

**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 47 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. I, as a permit holder carry to protect myself not others. I am not armed to protect school children from an attack by an armed individual.

Although I am pleased to see the added training and notice requirements if this committee is adamant that it is going to pass this bill. I still do not believe it is in the best interests of students, teachers or personnel that individuals be armed in schools.

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.

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.

As written the Bill fails to address proper storage so are we to assume that these authorized persons can open carry or conceal carry in the schools? Nor does the Bill

address who is qualified to conduct the training. In my opinion a business that is being paid to provide the training has a conflict of interest. Will they “pass” trainees to keep the money flowing? How many times can an individual fail the training? Will that business fairly assess one’s ability and whether that person has “successfully completed” the training. There is no definition for “successful completion” in the Bill. Does it mean that a trainee must “pass” every aspect of the training or parts of the training? I would suggest that the training be performed by the Ohio Peace Officer Training Commission and the schools can pay them. If unacceptable then all training should be video taped and kept so long as that individual is permitted to carry a weapon in the school. The tapes should be reviewed by the Commission to ensure that individuals who allege to have “successfully completed” have in fact passed all the requirements of the training.

Arming individuals in a school zone is dangerous. Statistics overwhelmingly demonstrate that even with all their training law enforcement officers fail to hit their mark most of the time. The New York Police Department (NYPD) reported an 18-20% degradation of accuracy skills once an officer becomes involved in an actual gunfight (Vila and Morrison, 1994). This suggests that such motor skills are subject to degradation during levels of high stress. Between 1998 and 2006, the average hit rate was 18 percent for gunfights. Between 1998 and 2006, the average hit rate in situations in which fire was not returned was 30 percent. <https://www.ajc.com/blog/get-schooled/gunfights-trained-officers-have-percent-hit-rate-yet-want-arm-teachers/mDBlhDtV6Na4wJVpeu58cM/>

Researchers analyzed 149 real-life OISs recorded over a 15-year period by Dallas (TX) PD. In nearly half of these encounters, officers firing at a single suspect delivered “complete inaccuracy.” That is, they missed the target entirely.

In 15 incidents, the total number of rounds fired could not be determined. But in the 134 cases where researchers could establish that figure, they calculated the hit rate, “incredibly,” at merely 35%. In other words, more than six out of 10 rounds fired were misses.

Unfortunately,” the study says, “the data do not provide a clear picture of what happened with these [errant] rounds, but, at worst, they struck other officers or innocent bystanders.” <https://www.emerald.com/insight/content/doi/10.1108/PIJPSM-05-2018-0060/full/html>;

[https://www.researchgate.net/publication/328646666\\_Hitting\\_or\\_missing\\_the\\_mark\\_An\\_examination\\_of\\_police\\_shooting\\_accuracy\\_in\\_officer-involved\\_shooting\\_incidents](https://www.researchgate.net/publication/328646666_Hitting_or_missing_the_mark_An_examination_of_police_shooting_accuracy_in_officer-involved_shooting_incidents)

An active shooter situation is more chaotic, more intense, fast moving than most situations. Chances of an individual misfiring or firing and hitting an innocent child, teacher, etc. makes this situation more dangerous. Further, this Bill endangers and possibly interferes with law enforcement who arrive on scene to combat an active shooter. Why would we create this type of situation in our schools. The possibility of armed individuals in schools will not act as a deterrence as we have seen any active shooters are in suicide mode.

Further, the school districts should be compelled submit to the Ohio Board of Education documents corroborating that each District, which 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