



December 3, 2018

To: Ohio Senate Committee on Government Oversight and Reform Committee
From: God Before Guns
Re: House Bill 228

Dear Chairman Coley and members of the Committee:

House Bill 228 contains many dangerous provisions that threaten the safety of all Ohioans. Foremost among them is a “stand-your-ground” provision that we will focus on below.

The provisions of the bill that modify Ohio’s self-defense and castle doctrine make this **a dangerous bill**. A substantial body research from other states tells us that stand-your-ground laws:

- result in an increase in homicides considered legally justifiable, plus an *increase in gun-related homicides*, and *even an increase in overall homicides*ⁱ;
- are *dangerous to African Americans in particular* because under stand-your-ground laws killing an African American is found to be justifiable much more often than the killing of a white personⁱⁱ;
- are often used as a defense by those with criminal records or records of arrest for violenceⁱⁱⁱ;
- have been associated with the deaths of unarmed victims in many or even most cases^{iv}.

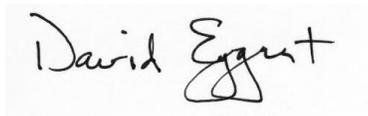
This is **an unreasonable bill** because:

- it encourages an armed person to shoot first in a confrontation by inviting the surviving witness to claim fear of imminent bodily harm or death;
- it relies on a subjective standard based on “reasonable belief” that does not take into account whether the other person in a confrontation is armed, is in pursuit, or if deadly force is necessary and unavoidable;
- according to the CDC, Ohio gun deaths are increasing and they are increasing faster than the nation as a whole, and this bill threatens to accelerate that increase^v;
- research from other states shows no credible evidence that this bill will reduce crime or gun violence. On the contrary the evidence (above) predicts an increase in crime and gun violence if this bill is passed;
- the legal justification for use of deadly force that this bill promotes would be available for the defense of the criminal activity that the bill allegedly seeks to reduce.

This is an **immoral bill**.

- The moral duty to preserve life if possible is centuries old, as is the moral duty to retreat if possible. The use of deadly force by one citizen upon another should be a matter of last resort. But under this bill deadly force is justifiable without an attempt to avoid force or to retreat.
- This bill replaces the traditional and moral duty to retreat with a subjective standard: a “reasonable belief of imminent danger.” The bill also places the burden on the prosecution to prove that the use of deadly force was not in self-defense. These changes would invite more unnecessary violence by providing new avenues for the legal defense of a homicide or attempted homicide.
- A right to remain alive and whole is the most basic of all rights. This bill offers legal justification for more Ohioans to kill and wound one another. That is simply immoral, and it cannot be justified because a gun-carrying minority wants more legal freedom to use deadly weapons.

HB 228 threatens the safety of Ohioans in a number of other ways, but the stand-your-ground provision is especially dangerous, unreasonable, and immoral. We urge you to reject passage of HB 228..



David Eggert
President
God Before Guns

ⁱ <https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2582988>, and https://www.researchgate.net/publication/303191718_The_Weapons_Priming_Effect, and <https://www.wsj.com/articles/SB10001424052702303404704577311873214574462>, and https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2079878

ⁱⁱ <https://www.urban.org/urban-wire/american-criminal-justice-color-blind-statistics-say-no>

ⁱⁱⁱ <http://stand-your-ground-law.s3-website-us-east-1.amazonaws.com/>

^{iv} Ibid.

^v <https://webappa.cdc.gov/sasweb/ncipc/mortrate.html>