Kenneth Halt’s Testimony Against Ohio HB 228

Hello, my name is Kenneth Halt, I’m council member on GenProgress’s #Fight4aFuture National Leadership Council for Gun Violence Prevention & Criminal Justice Reform, a Middletown resident, as well as an student at Miami University of Ohio, Oxford campus. I’m the first person in my father’s family to attend college. I’m currently on track to graduate with my undergrad in both Political Science and Urban/Regional Planning, this spring. Next week is finals week this semester at Miami, which hasn’t stopped me from having 3 final papers and 2 final presentations to do this week alone. So as you can probably imagine, when the Stand Your Ground bill passed in the Ohio house and I was reached out to by Amnesty International to take a large role in organizing against this bill, I was more than a bit overwhelmed. Considering my circumstances as a first generation college student and the timing of all these things occuring, I’d be more than justified to than politely decline taking on any organizing roles; especially due to the fact that I don’t work for Amnesty and being on my council doesn’t necessarily mandate that I participate in such efforts. It would be in my GPA, and transitively, my own, best interest that I decline, and leave the responsibilities up to someone else. I refused to do that. I did pay consideration to all aspects of the matter of whether or not to do this, but there was never a shadow of a doubt that I’d accept the responsibilities. I refused to stand on the sidelines. I refused to put myself and my best interest before the best interest of the State of Ohio and its people.

I realize you need no reminder that as members of this committee, the extent to which your rulings can have on the people of this state. Your ruling on this bill, or any from of stand your ground(SYG) bill, will be, without a doubt, one of the most impact rulings in your time on this committee and in the Ohio Senate. This ruling, for many, will result in deciding whether or not they live or die and whether or not they stand a chance at getting justice.

Florida enacted their stand your ground law in Oct. 2005, 13 years ago. Recent research indicates that Florida’s Stand Your Ground law has resulted in approximately 4.2k more gun related deaths in their state than there would’ve been without it. That is approximately 323 additional gun deaths every year. Based off of Florida’s current population, as a Florida resident you have a 0.0197% chance of being killed as result of SYG, which sounds small but amounts to your chances of being a victim of stand your ground being 1 in 5,074. The life-time chances of you dying by drowning in a pool are 1 in 5,271 and your chances of dying falling from a ladder or scaffold are 1 in 7,845. Let me reiterate. The Floridian, on average, is more likely to be killed as direct result of the their stand your ground bill than the average American is to die from either drowning in a pool or falling off a scaffold. I’ll give you a second to consider that…

Considering Ohio’s current population, if this bill is passed and has the same effect as Florida’s, in the 13 years that follows its passing, it’d kill approximately 2,305 people who wouldn’t have died if you were to vote it down. Once again, if HB 228 has the same effect as Florida’s stand your ground bill, your voting to confirm this bill would resulting the killing of approximately 177 Ohioans each year, and the killing of approximately 5,000 Ohioans over the 28 years following its enactment. You may say that it wouldn’t have the same effect in Ohio as in Florida; you’re right, this bill is arguably more extreme and dangerous than Florida’s. Is the deaths of likely at least 177 Ohioans a year and 2.3k in the next 13 years, a sacrifice you’re willing to make.   
 Also, I ask you, what are we making that sacrifice for? Where is the apparent need for such legislation? It is not as if currently you’re unable to protect yourself at all. You only have to make an attempt to flee, because you’re not a cop, and because it’ll give you time to assess whether or not someone is actually a threat to your life. I understand the wanting to take the legal burden off of the person who is “defending themselves,” especially in the case of an individual receiving civil or criminal charges after using lethal force when it is truly justified. Being put in that position would be unfortunate but what are the chances that the person using justified force, isn’t acquitted? I can’t say I know the number off the top of my head but I can’t recall seeing a single instance of that occurring. Can you? Also, unfortunate is different from unjust..Having to go to court, to eventually be acquitted, for being justified in standing your ground is unfortunate. Our legal system having a law where the burden of proof is not only put on the accused, but the accused is also typically deceased and thus unable to testify, isn’t unfortunate...it is profoundly and fundamentally unjust.

If I can refer back to the matter of the statistic I presented. I understand why you may want to the dispute the accuracy of the statistics I provided, on the grounds that there would be widespread outcry against the law across the state of Florida, if killings caused by stand your ground were occurring at a rate that made Floridians have 1 in 5074 chance in their lifetime of being a victim. You’re right, if the average Floridians’ chance over the course of their lifetime, of dying as result of STG was 1 in 5074, there would be massive outcry. That’s essentially no one in Florida has a 1 in 5074 lifetime chance. For most, their chances are either far higher or far lower. If SYG comes to Ohio, I know, without a shadow of a doubt, even without any calculations, that the chances of me dying b/c of SYG are so low that, I wouldn’t be one of the approximately 2.3k people it can be reasonably estimated to kill in its first 13 years of existence. Why is that? It’s because I’m white, I would known. Let me explain. I grew up both in primarily black and primarily white neighborhoods. Living in primarily white areas occurred in latter half of my adolescence, and it was a truly telling experience. I didn’t realize the injustice and inequality my black peers were subject to before my time in white neighborhoods. We live in a country where, like it or not, we highly segregate ourselves by race and class. The effects of this manifest in ways you won’t expect, I saw this first hand. Over my years in white neighborhoods, I don’t think a single time that I answered a fellow white person’s question of “where are you originally from,” I wasn’t met with at least a look of disbelief. Their responses often extended beyond just facial expressions. Some people have even refuse to believe me and called me a liar. Why didn’t they believe me? Look no further than one of the most prevalent responses I would get to my answer. Often, when I said where I was from, people, sometimes even my friends, would respond by saying things along the lines of “Really? But Kenny, you’re not poor, you’re not violent, you aren’t ghetto, you’re not black. That’s crazy.” What made them say these things and feel that way?

