

END THE CRISIS OF GUN VIOLENCE IN OHIO

MEMBERS OF THE OHIO HOUSE OF REPRESENTATIVES MUST HELP PREVENT GUN DEATHS BY REJECTING HOUSE BILL 381.

GUN VIOLENCE IN OHIO IS A CRISIS

Gun violence poses a serious risk to the public safety and human rights of Ohio residents. Over 1,400 people die as a result of gun violence in Ohio every year – one person every six hours – and it is the second-leading cause of death for Ohio children ages 1 to 17.

The Ohio Legislature tried and failed to pass a Stand Your Ground law in 2018. Opponents included the NAACP, the Ohio Fraternal Order of Police, the Ohio Prosecuting Attorneys Association, and the Ohio Association of Chiefs of Police. Testimony from these groups addressed both the dangerous and unnecessary nature of the legislation. The bill number has changed, but the facts remain the same: HB 381 is unnecessary due to existing Ohio law governing self-defense and would reasonably lead to an increase in gun homicides in the state.

DANGER TO PUBLIC SAFETY

Everyone has the right to self defense. But research shows that Stand Your Ground laws actually endanger lives and public safety – effectively defeating the theoretical purpose of the policy. The American Medical Association found that Florida’s implementation of this law led to a 24.4% increase in homicides overall and a 32% increase in firearm-related homicides specifically¹.

The public safety threat presented by HB 381 is compounded by the consideration of HB 178 which would allow individuals to carry a firearm with no requirement for training on how to safely handle a firearm, receive live-fire training, effective judgement training, and shoot/don’t-shoot scenarios training.

Removing any requirement for training (especially judgement within scenarios when lethal force could be used) combined with the emboldening “shoot first” mentality encouraged by HB 381 creates an especially dangerous environment.

It should be a matter of universal agreement that the objective of any new legislation should be to bolster the safety and livelihood of Ohio residents. Both of these bills would achieve the opposite.

DISCRIMINATORY IMPACT

The American Bar Association found that the application of Stand Your Ground laws is “unpredictable, uneven and results in racial disparities”, also finding that interracial homicides spiked in the states that had these laws². A study of data from 23 states with Stand Your Ground laws also found that white homicide defendants with black victims were more likely to have their homicides ruled justified than black defendants whose victims were white³.

HB 381 IS UNNECESSARY AND DANGEROUS

HB 381 is completely unnecessary, in addition to being dangerous. Ohio already subscribes to the “Castle Doctrine” which requires no duty to retreat before using lethal force when defending yourself and your property while in your home or vehicle.

The “duty to retreat” exists to minimize the use of deadly force to incidents where there is no safe alternative. “Retreat” in this context means to mitigate, defuse or otherwise withdraw from the situation, if the person has a reasonable means of doing so.

This is a standard by which we all operate as private persons – instead of throwing a punch at the first sign of a threat, we expect individuals to at least attempt to deescalate or walk away, resorting to violence only when absolutely necessary.

HB 381 would remove any “duty to retreat” before shooting to kill in any location, even in circumstances where it would have been possible to simply retreat and spare someone’s life.

This would effectively allow private individuals to be held to a lower standard on the use of deadly force than law enforcement officials. This is one reason why law enforcement across the state of Ohio have spoken out against Stand Your Ground.

RECOMMENDATION TO OHIO REPRESENTATIVES

Members of the Ohio House of Representatives must **reject HB 381.**

1 D.K. Humphreys, et al., Evaluating the Impact of Florida’s “Stand Your Ground” Self-defense Law on Homicide and Suicide by Firearm: An Interrupted Time Series Study, JAMA (January 2017), www.jamanetwork.com/journals/jamainternalmedicine/fullarticle/2582988

2 American Bar Association National Task Force on Stand Your Ground Laws, Report and Recommendations, American Bar Association, September 2015, at 2, www.americanbar.org/content/dam/aba/images/diversity/SYG_Report_Book.pdf

3 J.K. Roman, “Race, Justifiable Homicide, and Stand Your Ground Laws: Analysis of FBI Supplementary Homicide report Data”, Urban Institute, July 2013, www.urban.org/UploadedPDF/412873-stand-your-ground.pdf