GOVERNMENT OVERSIGHT AND REFORM COMMITTEE

WITNESS TESTIMONY

**PROPONENT – SENATE BILL 237**, the Ohio Duty to Retreat Act (“STAND YOUR GROUND” ACT)

Senator Terry Johnson

Cosponsors: Senators McColley, Brenner, Hoagland, Obhof, Schaffer, Rulli, Roegner

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We do NOT have a gun problem. We DO have an aggression problem. Guns, knives, bats and clubs, bricks and rocks, chemicals, fists, even the jawbone of an ass, are only tools. Controlling or eliminating tools will NOT control or eliminate aggression**. Senate Bill 237** provides reasonable DEFENSE against aggression and victimization by both the perpetrator and the government.

I am 69 years old. I am a law-abiding American and Ohio citizen. Like others in our aging population, I have mobility issues and some physical limitations. Outside the confines of my home or vehicle, where the Castle Doctrine applies, I am at risk in places where I have the legal right to be present. Public places such as parks, stores and malls, offices, theaters, night clubs, schools, churches, even public streets have become potential shooting galleries with targets who cannot defend themselves or fight back, especially in “gun free zones”. If confronted by an aggressor who is intent on committing a violent attack or otherwise doing harm, I have **only two legal options**.

1. Call 911 and/or scream for help and hope someone will intervene.

Problem - Time is wasted, there might not be anyone near, willing, or able to help. While I wait for help to arrive, the aggression continues.

Result – I am injured or I die.

1. Attempt to retreat.

Problem - I’m too slow to escape and too physically limited to defend myself.

Result- I am injured or I die.

NO “STAND YOUR GROUND”

Currently an independent “stand your ground” law is NOT an available legal defense option. If I stand my ground without first attempting to retreat or if I even display a defensive weapon to pause or de-escalate the situation, I can be subjected to arrest, criminal and civil prosecutions, incarceration, vast financial liabilities, and lose the ability to even own a defensive weapon, even though I am not the aggressor.

Result – I am victimized twice, first by the aggressor and then by the legal system.

WITH “STAND YOUR GROUND”

**Senate Bill 237** gives me a **third, legal and more viable, option**. I can immediately stand my ground without retreat, warn the aggressor that I intend to defend myself by displaying a defensive weapon as incentive to get the aggressor to back down, and ultimately, only if necessary, use the defensive weapon as a last resort.

Result - I may have immunity from legal action via affirmative defense. I have a better chance of survival.

CONCLUSION

No person should be limited to home or vehicle, where the “Castle Doctrine” is the only affirmative defense.

No person should be penalized for exercising immediate self-defense by any means from a violent or life-threatening attack in ANY place where he or she is lawfully present.

For the survival of myself and others, **PLEASE SUPPORT AND PASS SENATE BILL 237.**