



Ohioans for Concealed Carry, Inc.

2005 Ohio Concealed Handgun License Report *Ohioans For Concealed Carry (www.OhioCCW.org)*

April 8, 2005

*The people
have the right
to bear arms
for their
defense and
security*

Ohio Constitution,
Article I, Section 4

OFCC Marks One Year Anniversary of Ohio CHL law

OhioCCW is a success!

In the first 270 days under the new law (April - December 2004), 45,497 standard licenses, and 65 temporary emergency licenses were issued to Ohio residents.

OFCC has already documented several licensed citizens who have defended their lives when violently attacked. Most instances of armed self-defense never make headlines.

At the end of 2004, this law has already proven to be one of the most successful pieces of consumer legislation in state history. As we mark the first anniversary, nearly 50,000 Ohioans are projected to have taken advantage of it! What other consumer protection program, other than the "do not call" registry, has this kind of participation? Ohio is issuing approximately 175 concealed handgun licenses PER DAY.

Ohio CHL-holders have proven to be much more law-abiding than even OFCC predicted they would be. Only 42 CHLs (0.09%), have been revoked in the first nine months. And just 78 CHLs (0.17%), were suspended for any reason, and often reinstated later.

Considering the challenges applicants have faced in the first 270 days (and which many still do face), the fact that 45,562 licenses were issued to Ohio residents (nearly 1 percent of eligible applicants) sends a strong message that the choice for armed self-defense is in serious demand in our state.

The State of Minnesota passed a similarly restrictive shall-issue concealed carry law in 2003. In that first year, 9,100 new licenses were issued (0.17% of the population). The State of New Mexico began issuing licenses in 2004, and issued 2,201 licenses (0.11% of the population). Looking farther back in history, the State of Florida issued 33,150 licenses in 1988, the first year of that state's now vaunted (and copied) CCW law.

OhioCCW is proving to be one of the most successful programs in the state.

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Where is the Mayhem?

Perhaps the biggest news isn't how right proponents of this legislation are, but how WRONG gun ban extremists are. As you read the following comments, compare them to your own experience this past year.

In April 2004, gun ban extremist Toby Hoover, who fronts what often appears to be a one-woman show at the Ohio Coalition Against Gun Violence, was quoted in several Gannett News Service as saying, "If we have more use of guns, then we're going to have more people who are injured and die." In 2001, she told the Cincinnati Post if concealed carry became law "we will have more shootings, more accidents" because "a person who has a gun sees danger." After hearing Hoover testify against concealed carry in 2001, one Columbus Dispatch reporter summarized her testimony like this: "Gun-control advocates said it would put too many guns in malls, parks and workplaces, causing fights and accidental shootings."

In 2003 the Brady Campaign's (Handgun Control Inc.) John Shanks offered Senate testimony that "we believe immediate access and availability enhances chances for firearms violence. When you introduce firearms, a situation that would not normally result in deadly violence can be tragic."

In 2003, Lori O'Neill of the Brady Campaign's Million Mom March in Cleveland wrote of pro-gun groups that "it's all guns all the time, regardless of how many children, law enforcement officers and ordinary people die each year because of easy accessibility to firearms."

On January 8, 2004, Senator Eric Fingerhut told the Cleveland Plain Dealer that "It's going to lead to tragedies and accidents of all kinds." And in 2001, he told the Cincinnati Post that "the presence of a gun is actually likely to escalate violence."

On Jan 9, 2004, Summit County Sheriff Drew Alexander said the new law "terrifies our people." Akron Mayor Don Plusquellic said "We took guns away from the Wild, Wild West more than 100 years ago, and we're revisiting it. I really think it's a sad day."

Compare these predictions to what these law-enforcement officers have to say about the past year:

Clermont County Sheriff A.J. Rodenberg Jr.: "I can see something positive out of Clermont being ranked at the top for [CHLs] issued. Maybe the bad guy sees that lots of citizens out there in Clermont County have the permits, so he'll go to another county to commit his crime ... It levels the playing field for the good guys against the bad guys."

Clark Co. Sheriff's Sgt. Bob Chadeayne: "Ninety-nine percent of the people are just great, everyday, honest people who want to have the right to have some sort of protection. The bad guy has always had the advantage because they had the gun or the knife. The average law abiding citizen had a handicap to the people who wanted to prey upon them."

Clark Co. Sheriff Gene Kelly: "Gun battles forecast by opponents have not materialized. Most (licensees) are homeowners, responsible and retired. They want a feeling of personal protection. There is still a lot of crime and people are in fear."

Coshocton County Sheriff Lt. Jim Crawford: "(The sheriff's office) anticipated some phone calls from concerned residents that might notice people carrying weapons. That hasn't happened, which is great."

