



Opponent Testimony on Senate Bill 215 – *CONCEALED HANDGUN POSSESSION*
Senate Veterans and Public Safety Committee
Rosie Craig – Gun Safety Issue Specialist
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Chairman Hoagland, Vice Chair Johnson, Ranking Member Thomas. Thank you for the opportunity to present testimony on House Bill 215. My name is Rosie Craig and I am the Gun Control Specialist for the League of Women Voters of Ohio. I am here today to speak in opposition to SB215 *Regards concealed handgun licensee duties.*

With this bill, Ohio's "Concealed Hand-gun Carry Licensing System," flawed as it is, would be eviscerated. This law would abandon the practice of requiring background checks and minimal firearms training for someone to carry a hidden handgun that is not a *restricted firearm*.

We express concern that the companion bill to SB215 is SubHB227, which has passed the House of Representatives. With less than 24 hour's notice, our concern today is that this hearing is more about adopting SubHB227 than it is about hearing opponent testimony, and it is more about fast tracking this bill to the Governor's desk when public eyes are turned to other more high profile issues.

There is concern for the real or perceived risk officers will face when they no longer have the knowledge that a declared, concealed carrier has had a background check. Studies have documented the existence of racial bias towards people of color during traffic stops. We must be vigilant that these types of changes to the law not engender increased tendencies towards racial bias, possibly with deadly consequences.

SB215 establishes procedures for a pretrial immunity hearing in a tort action or criminal case related to a person's use of force against another. If it remains in a final bill, this provision would strengthen Ohio's Stand Your Ground law. In this context, if someone were to apply for *pretrial* immunity, the burden of proof would be on the prosecutor to present evidence beyond a reasonable doubt that the accused did not use force in defense of themselves, another, or their residence. Such privilege to pretrial considerations would be a way to drag out or deny justice for victims or survivors of gun violence who wish to pursue their rights to a jury trial.

The League of Women Voters of the United States in 1994 at its National Convention adopted its National position still in place today, stating the belief that *the proliferation of handguns and semi-automatic assault weapons in the United States is a major health and safety threat to its citizens.*

The League of Women Voters of Ohio has opposed legislation to Carry a Concealed Handgun (CCW) since 2001, by a delegate vote at the LWV Ohio state convention. I personally attended proponent and opponent testimony prior to the establishment of the CCW licensing system in 2004 as well as subsequent CCW legislation. From the onset, proponents claimed that the establishment of CCW in Ohio

would make Ohioans safer. Indeed, the opposite has been true. Now Ohioans are less safe than ever from gun violence. ⁽¹⁾

In 2004, proponents boasted of allowing CCW while having reasonable safeguards for public safety. However, since 2004, Ohio legislation has significantly expand concealed and open carry gun rights. As of 2019, according to the CDC, the number of deaths per year in Ohio has increased by 70 % since CCW was enacted in 2004.⁽²⁾ Such a toll on human life has continued as this legislature has stripped cities of tools and mechanisms to protect citizens through the preemption of home rule police powers in 2006 and again in 2018. It has allowed guns to be carried more places with less accountability if someone is hurt or killed errantly (Stand-Your-Ground). Now, this legislative body would have us throw out virtually all restrictive measures to those who wish to carry weapons, concealed or openly so long as the “weapon” is not otherwise prohibited by federal law.

To date, proponents of these laws have been and continue to be absurd in their premise that law-abiding citizens should not be constrained or inconvenienced in their gun practices. Who is to know which of these law-abiding citizens will develop ill intent? Every perpetrator of criminal behavior starts out as “law abiding” and many who have committed crimes simply have yet to be caught. Now with *permit less carry* this legislative body throws away any opportunity to suspend, revoke, or regulate carrying practices for those who are not law abiding, thus putting more innocent lives at risk.

We have seen in Ohio and in the nation a rise in the deadliness of mass shootings, both due to the clip size availability and the lethality of the ammunition used. We have seen the rise in the number and deadliness of school shootings. We have seen the rise of domestic terrorism against certain ethnic, religious, and racial groups where an AR-15 rifle has been used execution style against innocent people.

During the early pandemic months of 2020, political pressures meant that Ohio gun stores stayed open as “essential businesses.” This gave rise to the largest sales of guns in Ohio and in the country since the FBI’s background check system for gun purchases (NICS data base) was brought online. Vulnerable communities, mostly poor and of color, have paid the price. As gun sales spiked in Ohio, so did gun deaths in all of Ohio’s major Cities, where murder by firearm increased by 27%.⁽³⁾

This law can only encourage domestic terrorism by people not yet in trouble with the law, or recruited to violent ideals for some fanatical cause. According to the FBI, hate crimes in 2020 rose to a 12 year high, amid increasing attacks on Black and Asian people.⁽⁴⁾ Shamefully *permit less carry* is legislation that is “custom-made” for a rise in more racially motivated or extremist domestic disturbances.

Over the past 15 years, this legislative body has failed in its duty to protect its citizens because it has been unwilling to enact legislative measures to rein in perpetrators of gun violence *before* they start shooting. We need legislation for background checks on gun purchases, reducing clip size and prohibiting military style features on semi-automatic weapons. We need safe storage legislation requiring adults to keep guns away from minors who should not have them with legal liability consequences if they don’t. This body should support the enactment of strong Extreme Risk Protection Order (ERPO) laws which would allow *through due process*, the temporary removal of guns from the possession of demonstrably dangerous people. States with ERPO laws have seen reductions in completed gun suicides as well.⁽⁵⁾

With these trends and issues in consideration, I urge members of the committee to vote against this bill and to consider instead common-sense gun regulations which have reduced gun deaths in other states, like Massachusetts, New York, New Jersey, and Hawaii where the gun death rate is one-fourth of what it is in Ohio.⁽⁶⁾

Thank you for considering my testimony. Any questions or request for further information can be relayed through the office of the League of Women Voters of Ohio, with prompt attention given.

The League of Women Voters of Ohio was formed in May 1920 out of Ohio's woman suffrage movement. The League is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. The League has over 4000 members and 32 local Leagues across the Buckeye State.

Footnotes:

1. <https://www.americanprogress.org/issues/guns-crime/reports/2021/09/01/503127/concealed-carry-linked-increased-gun-violence-wisconsin/>
2. In Ohio there were 934 gun deaths in 2003 and since CCW in 2004 that number has risen to 1589 for 2019. *Center for Disease Control*
3. <https://dayton247now.com/news/local/ohio-sees-record-increase-in-gun-violence-murder-by-firearms-up-by-27>
4. https://www.washingtonpost.com/national-security/hate-crimes-fbi-2020-asian-black/2021/08/30/28bede00-09a7-11ec-9781-07796ffb56fe_story.html
5. American Psychiatric Association
https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=2ahUKEwiXtNW-zJ3iAhXSna0KHcs7AJUQFjADegQIBRAC&url=https%3A%2F%2Fwww.psychiatry.org%2Ffile%2520Library%2FPsychiatrists%2Fdirectories%2FLibrary-and-Archive%2Fresource_documents%2F2018-Resource-Documents-on-Risk-Based-Gun-Removal-Laws.pdf&usq=AOvVaw3GnDWb_w4e_exj5QLh-aP
(Although their data are relatively limited, the authors conclude that Connecticut's law may prevent one suicide for every 10 to 20 gun removals, primarily by delaying access to firearms during a period of acute crisis.)
6. <https://lawcenter.giffords.org/scorecard/#MA>