

Testimony on Ohio House Bill 62: “The Ohio Second Amendment Safe Haven Act”

State and Local Government Committee

June 8, 2021

Submitted by:

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Chair Wiggam, Vice Chair John, Ranking Member Kelly, and members of the committee, thank you for considering my written testimony in opposition to HB 62. I am a retired Ohio physician who worked for many years in one of our major trauma hospitals where I saw far too much horrible damage from firearm violence. And that was among survivors (the dead ones aren't hospitalized.)

This so called Safe Haven Act is misguided and dangerous. It would undermine the rule of law (which its proponents claim to support) and jeopardize public safety by encouraging extremists to defy common sense gun laws. It adopts a long discredited legal theory and most provisions in the bill are likely unconstitutional. (1-3) At the same time, the bill would make it much harder for law enforcement officials to do their jobs. Already, our law enforcement agencies are having trouble hiring officers – this would surely make it more difficult. (4)

This bill seems to be part of the disingenuous and dishonest efforts by some people in our state to assert that private gun ownership and use is the same as the protected ownership for members of a “well-regulated militia” described in the Second Amendment to the US Constitution. The Cleveland Plain Dealer of June 6, 2021, has an excellent letter to the editor on the subject of the Second Amendment that further elucidates this fallacious thinking. (5)

This bill is part of a campaign by those claiming to support the rule of law to UNDERMINE the rule of law and move the US further toward tyranny. Please

show your real patriotism by supporting the rule of law and OPPOSING this dangerous bill.

Thank you.

References:

1. See, e.g., *United States v. Peters*, 9 U.S. (5 Cranch) 115 (1809); *McCulloch v. Maryland*, 17 U.S. (4 Wheat.) 316 (1819); *Martin v. Hunter's Lessee*, 14 U.S. (1 Wheat.) 304 (1816); *Osborn v. Bank of the United States*, 22 U.S. (9 Wheat.) 738 (1824).
2. *Cooper v. Aaron*, 358 U.S. 1 (1958).
3. *Mont. Shooting Sports Ass'n v. Holder*, 727 F.3d 975 (9th Cir. 2013).
4. See *Cleveland Plain Dealer*, June 8, 2021, page one, Ferrise A: on Homicides:  
<https://enewspd.cleveland.com/data/4529/reader/reader.html?t=1623162403061#!preferred/0/package/4529/pub/7968/page/2>
5. See *Cleveland Plain Dealer*, June 8, 2021, page A10:  
<https://www.cleveland.com/letters/2021/06/justice-thomas-needs-to-reframe-logic-on-second-amendment-too.html>