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Medina County sheriff's secretary Donna Vickers: "There's no one I've seen apply who I have a concern that they will not abide by the law. People seem to want to see the law carried through as it's meant to be."

Portage County Sheriff Duane Kaley: "...So far it has been uneventful. We think the process has gone very smooth."

Summit County Sheriff's Office general counsel Christine Croce: "The Summit County Sheriff's Office has not seen any incidents involving a concealed license holder as an aggressor or victim."

Tuscarawas County, Lt. Lon McEnroe: "Most of the people that I've had go through the application process are level-headed people."

Wayne County Sheriff's Capt. Doug Hunter: "We operate the same way we did prior to the application of the CCW law. So far, on every occasion, the [license] holders have been in compliance with the law and there have not been any negative encounters."

Buckeye State Sheriffs' Association executive director Robert A. Cornwell: "All the things we heard about how it was going to be the gunfight at the O.K. Corral just didn't come true."

These law enforcement officials confirm what OFCC always asserted: the armed citizenry of Ohio is no different than the citizens of over forty other states that have "been there, done that" without problems.

The false claims from gun ban extremists didn't stop when the law was passed. In February 2004, Toby Hoover suggested that the background investigation couldn't be conducted without violating the HIPAA (medical privacy act) standards. And in April, Hoover filed an ill-advised Ohio Supreme Court actions attempting to force Sheriffs to not take applications. In a unanimous decision, the Ohio Supreme Court tossed Hoover's lawsuit, and as can be seen from the annual report by Attorney General Jim Petro, background checks ARE working properly.

When questioned about her false claims by the Columbus Dispatch last fall, Hoover said Ohio's experience is in line with other states. "Not too much is unexpected," she said. Right.

This year, Hoover's new mantra is to observe that since most Ohioans will not obtain licenses, the fact that some will is "not acceptable" to the rest. But a 2004 Zogby poll found that 79% of Americans support Right-to-Carry laws, although statistics from other states prove nowhere near that number will ever obtain licenses.

Gun ban extremists efforts to encourage businesses to post signs banning CHL-holders is backfiring. OFCC has compiled an extensive list of businesses which have experienced violent robberies despite having posted such signs. To date, 15 major chains and more than 200 other business locations have removed their signs and opened their doors to Ohio Concealed Handgun License-holders.

The next time these extremists offer predictions on the dire consequences of a piece of OFCC-backed legislation, Ohioans will remember just how wrong they were. And that time may come soon.

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Red tape

The only real problems introduced by Ohio's famous "House Bill 12" directly impact the law-abiding license holders, not the general citizenry.

Shortly after the law passed, numerous cities enacted illegal prohibitions in parks or public areas. OFCC responded with education, and in some cases, legal action, and achieved success on many fronts. Litigation on one such case, with the City of Clyde, is still pending, and Attorney General Jim Petro has intervened on OFCC's behalf, to defend the constitutionality of the law.

Two defiant Sheriffs have lost cases filed against them, and third was investigated for wrongdoing. Cuyahoga Co.'s Sheriff McFaul settled a lawsuit, paid all attorney's fees and court costs, and began issuing licenses after a short delay last spring. Last fall, Ohio Supreme Court told Franklin Co.'s Sheriff Karnes he was wrong to demand from applicants additional 'proof' that a temporary emergency license was needed. In a third case, a Shelby Co. grand jury refused to indict Sheriff Kevin O'Leary despite 100% proof that he committed a felony by releasing protected information about CHL-holders to the media.

CHL holders have faced many challenges in their earnest effort to comply with some of the most egregious restrictions imposed on law-abiding gun owners in this country. The General Assembly replaced a felonious state law with a complicated maze of confusion. In the past year, OFCC volunteers have received and responded to more than 3,500 requests seeking interpretation, compliance guidance, and requests for assistance with legal troubles caused by the more poorly crafted sections of the law (and that doesn't include the most frequently asked questions, whose answers can be found on our website).

Based on reports from the Ohio Attorney General's office, approximately 175 Ohioans are obtaining a license each day. While this is good news, we know the overall numbers would be higher if all of Ohio's eighty-eight sheriffs really were accepting license applications on a daily basis, and according to the letter of the law. A combination of economic issues and political posturing have played a role in the widely variable responsiveness of each county sheriff. Sadly, some have committed clear-cut criminal violations without being punished, while many have ignored the issuance deadline as if it was nothing more than a request. The "Shall issue" temporary emergency license is being regarded as optional by a number of Sheriffs, in direct violation of the actual law, utterly failing to address the needs of at-risk populations which include battered women, material witnesses, etc..