With the amount of student loan debt I’ll be in for the rest of my life, I feel I deserve to be allowed to give a brief lecture about the history of American city, to explain to you the reason why these people would say these things.

When white people fled the inner city in the mid 1900’s, we left African-Americans to live in decaying buildings in areas newly devoid of investment and resources. That caused poverty. Poverty causes desperation. Desperation causes crime. Crime causes violence. The population density of inner-cities causes street crime. Street crime that can’t occur in the rural and depressed suburbs that poor whites propagate to. People weren’t wrong in saying the area in which I originally grew up, was poor, had high rates of crime, including violent crime, and was primarily not white. I will not dispute reality; black neighborhoods across the country being plagued by violence and poverty is often fact in this country. The reason I have the awareness of topics of race and socio-economics is largely due in part to having grown up in both white and black neighborhoods, while most of my peers in the white neighborhoods had hardly been around black people. To those kids, black people, outside of token black students at their school was the great unknown, whether they realized it or not. Trust when I say that living isolated from people of other skin colors causes an extreme disconnect. Apparently when I was 4 years old, I asked my parents when I was going to turn black because, living where I did, even at the age of 4, I was unaware that white people were in fact a thing, and not just black people who had not turned black yet. The area I was living in at that time, although being mostly black had several times as high of a percentage of white people than where I went to high school, did of non-white people. Based on that knowledge that it took until at least 4 for kids I went to high school with to realize that anyone wasn’t white.

All jokes aside, consider that disconnect. Beyond the perceptions that many of us form about black neighborhoods, or as many of my white peers liked to say “the ghetto,” and subsequently, everything about black people beyond the handful, or two, of black peers, your average white person may have, is essentially the great unknown. We as human generally fear a number of things universally, being the victim of a crime or violence, death, and the unknown. The common perception amongst white people of black people links all of those things together.

You might being want to argue that it is just crime, violence, and the neighborhoods themselves that are feared, not black people. Well I already thought of that. Me having a major that stresses “comprehensive plans” and a major that stresses “knowing how to cover your behind,” can really people be a lot less excited that about me being a first generation college student. So I’m going to tell you a brief story. When I was in high school, I was in a friend group that happened to have one the school’s token black students in it. His name is Mekhi. We weren’t really friends despite being in the same friend group as we were both some of the most, lets say, “annoying” people I know. Regardless, being in the same friend group, we still ended spent a lot of time together. In our friend group, me and my friends, as teenage boys often do, rough-housed and our respective toughness or lack thereof, was a regular topic of discussion amongst us. Well, whenever, Mekhi happened to be one of the guys in the group trying to act tough, it wasn’t uncommon for someone to say “Mekhi, you’re the whitest black person I know.” You can see the issue here, these white, suburban, high schoolers, living in generally, not conservative households, associating “blackness” with violence. They didn’t really mean anything by it. They didn’t hate Mekhi or black people. They didn’t realize that there was something wrong with what they were saying. I’ll repeat their quote one more time “Mekhi, you’re the whitest black person I know”...that blatantly states a fear of black people and what is seen as “blackness.” They essentially said that if they didn’t think he acted “so white,” they would fear him. These perceptions of black people but young white kids from moderate to liberal households shows how much we, as white people, don’t limit our perceptions of the “ghetto” to the area itself, but to black people as a whole; and that’s a perception that is rooted in an association between black people and danger. If you still don’t believe me...have you ever crossed the street to avoid someone? We all have. What was the race of that person?

I don’t have the answers as how to reduce racism, racial bias, and institutional racism, so until then we must law-make we the unfortunately persisting societal issues in mind. With that, we need to keep in mind, that many white people, to some degree, fear black people. This bill, that gives people the right to kill out of fear, weaponizes that aforementioned racial bias, in more than a metaphorical way.

Before you try one last time to shoot this down by saying that the bill doesn’t enable race-based violence as it doesn’t justify hate crimes, let me say this; in the grand scheme of things shooting an African-American person to death out of fear caused by an implicit fear of black people, isn’t much different than shooting an African-American person to death out of an explicit hatred of black people. Either way they’re dead, and the cause is the color of their skin.