

DRAFT

The Honorable Mike Duffey
Ohio House of Representatives
77 S. High Street, 13th Floor
Columbus, Ohio 43215

The Honorable Stephanie Kunze
Ohio Senate
1 Capital Square, 1st Floor
Columbus, Ohio 43215

Dear Representative Duffey,

In an age of increasing violence and animosity amongst people, sometimes we must remind ourselves that as elected officials our primary goal is to protect the health, safety and welfare of those who put us in positions of leadership. This is one of those times.

In this year alone there have been 58 mass shootings, 694 police involved shootings resulting in the death of 71 uniformed officers and 917 children killed, all from gun violence¹.

As the elected leaders of Worthington, we take an oath to uphold the Constitution of the United States. We therefore, acknowledge the right of law-abiding citizens to keep and bear arms as set forth in the Second Amendment. However, the right to bear arms is not limitless.

In the seminal case of *D.C. v. Heller*², Justice Scalia acknowledged that the right to bear arms was not absolute. He wrote the right is “not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.” *Heller* at 626. More recently, last term the Supreme Court denied jurisdiction in a case involving an assault style weapons ban and just last week the United States District Court of the District of Massachusetts

¹ Gun Violence Archive, 2018. www.gunviolencearchive.org.

² *District of Columbia v. Heller*, 554 U.S. 570, 128 S.Ct. 2783, 171 L.Ed. 2d 637 (2008)

upheld a state ban on assault style weapons and large capacity magazines.³ In so holding the Court wrote “The AR-15 and its analogs, along with large capacity magazines, are simply not weapons within the original meaning of the individual constitutional right to “bear Arms.” In fact Congress itself passed a ban on assault weapons in 1994 only to have it expire of its own terms. Accordingly, reasonable, fair gun control legislation is not a matter of law but rather of political will.

Given this backdrop and at the urging of our constituents, we, the elected representatives of the Citizens of Worthington, ask that you take meaningful steps to enact responsible, reasonable gun control legislation. Specifically we ask:

- For the ban of assault style weapons such as the AR-15. Of the ten deadliest shootings over the last decade, seven involved the use of assault style weapons.
- A prohibition on the sale of high-capacity magazines. States that ban such magazines have half as many shootings involving three or more victims as states that allow them.
- Require universal background checks for the purchase of guns eliminating the “gun-show” loophole. 97% of Americans support such action.
- Enacting a red flag law that will allow weapons to be confiscated from individuals exhibiting defined warning signs until the individual can show-cause why the weapons should be returned.

If the General Assembly is unwilling or unable to advance this simple request then at a minimum appreciate that not all citizens support an unfettered right to carry any type of weapon in any place at any time and restore each city’s ability to carry out the wishes of their

³ *Worman v. Healey*, 2018 U.S. Dist. Lexis 59357 (U.S. Dist. Mass. 2018)

constituents by amending R.C. 9.86 and legislatively overturning *Ohioans for Concealed Carry v. Clyde*. The citizens of Worthington see no reason why it is necessary or permissible for an individual to openly carry an AR-15 into a Worthington Park where our children play. However, that is precisely what Ohio law currently allows. It is our responsibility to speak not only for the rights of law abiding gun owners but also for those who believe that reasonable restrictions are both appropriate and necessary.

We therefore, ask for your support in advancing reasonable, rational, fair gun control legislation.

Respectfully,

On Behalf The Citizens of Worthington

By: _____
Bonnie Michael
President
Worthington City Counsel