



# Buckeye Firearms Association

## Testimony of Rob Sexton

### On behalf of Buckeye Firearms Association

### Before the House Government Oversight Committee

October 14<sup>th</sup>, 2021, 10:00 AM

Chairman Wilkin, members of the House Government Oversight Committee, I am Rob Sexton, the Legislative Affairs Director for Buckeye Firearms Association. BFA is civil rights organization that has been defending and advancing the rights of over 4 million Ohio citizens for more than 15 years, with a long and proven record of changing laws for the better.

I am here to express our strong support for Substitute House Bill 227. This bill would remove many burdens on law-abiding gun owners which do nothing to reduce crime or saves lives.

SB 215 would create what is often referred to as Permitless Carry, License Optional Carry, or Constitutional Carry, which is the ability for law-abiding adults to carry a concealed firearm without licensing or other mandated requirements. This change alone would remove irrational, unnecessary, and unconstitutional burdens for Ohio citizens who merely wish to exercise their Second Amendment rights and defend themselves when faced with a lethal threat. Ohio's constitutional framers were crystal clear on this matter. Article 1 Section 4 states, "The people have the right to bear arms for their defense and security."

The argument in favor of Constitutional Carry is overwhelming:

#### **Carrying Without a License or Permit is a Proven Concept**

- 38 states allow open carry without a license or permit. This represents 2/3 or 66% of the United States. This includes Alabama, Alaska, Arizona, Arkansas, Colorado, Delaware, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.
- 21 states allow concealed carry without a license or permit. This represents 40% of the United States. This includes Alaska, Arizona, Arkansas, Idaho, Kansas, Kentucky, Maine, Mississippi, Missouri, Montana, New Hampshire, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Vermont, West Virginia, and Wyoming.

### **HB 227 Does NOT Change Use-of-Force Standards**

- The standard for when use of lethal force is legal for defense of self or others is uniform throughout the United States. It is generally summarized in this way: “You may use lethal force for self-defense when you have a reasonable and honest belief that you are in danger of immediate and unavoidable death or great bodily harm.” This standard will NOT change in any way with HB 227.

### **License Optional Carry Will NOT Change Human Behavior**

- Those who carry legally now with a license will continue to carry legally whether they choose to continue to get the permit or not.
- Those who have not carried because they did not want to go through the permitting process have been obeying the law all along and will finally be able to protect themselves and their families.
- And the criminals, who carry illegally now, will continue to carry illegally without a license. They don’t pay attention to the laws passed here in this building because they’re criminals.
- Many people will continue to go through the permitting process for reasons such as state reciprocity. You will hear more on that from other witnesses. But a permit shouldn’t be mandatory. Because there is no reason for it.

Too often the rhetoric opposing legislation that is meant to make Ohio live up to the words in its own constitution is emotionally based. Worse, the rhetoric is too often fact-less instead of fact-based. Whether it was the first concealed handgun law way back in 2004 or last year’s debate over the repeal of the duty to retreat, fears have been raised time and time again that we would experience anarchy as a result. There would be blood in the streets with people shooting each other over parking spaces. Time and time again, these fears have been proven false, but the rhetoric endures.

I’d like to introduce some new material into this discussion. While studying research surrounding the debate over Constitutional Carry, we came across a 30-year study released by the American College of Surgeons. The college sought to discover whether there was any link between increases in violent crimes involving guns and the liberalization of gun laws. They compiled FBI and other law enforcement data from all states, including very restrictive states such as Illinois and New York, all the way to the more permissive states such as Arizona and Vermont. What they found is what we’ve been saying for decades: Law-abiding gun owners, who simply want to utilize their constitutional rights to protect themselves and their loved ones, are not the problem.

I will quote from the study. “This study demonstrated no statistically significant association between the liberalization of state level firearm carry legislation over the last 30 years and the rates of homicides or other violent crime.” That is pretty good, isn’t it? But it gets better. The

authors went on to say, “Policy efforts aimed at injury prevention and the reduction of firearm-related violence should likely investigate other targets for potential intervention.”

We’re not the problem. But we’re concerned about the way things are going right now in our country and our state. Interest in carrying a firearm and firearms training is at all time highs. People are genuinely and legitimately worried about their own safety and want to take steps to protect themselves and their loved ones. They’re seeing the spikes in violent crime. They’re seeing constraints on law enforcement.

We’re seeing surging interest from all types of people. Women and African Americans are among the fastest growing segment of firearms purchasers. A person who lives, works, and drives through areas that have recently exploded in violence should not have to complete government paperwork, submit to a background check, take a class, and then wait on the government to exercise a right guaranteed by the state of Ohio. A woman fleeing an abusive relationship should not have to apply for emergency privileges before she can carry a gun to protect herself or her children. These things became even more clear over the last year and a half as many of our sheriffs were unable to process permit applications over COVID restrictions.

We really appreciate the work put in by members of this committee to find pathway forward on this bill. And we appreciate Representatives Brinkman and Jordan’s commitment to work together to ensure this bill would have a chance to make it to Governor DeWine’s desk.

This really is a fact-based debate. The law-abiding are not a threat to others in Ohio or in any other state. They do not become law abiding because the state confers upon them a license. Subjecting them to unnecessary requirements and permits does not make them better people. It just burdens them with extra costs of money and time. Meanwhile, those who would do us harm ignore these same laws. It is for these reasons that we ask this committee to move HB 227. I thank you for your time. I am happy to answer any questions you may have.