

**Testimony on House Bill 228**  
Senate Government Oversight Committee  
Rep. William P. Coley, II, Chair  
Rep. Joe Uecker, Vice Chair

Submitted by:  
Lisa Voigt

Chair Coley, Vice Chair Uecker, and members of the committee, thank you for allowing me to submit this testimony on House Bill 228. My name is Lisa Voigt, and I am speaking to you today as a concerned private citizen, mother, and professor at The Ohio State University, where I teach in the Department of Spanish and Portuguese. I believe many provisions in HB 228 would put me, my family, my students, and all Ohioans at greater risk of gun violence.

I began following Ohio's gun legislation after the passage of the bill in December 2016 permitting universities (among other previously gun-free zones such as daycares) to allow guns on campus. I am grateful that OSU continues to prohibit firearms on campus, but my concern about Ohio's gun legislation was further increased after learning that a student of mine had impulsively purchased a gun and made alarming comments to friends about how he was afraid he might use it. This was not a "bad guy with a gun"; this was a good guy whose access to a gun could have made him a bad guy.

I should also say that I am not a gun owner and did not grow up in a household with firearms because, before I was born, my grandfather was shot in the face during a hunting accident and lost his sight in one eye. This accident, of course, is not remotely similar to the suffering of the families of the Sandy Hook and Las Vegas and Parkland and Pittsburgh victims and countless others. However, it is a reminder that guns, even in the hands of "good guys," are dangerous and can have devastating consequences.

Three provisions in the bill particularly concern me: Stand Your Ground or the removal of the "duty to retreat," the reduction of penalties on concealed carry without a permit, and the "punitive preemption" provision. As a professor and researcher, I know that we can understand and find solutions to problems through research and study, and few problems are crying out for solutions more than the epidemic of gun violence that kills 96 Americans every day, far more than any comparable country.

Because many states passed Stand Your Ground laws over a relatively short period of time, their impact can be and has been studied, and there is no excuse not to learn from this research. I was easily able to access several studies through Google searches. A 2012 study showed that in the 21 states that passed Stand Your Ground laws between 2000 and 2010, there was no evidence that crime was deterred, and homicides increased by 8% (<http://www.nber.org/papers/w18134.pdf>). In Florida, after the passage of Stand Your Ground in 2005, homicides by firearm rose by an alarming 31.6%, according to a 2016 study published in the Journal of the American Medical Association (<https://crimeresearch.org/wp->

[content/uploads/2016/11/loi160090.pdf](https://www.urban.org/sites/default/files/publication/23856/412873-Race-Justifiable-Homicide-and-Stand-Your-Ground-Laws.PDF)).

Research also shows that Stand Your Ground laws have a disproportionate effect on people of color (see for example <https://www.urban.org/sites/default/files/publication/23856/412873-Race-Justifiable-Homicide-and-Stand-Your-Ground-Laws.PDF>, which found that Stand Your Ground laws worsened racial disparities in justifiable homicide determinations)—a point that your colleague Representative Stephanie Howse was trying to make when the bill was discussed in the House a few weeks ago before she was interrupted and silenced by the Speaker.

We should also trust the perspective of law enforcement officials on this issue. At one of the hearings on HB 228, the Ohio Association of Chiefs of Police testified that “there are strong public policies for preserving the sanctity of life on one hand, and on the other hand, for allowing one to protect [one]self from harm. Allowing citizens to ‘stand-your-ground’ upsets this balance. It allows the killing of an individual in certain situations where the death could have been avoided [...]. Remove the duty to retreat, and you remove a legal constraint that will allow pride, passion, and ego to prevail over common sense.” Indeed, that seems to be what happened in Fort Lauderdale in August after a parking space dispute that ended with the shooting death of an unarmed black man who was backing away, six years after George Zimmerman shot and killed Trayvon Martin in Florida.

I am also concerned about this bill’s effective removal of another legal constraint: the CCW permit. Ohioans overwhelmingly support requiring a permit to carry a concealed weapon—as many as 90% of Ohio voters, according to a March 2016 survey (Survey USA). I recently heard Dr. Cassandra Crifasi, a gun owner and enthusiast and a gun policy researcher, speak at the Glenn School of Public Affairs at OSU, where she mentioned her research on the repeal of Missouri’s permit-to-purchase handgun law in 2007, which resulted in a 23% increase in homicides ([https://www.cbsnews.com/htdocs/pdf/missouri\\_background\\_checks.pdf](https://www.cbsnews.com/htdocs/pdf/missouri_background_checks.pdf)).

When she was asked about the most effective policies to reduce gun violence, Dr. Crifasi clearly stated that the most important one is strong permitting requirements. When I told her after her talk about the provision in HB 228 that effectively eliminates the incentive for compliance with Ohio’s permitting requirements by reducing the penalty to a minor misdemeanor, she said that she was sorry to hear that Ohio was moving in precisely the wrong direction.

As Colonel Paul A. Pride of the Ohio State Highway Patrol testified in a hearing on SB 180, the companion bill to HB 228, this provision “removes all incentive for individuals to go through the permitting process, and it shields the criminal element—those who cannot pass a background check—from a custodial arrest.”

Louis Tobin, executive director of the Ohio Prosecuting Attorneys Association, called this “protection for the not so law-abiding” in his column opposing the bill in the *Dispatch* on April 22, 2018. I would add that otherwise law-abiding individuals, like the student I mentioned earlier, would be more likely to carry weapons without a permit—and, because of impulsive

decisions, perceived threats, or mental health crises, *use* them—should this bill be enacted.

Finally, I am concerned about the provisions in the bill that would allow out-of-state special interest groups to sue Ohio cities and towns for enacting gun safety legislation. This would prevent local officials from even attempting to find local solutions to gun violence—and allow lobbyists and lawyers to enrich themselves at taxpayer expense if they do. Here again we can look to the evidence of the impact of prior legislation—in this case, Ohio’s own preemptive legislation, which passed in 2006.

If we accept the Buckeye Firearms Association’s argument that local ordinances do “little to deter crime,” we would not expect to find a big increase in gun violence after the passage of preemption laws. However, in the period 2007-2017 gun homicides rose an alarming 60% in Ohio’s six big urban counties, and 39% in the rest of the state (this translates to 14,882 Ohioans killed by gunfire, including 5334 homicides and 9079 suicides; see <https://www.cleveland.com/expo/news/erry-2018/11/3f0e1f045b4884/as-ohio-gun-deaths-continue-to.html>). Clearly, *less* local gun safety legislation does not decrease gun violence.

As a result, the city of Columbus, where I live (and where there were 117 shooting deaths last year alone) recently passed eleven common-sense measures that are designed to address gun violence in ways that comport with state and federal laws. I do not see among these ordinances anything that creates a burden for “law-abiding citizens traveling from one city to another,” the other reason cited by the Buckeye Firearms Association president for preemption—and yet they have already initiated a lawsuit that will cost taxpayer money.

Most importantly, I do not see, in any of the provisions of HB 228 that I have discussed here, anything that will reduce gun violence and gun deaths, which I assume—or at least hope—is a goal we all share. On the contrary, the evidence (some of which I have cited here, which I hope you will familiarize yourselves with before voting) shows clearly that some of these measures would increase them.

Ohioans expect our legislators to find solutions to the epidemic of gun violence in Ohio, from suicides to mass shootings to rising homicide rates, and HB 228 is not one. In fact, it is just the opposite—a bill which promises to make the epidemic even worse. Please oppose this law, for the safety of all Ohioans.

Respectfully submitted,



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