

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/news/house-bill-796-opponent-testimony>

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Below is our Chief Lobbyist Gary Daniels' opponent testimony on House Bill 796. This was delivered to the House Civil Justice Committee Committee on December 16, 2020.

To Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, thank you for this opportunity to provide the following opponent testimony on House Bill 796.

The ACLU of Ohio opposes HB 796 because of the likely effect expanding Ohio's "Stand Your Ground" law, as found in this legislation, will have on black and brown people throughout the state.

Indeed, we already know, across the country, people of color are more likely to be stopped, searched, ticketed, arrested, convicted, imprisoned, imprisoned for longer sentences, sentenced to death, and actually executed than their white counterparts. We are concerned HB 796 will lead to more of the same disparate impacts found in our criminal legal system.

When looking at national crime data, we also know of the gigantic racial disparities when it comes to justifiable homicides. That is, when the shooter is white and the victim black, the chances that homicide will be found justified is significantly greater than when both the shooter and victim are white (and when the shooter is black and the victim white or black).

This applies in states that do not have your Stand Your Ground laws and those that do. In fact, this difference is further exacerbated in states *with* Stand Your Ground laws. To give you an idea of the magnitude, a 2013 study by the Urban Institute that examined FBI crime data concluded, in states with Stand Your Ground laws, a white shooter is 350% more likely to have their homicide ruled justified when the victim is black versus when the victim is white.

If the Ohio legislature is intent upon expanding Ohio's Stand Your Ground law via HB 796, at the very least, this bill should be amended to include reporting and data collection requirements so we all may follow the effects of this expansion.

Obviously, statistics on the races of the accused and the victims would be included, among other useful data. Only with reliable data can Ohio examine and determine any further needed fixes or changes should HB 796 become law. What possible reason or justification could there be for not collecting and reporting such data?

Because we are confident what this type of data collection would reveal regarding racial impact and disparities resulting from the enactment of this law, the ACLU of Ohio urges this committee's rejection of House Bill 796.

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