



State Representatives Tom Brinkman & Kris Jordan Sponsor Testimony- HB 227

Chairman Wilkin, Vice Chair White, Ranking Member Sweeney, and members of the House Government Oversight Committee, on behalf of gun owners across our state, thank you for bringing HB 227 forward to the committee for testimony today.

Constitutional Carry is a simple concept – if you are legally allowed to possess a weapon, you are legally allowed to carry that weapon for any lawful purpose with no additional licenses, fees, or bureaucratic paperwork required.

Our bill would not eliminate the current Concealed Handgun License (CHL) system. However, it renames the license as a Concealed Weapons License (CWL) and expands the variety of self-defense tools that Ohioans may wear a coat over. This would include allowing an Ohioan to carry any weapon that is not a restricted weapon for self-defense – if he or she so wishes.

HB 227 makes the CWL optional. If an Ohioan wants to obtain a license for reciprocity purposes, they will continue being able to do so as the current ‘shall issue’ law would remain unchanged. However, they would not be required to.

Over the past year and a half, many states and their governors have demonstrated to law-abiding gun owners that leaving rights to be managed by government is begging for trouble. When government has the power to completely halt or severely delay CHL renewals during declared ‘emergencies’, gun owners rightly start to question why government permission is necessary to begin with – and that’s what is happening in states all across America today.

It is important to point out that it is currently legal in this state to carry a firearm openly. There is no state mandate for training, there is no state mandate for licensing, and we certainly do not have a problem with these open carriers accidentally shooting people or becoming vigilante justice administrators.

However, most gun owners know that openly carrying their firearm is not always practical. In order to avoid unnecessary hassle from the public or law enforcement, one may decide to put a coat or jacket over their firearm. Sadly, that individual instantly turns into a felon if they have not gone through some the government-mandated rigmarole first, which is a violation of their God-given rights stipulated under the Second Amendment to the U.S. Constitution and Article 1, Section 4 of the Ohio Constitution, which says that “The people have the right to bear arms for their defense and security.”

Current disqualifiers on owning firearms at the Federal level would remain in effect under the bill. Constitutional Carry would not allow criminals any ability to own or carry firearms while committing criminal acts.

We know that some will argue that we need to take gun restrictions further by expanding the failed background check system. However, the background check system can't stop killers. The Charleston, South Carolina church murderer was not stopped by a background check. The Aurora, Colorado movie theater murderer passed a background check. The Naval Yard murderer in 2013 passed a background check. More recently, the Boulder, Colorado supermarket shooter, the Parkland, Florida murderer, Las Vegas mass shooter, and the Sutherland Springs, Texas shooter passed a background check. In the case of the Las Vegas shooter, he passed a multitude of background checks before committing his criminal acts.

Both of the Ft. Hood shootings, the Virginia Tech shooting, and the Tucson shooting that injured former Congresswoman Giffords. – All of the murderers in these cases bought their guns legally and passed a background check. It did not stop any of them from carrying out violent criminal acts that resulted in loss of life.

Adam Lanza, the Newtown, Connecticut killer, did not even subject himself to the background check system before murdering innocent children and teachers at Sandy Hook Elementary School in 2012. The weapons that he used were legally purchased by his mother, who passed a background check. He stole her firearms, murdered her, and then went onto the school. Criminals like Adam Lanza, intent on committing murder, will find a way to do their evil deeds regardless of the laws in place. Unfortunately, this is a common criminal practice across our country, and across the world.

Clearly, the regulations and restrictions that are in place currently are not stopping violent crime and only serve as barriers for law-abiding citizens who are trying to possess and carry weapons for self-defense, and for the defense of their loved ones. In fact, a 2015 study from the Crime Prevention Research Center's Annual Report would seem to

indicate that states with Constitutional Carry laws have lower crime rates than states with mandated license systems – simply because criminals know there is an even greater chance that a would-be victim may be armed.

Constitutional Carry laws are being enacted in more and more states across the country and has widespread support in the gun rights community.

Over the past few months Utah, Montana, Iowa, and Tennessee have passed and signed these laws into effect.

In fact, there are 19 states that have a version of Constitutional Carry legislation on the books. This includes two of our neighboring states – Kentucky and West Virginia.

Constitutional Carry recently passed the House in Indiana and is also moving in the commonwealth of Pennsylvania and even Michigan – very soon, we may be surrounded by Constitutional Carry states.

We believe that training is essential to properly using and carrying weapons appropriately, but gun owners certainly don't need a state mandate to force them to acquire it.

In fact, we have seen that in states that have relaxed carry laws, more law-abiding gun owners are seeking training and obtaining a license after the license became optional rather than when it was government mandated.

In addition to making the current license system optional, HB 227 would remove Ohio's "duty to notify" statute that currently requires a citizen to 'promptly' notify a police officer upon contact that they are carrying a firearm.

Current law says that an individual who is openly carrying a firearm without a license does not have to notify a law enforcement officer when they come into contact with one another in a regular encounter.

However, a person openly carrying a firearm is mandated to notify an officer if the individual simply possesses a concealed handgun license and could be charged with a crime for failing to do so. Ohio has had several instances in which otherwise law-abiding citizens are being charged for not notifying an officer quickly enough that they were exercising their Second Amendment rights.

The fact is, killers, rapists, kidnappers and other violent criminals don't obey this law anyway, and it should additionally be noted that nothing in the bill prevents law

enforcement officers from asking if someone is armed during a confrontation. In fact, law enforcement will often operate under the assumption that everyone is armed, until otherwise revealed.

Law-abiding citizens exercising their Second Amendment rights are some of the finest citizens in the state of Ohio. They respect the rule of law and they respect our excellent law-enforcement community, much unlike you see with these riots and mobs on the streets today.

It is time for Ohio to take what is clearly the next step in defending the Second Amendment at the state level by passing HB 227.

Thank you for your time, and I would be happy to answer any questions that you may have.