Josiah Lanning

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Distinguished members of the Senate Finance Committee:

 My name is Josiah Lanning. I stand before you here today as a lifelong resident of the State of Ohio and a strong proponent of Senate Bill 237. In order to adequately understand from my perspective why Senate Bill 237 is a vital piece of legislation, let me provide the context which I have utilized to determine my support.

As an infant, I was diagnosed with cerebral palsy – a physical disability which has created a unique set of challenges for my physical, social, and intellectual development. Nevertheless, I have continued to overcome any challenge set before me, having recently graduated from the Ohio State University with a Master’s Degree in Public Administration. Growing up as member of the largest minority community in the United States, the disabled community, has provided me a unique perspective on a variety of public policy issues, including self-defense polices and the debate surrounding “stand your ground” measures.

Currently, in order for an individual to assert their actions were in self-defense, there are three required elements: (1) The individual asserting self-defense must not have been at fault in creating the situation, (2) the defendant had a bona fide belief that he/she was in imminent danger of death or great bodily harm, and (3) the defendant did not violate any duty to retreat.

As an individual who is physically confined to a wheelchair, Ohio’s “Duty to Retreat” is a significant burden to not only my claim of self-defense but it also endangers my overall safety. Under the current law, if I were to be attacked, I would be faced with the decision of either to: (1) physically retreat, meeting my legal duty to claim self-defense, or (2) physically defend myself. Due to my disability, I use the same hand to drive my power wheelchair which I would utilize for self-defense. If I were to display some sort of physical retreat with my wheelchair, it is unlikely I would be able to adequately deploy a firearm to defend my life, prolonging the imminent danger of death or great bodily harm. On the other hand, if I resort to defense of my life with a firearm prior to meeting the duty to retreat, my fate rests, in large part, in the hands of the judicial system which may or may not be empathetic to my physical limitations.

Senate Bill 237 would remove the legal duty for me to retreat so long as I am engaged in legal activity from a place where I am lawfully present. As someone with a physical disability, Senate Bill 237 would allow me the ability to defend myself from imminent danger of death or great bodily harm without the fear of potential prosecution for my physical inability to safely meet this third legal requirement to assert self-defense. Thank you for your time and consideration.

Sincerely,

 Josiah Lanning