

To the chairman and members of the House Criminal Justice Committee of the 134<sup>th</sup> session of the Ohio legislature,

My name is Billy Ison. I sincerely appreciate the opportunity to add my views and my voice to the discussion concerning HB99 and I trust you will give my input careful consideration.

I am 68 years of age and I have been a tax paying resident of Madison Local School District in Butler County, Ohio for 43 years. My two daughters and my two grandsons are graduates of Madison Local Schools. I have been a gun enthusiast for more than fifty years during which time I have witnessed three accidental discharges of guns with one of the bullets striking me in my left ankle when I was 18 years of age. Our school suffered a school shooting incident in 2016. I hope you will agree my combined life experiences qualify me to provide valuable input regarding the issues surrounding HB99.

I hope to accomplish the following things as a result of my following testimony....

1. Provide some history of the past events at Madison Local Schools which have led to the introduction of HB99.
2. Refute false assertions made by proponents of HB99.
3. Expose hidden motives of the proponents of HB99.
4. Dispute the need for armed civilians in Ohio schools.
5. Reaffirm the need for statewide guidelines for firearms in Ohio schools.
6. Point out the true intentions of HB99.

### **HISTORY OF PAST EVENTS AT MADISON LOCAL SCHOOLS**

Unfortunately Madison Local Schools suffered a school shooting incident in 2016 when a distraught young male student brought a handgun to school and opened fire in the crowded school cafeteria. Two students received severe gunshot wounds and others were injured by bullet fragments before the shooter fled from the cafeteria. Fortunately no one died as a result of the incident. At the time a single armed School Resource Officer was employed by Madison Local Schools and he was nearby and was in the cafeteria within a matter of seconds. Following this incident Madison Local Schools wisely chose to add a second armed School Resource Officer with the support of the community and there have been no further gun incidents reported at our school since the addition of the second armed School Resource Officer.

Fast forward two years to February of 2018 when the Parkland Florida school shooting occurred resulting in 17 deaths from a shooter armed with a military style assault rifle. You may recall student survivors of the Parkland shooting were instrumental in organizing a nationwide student protest in March of 2018 aimed at elimination of gun violence in schools. Forty three Madison students, including one of the students severely wounded in the 2016 shooting at Madison, attempted to take part in the nationwide student protest. Rather than using this as a teaching opportunity and engaging with students who wished to participate in the nationwide protest, the administration of Madison Local Schools chose to punish all 43 students including the survivor of the 2016 shooting at Madison. According to television news reports at the time, an administrator of Madison Local Schools made a statement to the press explaining the punishment was necessary because the protest could have been viewed as advocating for

gun regulations. The story of Madison Local School District punishing a survivor of a school shooting at their own school for attempting to take part in the nationwide protest aimed at eliminating gun violence in schools was so outrageous that the story was published on the front page of USA Today. The story of this punishment, and the reaction to it, was even the subject of a documentary created by a film crew from the UK which was entitled 'Teachers Training to Kill'. These actions by the Madison Board of Education also drew criticism of the Madison School Administration in the form of extremely critical emails from literally around the globe ... some from as far away as Australia.

On April 24, 2018, the Madison Board of Education voted to adopt an illegal resolution allowing authorized civilian school employees to carry loaded firearms on their person inside Madison schools. This caused strong concern and disapproval among many Madison residents and parents with children attending Madison schools who began to regularly attend monthly public board meetings to lawfully speak in opposition to armed civilians in our school. Our board was asked to provide research to justify their policy and to consider safer alternatives to improve safety at our school. After months of being ignored, in September of 2018 a group of concerned parents from the Madison community filed a lawsuit against the Madison Board of Education on the grounds that the board's policy failed to meet training requirements clearly specified in ORC 109.78d and the Ohio Supreme Court eventually ruled in favor of the residents of Madison Local School District. Thankfully this court ruling applied to all public and private schools in the state of Ohio and resulted in the enforcement of the long standing safety guidelines contained in ORC 109.78d as obviously intended by the Ohio legislature when ORC109.78d was codified into Ohio state law many years ago. This lawsuit is the same lawsuit which is the focus of HB99.

It should also be noted that two other lawsuits against the Madison Board of Education grew out of the controversy surrounding their illegal gun policy, one lawsuit claiming violations of first amendment rights and another lawsuit for violations of Ohio's Open Meetings Act. After appeals in lower courts, the sixth district federal court recently ruled the Madison Board of Education did in fact violate the first amendment rights of members of the Madison community. The Butler County Court of Common Pleas issued a ruling stating the Madison Board of Education also violated Ohio's Open Meetings Act and the Madison Board of Education wisely chose not to appeal the ruling issued by the Butler County Court of Common Pleas.

In combination, the results of these three lawsuits clearly illustrate a pattern of blatant disregard for laws by the Madison Board of Education. So now after the Madison Board of Education has lost all attempts in the courts to justify their illegal behavior, they have now resorted to attempts to have the Ohio legislature amend Ohio's laws so as to make their illegal behavior to magically become legal by influencing their State Representative Thomas Hall to introduce HB99 to dangerously reduce (and virtually eliminate) training requirements for all civilian Ohio school employees who "go armed while on duty". Surely any intelligent, logically thinking person can predict the outcome of literally hundreds of untrained civilian school employees carrying firearms inside schools all across the state of Ohio. We owe it to our children, grandchildren and to one another, to ensure safety in ALL Ohio's schools continues to be provided by well trained, accountable law enforcement personnel as obviously intended by current Ohio law which has been in place for decades and as practiced by virtually all schools across the state of Ohio. Adoption of HB99 would be a huge step toward vigilantism in the state of Ohio and would be a drastic mistake.

