my agency and have been teaching Active Shooter response for the last 13 years. In 2011 and 2012 I had the privilege of being on the team of officers from across the State who came up with the Single Officer Response to Active Threat (SORAT) Program for the Ohio Peace Officer Training Academy. In addition to my regular police duties, I have been an Ohio Peace Officer Training Commission (OPOTC) certified Peace Officer Basic Training (POBT) instructor since 2008 and an OPOTC certified Commander for the Court Officer Basic (COB) training program since 2019. As a part time job, I have been teaching CCW classes since 2004 and have been teaching active shooter response to church security groups and private security groups for the last 9 years.

Last week I had an opportunity to read the testimony given by the Fraternal Order of Police earlier this year and I have to respectfully disagree with the FOP. The FOP does not truly represent 24,000 law enforcement officers across the State. Most of the FOP members that I know have no idea that the FOP has an opinion on this bill, let alone agree with that opinion. Unless someone from the FOP produces a petition to oppose this bill that has 24,000 signatures on it, do not for one minute think that every FOP member opposes H.B. 99.

I have been watching this legislation and the court case that led to this bill with interest and I would like to offer a few thoughts on the matter. The FOP and others who oppose this bill argue that people who are authorized to carry firearms while they are working at a school need more training than H.B. 99 requires. I disagree. I have instructed hundreds of police officers, police cadets and private citizens in active shooter response over the last 9 years and I can tell you that some of the worst performances I have seen in those training sessions have been full time police officers who have been on the job for over 10 years. Conversely, some of the best performances I have seen in those training sessions have been by those who have little to no formal training. As a matter of fact, one of the best performances I have ever seen was by a young lady who had about 2 weeks experience as an unarmed security guard at a local university and had no formal firearms training. I was so impressed that I tried to recruit her for my police agency. Is training important when it comes to responding to an active shooter? Yes, but what is more important is the mindset of the person who is responding. And who knows whether or not an employee has the right mindset more than the school administration themselves?

The FOP paints a very pretty picture about the state of police training across the State and recommends that only highly trained School Resource Officers be used for extra security. Unfortunately, I am going to paint a much bleaker picture for you as to the state of police training

across Ohio. It is true that in the police academy police cadets receive 60 hours of firearms instruction and that 46 hours of that must take place on the range. However, that 60 hours of training also includes the use of the pump action shotgun, which probably accounts for between 10 and 15 hours of that 60-hour block of training and the cadets are only required to shoot 750 rounds of pistol ammo and less than 100 rounds of shotgun ammo. That is not a lot of shooting, especially for a new shooter. How much the cadets actually shoot beyond the state minimum is up to the academy staff. Let me put that in context – in the last private sector pistol class I attended I shot over 1000 rounds - in 3 days. During the police academy, cadets also receive 70 hours of defensive tactics training, which includes weapon retention. They also receive some shoot/don't shoot decision making training.

But once those cadets graduate from the academy and get a job somewhere, there is very little mandatory firearms training that is required by the State – zero actually. To maintain their authorization to carry the most commonly used police firearms (pistol, shotgun and rifle) under O.R.C. 109.801, a police officer is only required to fire 25 pistol rounds, 8 shotgun rounds and 20 rifle rounds ANNUALLY. And this is not considered training, it is merely a qualification program. There is no annual state mandated firearms training, active shooter training, weapons retention training or scenario-based shoot/don't shoot training. So, an Officer can go the rest of their career without having additional training on any of those topics. As a contract instructor for OPOTA in 2012, I taught the SORAT program for Officers across the State. There was a common theme when we talked with the Officers in the classes – veteran cops told us they had NEVER had scenario-based training like what we put them through in the SORAT program. But scenario-based training is extremely expensive and not every agency has the funding to support that kind of program.

Good police agencies have a well thought out training program, but those programs cost money and not every agency (especially small agencies) can afford to have good training programs. In 2016, the Bureau of Justice Statistics found that roughly 75% of the police agencies across the country had fewer than 25 sworn personnel. Ohio is no different. Not every agency has the resources that Columbus PD or the Montgomery County Sheriff's Office have at their disposal. I am fortunate enough to work for an agency that has, and can afford, a well thought out training program and we do exactly what the FOP suggests is common across the state. But do not believe that every Officer in the State is trained to the standards espoused by the FOP, because the truth is much different.

What is also interesting to me is that a group of people who are legally allowed to carry firearms into a school safety zone have been left out of this conversation – court officers, parole officers, bailiffs, probation officers and several other classifications of people who are authorized under 2923.122(D)(1)(b). People who work in these capacities can be and often are authorized to carry firearms in the performance of their duties. To carry those firearms, they are required to complete a firearms program approved by OPOTC and meet the annual qualification requirements of O.R.C. 109.801. The most common program they complete is the OPOTC Court

Officer Basic (COB) program. This program is 40 hours of pistol training, 32 hours of which has to be on the range. Each student is only required to fire 750 rounds of pistol ammo. Although weapon retention may be covered in this program, it is not a mandatory topic. When you look at it objectively and compare hours, what Madison Local required for their armed staff (24 hours of active shooter response and the 8-hour mandated CCW training) was not that much different than the requirements for the COB program. No one would bat an eye if a parole officer or probation officer responded to an active shooter at a school because they were close by when the call went out. But the FOP is not decrying the COB training for this group of people (many of whom are FOP members) as inadequate. Why?

In a perfect world, there would be School Resource Officers assigned to every school in the State. But that is not fiscally possible in most jurisdictions. For example, in my jurisdiction, we have 8 public schools and 1 private school. We currently have 2 School Resource Officers. Neither the school district nor the City can afford to hire another 6 School Resource Officers. Prior to the Supreme Court Decision in the Madison Local case, the private school had armed staff members, but now that is not an option. The situation is even worse when you get out into the rural areas of the State. How many of our poorest counties, municipalities and school districts can afford to have a School Resource Officer in each school? Requiring the 700+ hour Peace Officer Basic Training for school employees who want to carry a firearm while at work effectively eliminates the only real chance for armed security that many of these poorer communities have.

School districts should be allowed to make the decision on who is authorized to carry a firearm while they are working. They know, better than anyone, the mindset of their employees. Each situation is different. For example, in my school district there is a school employee that has combat experience in the military and many hours of training from his military service; however, he is legally prohibited from carrying a firearm at school. That is ridiculous. Or how about a person who was a police officer in another state for 5 years before moving to Ohio and getting a job as a wrestling coach? Under the current law, he too, would be prohibited from carrying a firearm at school. Contrary to what the FOP says, allowing the local school board to make decisions about who is allowed to carry a firearm while working at the school does not remove the ability of parents to have input on school security issues. School board members are elected by the community they serve, which gives the community a means to offer input.

I urge you to pass H.B. 99 and give the decision making power back to the school boards.

Thank you for your time and I would be happy to address any questions you may have.

Lon Etchison