What's more, the impact of many Ohio sheriffs' increasingly restrictive application schedules appears to be becoming more severe.

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Restrictive appointment schedules hamper license issuance

As OFCC has been reporting since the day the law took effect, restrictive appointment schedules have significantly reduced the number of applications able to be processed in the first 90 days, and continue to depress the number of licenses which are being issued today. Overall, the enforcement of restrictive appointment schedules by some sheriffs seems to be influencing number of licenses issued even more than the amount of days they accept licenses.

Cuyahoga, Franklin, Hamilton vs. Montgomery:

Cuyahoga: Pop 1,363,888, issued 846
Franklin: Pop 1,088,944, issued 1538
Hamilton: Pop 823,472, issued 1394
Montgomery: Pop 552,187, issued 2249

The three most populous counties in Ohio are Cuyahoga, Franklin and Hamilton counties. While Franklin and Hamilton are open 5 days per week, and Cuyahoga 3 days, each county also requires appointments, which can limit the number of applicants to 40 per week or less.

As a result, Ohio's most populous counties rank at the very bottom when ranked according to percent of population licensed: Licenses issued by these three county sheriffs amount to just 0.062% of Cuyahoga Co.'s population, 0.141% of Franklin Co.'s, and 0.169% of Hamilton Co.'s.

By comparison, Montgomery County Sheriff Dave Vore (Ohio's 4th most populous county), accepts licenses 5 days per week, and does not require appointments. As a result, only one other county out-ranks Montgomery County in total number of licenses issued, and the number of licenses issued as a percentage of population are nearly four times higher there than in Franklin, Hamilton and Cuyahoga Co.'s.

Only 1 of the top 9 county license issuers (highest number of licenses issued) require appointments. The bottom 5 (lowest number of licenses issued) all require appointments. In all, 36 (41%) Ohio sheriff's require appointments.

There is every reason to believe more residents in these restrictive counties are carrying than these numbers suggest. Thanks to an extremely important provision in the OhioCCW law, which allows residents to apply for a license in a neighboring county, obstructionist sheriffs are reducing, but not halting, the ability of their constituents to obtain CHLs.

Although none of the top 3 populace counties (averaging almost 1.1 million in population) are among the Top 6 list for licenses issued, 5 of the Top 6 counties border one of these three. Clermont and Butler border Hamilton; Summit, Lorain and Geauga border Cuyahoga. Additionally, Madison County, which borders Franklin, ranks first among all 88 counties when they are ranked according to licenses issued as a percentage of population. Licenses issued in Madison County amount to 2.267% of the population there. Only one other county with similar population to Madison's even exceeded 1%, and most were around 0.50%.

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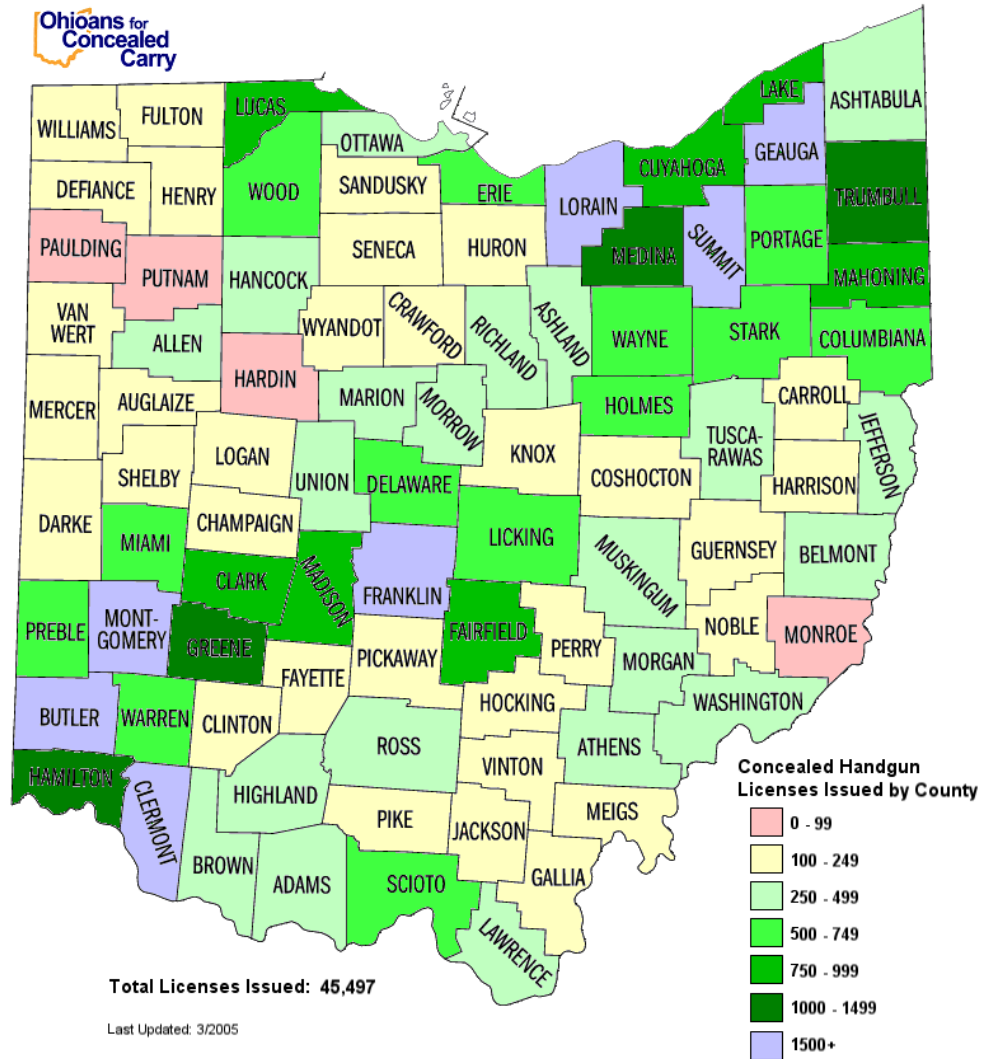


