

Senate Government Oversight and Reform Committee
Tom Plummer
Proponent Testimony on Senate Bill 237

Chairman Coley, Vice Chair Huffman, Ranking Member Craig, and members of the Government Oversight and Reform Committee. Thank you for allowing me to testify today in support of Senate Bill 327.

My name is Tom Plummer. I am a legislative coordinator for Ohioans for Concealed Carry. OFCC was founded in 1999 as a state-wide grass roots volunteer organization. Our mission is to protect, reform, and expand gun rights for all citizens.

Many OFCC members carry handguns daily, I among them, for the past 15 years. I'm glad to explain why we support Senate Bill 237.

We know that if we are suddenly faced with a threat of death or great bodily harm, we have little time to think and less time to act. In the blink of an eye, we need to mentally check several boxes. Innocence. Imminence. Proportionality. Reasonableness. Avoidance. If the boxes are all checked, we need to do our very best to protect ourselves and our families and survive.

Senate Bill 237 does not eliminate even one of those boxes, but it does do several important things. I'll mention three.

- First, Senate Bill 237 does not eliminate the duty of avoidance, but it does eliminate a duty to retreat from any place a person lawfully is. If a person can foresee a situation that involves the risk of death or great bodily harm, that person can and should avoid it. But if an innocent person is suddenly confronted with a deadly criminal threat, up close and personal, that person should be free to do what a reasonable person would do—use force, including deadly force if need be, without delaying a response to weigh the odds of a successful retreat.

- Second, Senate Bill 237 recognizes the role of a defensive threat of deadly force, and explicitly allows it. The following incident took place several years ago not far from my home. It was reported in the *Columbus Dispatch*. A young woman was walking along a path in a park. Two men appeared suddenly, walking towards her. One carried a baseball bat. He said, "You need to come with us." She drew her handgun, pointed it at him, and said, "I have this, and I know how to use it!" The men turned around and walked away.

- Lastly, Senate Bill 237 provides for pretrial immunity hearings, in both civil and criminal cases, when the defendant files a pretrial motion claiming that he or she threatened or used force in self-defense. These provisions discourage the filing of nonmeritorious tort actions, and lessen the prospect of prosecution, for defendants with meritorious claims of self-defense, who through no fault of their own find themselves in deadly peril.

I'll be pleased to answer any questions you may have.



GOVERNMENT OVERSIGHT AND REFORM COMMITTEE

Witness Form

Today's Date 12-3-19

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Organization Representing: Ohioans for Concealed Carry

Testifying on Bill Number: SB 237

Testimony: Verbal Written Both

Testifying As: Proponent Opponent Interested Party

Are you a Registered Lobbyist? Yes No

Special Requests: _____

