

OHIO ASSOCIATION OF MAGISTRATES

THE VOICE OF OHIO MAGISTRATES

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February 7, 2024

The Honorable Nathan Manning
Chair of the Senate Judiciary Committee
Senate Building
1 Capitol Square - 039
Columbus, OH 43215

[VIA EMAIL TO manning@ohiosenate.gov]

Re: House Bill 272

Dear Senator Manning:

The Board of Trustees of the Ohio Association of Magistrates has reviewed HB 272 and correspondence from the Ohio Judicial Conference regarding the serious concerns with this proposed legislation. Specifically, please reference the letter from the Ohio Judicial Conference dated October 18, 2023, which is attached to this letter.

As Magistrates working in the courtrooms subject to the provisions of HB272, we concur in the assessments, serious concerns, and judgment of the Ohio Judicial Conference.

Thank you for considering the sentiments of our Association, as we preside over sensitive and intense matters in the courtrooms across Ohio.

Sincerely,



Joseph H. Nemecek, President
Ohio Association of Magistrates

CC: Hon. Adam Mathews [via email – rep56@ohiohouse.gov]
Hon. Paul Pfeifer, Executive Director, OJC [via email – paul.pfeifer@sc.ohio.gov]
Hon. Matt Huffman [via email – huffman@ohiosenate.gov]

Attachment – Letter from OJC



Ohio Judicial Conference

The Voice of Ohio Judges

October 18, 2023

The Honorable Adam Mathews
Ohio House of Representatives
77 South High Street, 11th Floor
Columbus, OH 43215

The Honorable Justin Pizzulli
Ohio House of Representatives
77 South High Street, 13th Floor
Columbus, OH 43215

Re: House Bill 272

Dear Rep. Mathews and Rep. Pizzulli:

The Court Administration Committee has reviewed House Bill 272 and has serious concerns that I would like to share with you.

As an initial matter, the Judicial Conference opposes any efforts to expand the accessibility of deadly weapons in or near court facilities. As we all know, courts are places where disputes are settled, where justice is administered, and where emotions can run high. Every day, court facilities are the sites of volatile, highly emotional proceedings: divorces, child-custody determinations, criminal sentencing in murder and gang-related crimes, competency determinations, employment disputes, and will disbursements, to name just a few examples. And as happened in Jefferson County in 2017, judges can be targets: a common pleas judge there was shot in a targeted, ambush-style attack as he made his way into the county courthouse. While the attack happened outside the courthouse, and thankfully the judge survived and eventually fully recovered, imagine what could have happened had the gunman been permitted to carry a weapon inside the building. The Rules of Superintendence require a prohibition on weapons for these very reasons. For these reasons alone, the Judicial Conference cannot support the allowance of weapons in any facility where a courtroom is located.

Speaking specifically to H.B. 272, we have additional concerns. First, the bill specifies that the exception to the prohibition against carrying firearms into a building that contains a courtroom does not apply if the building is a "courthouse" (see lines 89-90). However, the bill does not define "courthouse." Is it a building that houses only courtrooms? The seats of most county governments are housed in buildings called "courthouses," which contain not only court facilities, but also offices for other county agencies, such as the commissioners, auditor, treasurer, and recorder. The bill's undefined reference to a courthouse would seemingly include these structures, which, it would

appear, goes against the intent behind your bill as described in your sponsor testimony to the House Government Oversight Committee.

Second, the bill also provides that the exception to the handgun prohibition only applies when court is not in session. We question the practicality and logistics of how this would work. How is a person attempting to enter a building to know if court is in session? It would be extremely burdensome to require court employees to post a sign on the door of the building every time a court is gaveled into session, and to remove the sign once the session ends. Additionally, if someone walks into the building with a gun while court is not in session, but is in the building when court goes into session, that person has just unwittingly broken the law. The individual's culpability should not depend upon factors that are outside of both their control and knowledge. It is much clearer to simply maintain the prohibition.

Thank you for considering the feedback of Ohio's judges. I am happy to discuss this matter with you further.

Sincerely,

Paul E. Pfeifer
Executive Director

CC: Rep. Bob Peterson, Chair, House Government Oversight Committee
Rep. Latyna Humphrey, Ranking Member, House Government Oversight Committee