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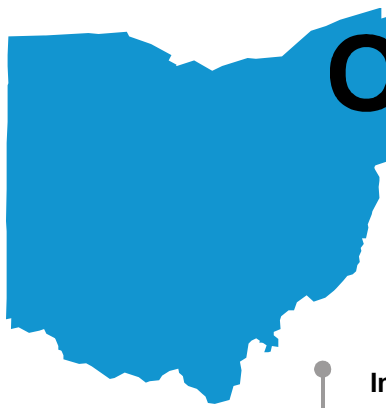
The map below depicts areas where county sheriffs are doing their jobs extremely well, and also depicts high population centers that where few applicants (per capita) are able to be processed. It is these counties which continue to skew Ohio's totals.

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Improvements needed

Observing the law in action for these past ten months has given us the ideal opportunity to test and prove our concerns on a broad range of problems that exist with Ohio's concealed handgun license law. Recently, representatives of OFCC have been meeting with members of the General Assembly to discuss these concerns.

Chief among the most urgent needs for improvement is a repeal of the ridiculous "plain sight" language, which dictates the manner in which license-holders may carry and store their firearms in a motor vehicle. It is accepted by most law enforcement agencies, attorneys and pro-gun organizations that this provision is a legal black hole that is in desperate need of change. No other state has such egregious restrictions, and nearly half of all states in the nation require no license at all to keep a firearm in a motor vehicle for protection while traveling.

Second, many municipal governments are currently enforcing gun control laws restricting Ohio's CHL law, which was enacted as a general law of the state. Ohio needs to pass legislation stressing that Ohio's self-defense initiatives preempt all local gun control.

Third, legislators should act now to close the Media Access Loophole, which is currently being abused by newspapers and television stations statewide. Despite having used it as justification for the law, newspapers have shown no interest in utilizing this access as a means of proving just how law-abiding CHL-holders are. Our organization is unaware of a single news report involving criminal use of a concealed firearm indicating whether or not the suspect was a CHL holder. Instead, their only goal seems to be an effort to stigmatize licensees as potential criminals, much like rapists and sexual predators are required to identify themselves to their neighbors.

Entire lists of applicants have been printed. In at least one case, discrimination against CHL-holders has resulted in a family being evicted from their home. Anti-gun extremists have publicly advocated discrimination by encouraging employers to misuse these lists to weed out potential job applicants. Representative Bill Seitz, a long time friend of Ohioans For Concealed Carry, has proposed an amendment to a piece of "open records" legislation, which would define licensee-identifying information as private and close the Media Access Loophole. We support this effort.

As Ohio's primary concealed carry reform advocate, we have been and continue to be in constant contact with Rep. Jim Aslanides, and other lawmakers, to assure that the rights of Ohio's law-abiding gun owners, and our members, are protected.

Ohioans For Concealed Carry looks forward to continuing our work with Representative Aslanides, and hope that Governor Taft recognizes that the current law is in need of reform.

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Ohioans For Concealed Carry, formed in 1999, seeks to protect and defend the constitutional right of Ohioans to carry firearms for self-defense, as guaranteed in the Ohio Constitution, Article 1, Section 4. For more information, see our website at www.OhioCCW.org.

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