### **FALSE ASSERTIONS MADE BY PROPONENTS**

Proponents will have you to believe there are ‘outside actors’ trying to interfere with Ohio legislative processes and working to change Ohio laws. I can only assume these statements are referring to the lawsuit which is the focus of HB99. I am familiar with this lawsuit and I can assure you every plaintiff in the lawsuit, and the two other lawsuits against the Madison Board of Education, are Ohio residents who are only trying to do what they believe is in the best interest of their children and the other students and staff of Madison Local Schools by holding the administration of Madison Local Schools accountable for their violations of Ohio state laws. I can assure you none of the plaintiffs in any of these lawsuits are ‘outside actors’ as falsely implied by proponents of HB99.

### **HIDDEN MOTIVES OF PROPONENTS OF HB99**

The true motive of HB99 is explicitly explained, but well hidden, in lines 131-136 of HB 99 which literally read...

“(E) The general assembly, in amending division (D) of this section pursuant to \_\_\_B. \_\_\_ of the 134th general assembly, hereby declares that the purpose of those amendments is to expressly overrule the decision of the Twelfth District Court of Appeals in the case *Gabbard v. Madison Local School Dist. Bd. of Educ.*, 12th Dist. Butler No. CA2019-03-051, 2020-Ohio-118 0 .”.

It should be known during the court proceedings of the lawsuit which is the focus of HB99, Buckeye Firearms filed a motion with the Butler County Court asking to join the case as a codefendant with the Madison Board of Education based upon the fact that Buckeye Firearms stands to lose a very large source of income if their FASTER training program would become legally unacceptable as a result of the lawsuit because their FASTER training program does not meet the training requirements clearly specified by ORC 109.78d. In other words, for years Buckeye Firearms has been marketing their FASTER training program to Ohio schools even though their program fails to meet state mandated training requirements. Decisions related to safety of Ohio students and school staff should not be made on the basis of income and consequently the Butler County Court denied the request from Buckeye Firearms to join the case as a codefendant. I encourage your committee to also recognize the motives of Buckeye Firearms and likewise not allow the financial interests of Buckeye Firearms to influence your decisions regarding HB99.

### **NO NEED FOR ARMED CIVILIANS IN OHIO SCHOOLS**

It is extremely important to our society that gun owners understand gun ownership and the possession of a concealed carry permit does not bring with them the authority to function in law enforcement and/or public security roles within our society. To let such a genie out of the bottle would have long term and dire impacts throughout our society. Law enforcement and armed security should remain solely in the hands of professional, highly trained and accountable law enforcement personnel. Failure

to do so is an open invitation to an escalation of the dangerous gun culture which is already running amuck within our society as routinely demonstrated by the mass shootings in our country. These most mass shootings only add to the extremely long list of devastating mass shootings in our country which stretch back in time for decades. Ohio students and school staff are highly deserving of security provided by extremely well trained and accountable professional law enforcement personnel, as are all members of our society. At this time in our history with the epidemic of gun violence which is running rampant in our country, it is no time to allow poorly trained, unaccountable civilians to carry guns within our schools. School boards are unqualified to judge the acceptability of individuals to carry guns in our schools and they are certainly unqualified to oversee long term policies related to civilians carrying guns in our schools. School administrations should focus their time and attention on improving the educational and psychological development of students and leave policing and law enforcement duties in the hands of those best qualified to perform those duties. Allowing armed civilians in our schools sends a dangerous signal to students that it is necessary to carry guns everywhere within our society and promotes the dangerous gun culture which is at the root of the gun violence within our country.

### **THE NEED FOR STATEWIDE GUIDELINES**

The need for statewide guidelines for people carrying firearms in schools is self-evident. Without statewide training guidelines, each local school district would be left to develop their own individual guidelines which would result in a hodgepodge of different policies within the jurisdiction of each law enforcement organization. Such a hodgepodge of different policies would undoubtedly result in confusion by first responders as they respond to shooting incidents at schools where they will already be dealing with very chaotic and ever changing, adrenaline infused situations which always accompany mass shooting events. For the safety of everyone involved, we owe it to our students, school staff, law enforcement, first responders and last but not least, to ourselves, to enforce statewide guidelines for all personnel carrying firearms within our schools.

### **THE TRUE PURPOSE OF HB99**

As I have previously mentioned, and as clearly explained within the plain text contained on page 5 of HB99 which reads as follows ....

“the purpose of those amendments is to expressly overrule the decision of the Twelfth District Court of Appeals in the case *Gabbard v. Madison Local School Dist. Bd. of Educ.*, 12th Dist. Butler No. CA2019-03-051, 2020-Ohio-118 0”.

Despite the much needed debate about the safety aspects of HB99, this clear and straight forward language contained within page 5 of HB99 makes it perfectly clear the purpose of HB99 is to rescue the Madison Board of Education from a lawsuit stemming from their poorly and hastily planned policy to allow armed civilians within our school. This attempt to use the legislature to overrule the decision of

the Ohio Supreme Court is just one more example of the devious means the Madison Board of Education is willing to employ to avoid responsibility for their illegal actions. I urge the committee to reject HB99 on the basis that, due to the drastic reduction in training standards, it represents a significant risk to the health, safety and indeed the very lives of the students and staff of **ALL** Ohio schools and, individuals and organizations which conspire to violate laws should be left to face the consequences of their actions rather than mounting legislative efforts to change laws so as to excuse their illegal behavior.

I will gladly respond with honest straightforward answers to any questions you may have for me.

Respectfully submitted,  
Billy R. Ison