

My name is John Howell. I am the Coordinator of a group in Southeast Ohio called Democracy Over Corporations. We urge you to support House Resolution 74. Athens City Council adopted a similar resolution back in 2009. That resolution asked our representatives to adopt a state resolution in support of a Constitutional Amendment to reverse the Supreme Court's decisions that corporations are persons, qualifying them for protection under the human rights of the US Constitution, and that campaign contributions constitute speech protected by the 1st Amendment. Six states have now adopted similar resolutions along with over 300 local jurisdictions nationwide, including at least 16 in Ohio.

The 13th Amendment to the US Constitution eliminated slavery, the ownership of one person by another. Corporations are owned by people, their shareholders. If corporations were persons, they would have been emancipated.

The idea that corporations were persons, protected by the human rights of the US Constitution, arose during the 19th century. The railroad corporations had done well prior to 1886 without corporate personhood. But they wanted more. Although they typically had monopoly control in the regions they served, and were greatly enriching their corporate owners, they didn't like being taxed more heavily than other businesses. They pestered the courts for recognition as persons, so they could claim equal protection under the 14th Amendment to reduce their taxes. Their persistence paid off. The 1886 Santa Clara v. Southern Pacific Railroad case opened the door for a line of subsequent court decisions, including the *Citizens United* decision of 2010. These decisions were based on the right of corporations to equal treatment under the law, that is to say, treatment equal to that of real persons.

Huge amounts of money have been pouring into election campaigns now that the Citizens United decision opened the flood gates, much of it dark money from undisclosed sources. In other countries, when elections are bought, and policy decisions made by elected officials are won through bribes, we call it corruption and condemn it. But the Supreme Court here has simply legalized it by saying that campaign contributions constitute free speech protected by the 1st Amendment. Legalized corruption does not serve the interests of the American people.

Corporations have used this constitutional protection as "persons," not only to open the floodgates for corporate spending in elections, but for other purposes as well: 1) for defending their right to lie (freedom of speech) in advertising (*Kasky v. Nike*, 2000, 2) for blocking inspections by regulatory agencies in order to conceal criminal activity, using the Fourth Amendment protection against unreasonable search and seizure, and 3) for preventing communities from favoring local small businesses by means of differential tax rates and zoning restrictions (*Liggett v. Lee*, 1933).

Corporations have become more powerful than the government itself. Policy now serves corporate interests, not public interests. Our republican form of democracy has been usurped by a corporate oligarchy. Only by restraining corporate power, can the dream of our founders for a new kind of country, free of control by monarchs and the wealthy, which typified governments in Europe in the 18th century, be realized. Let us contribute to the continuation of the American dream by supporting the move toward an appropriate Constitutional Amendment, such as HR 74. I urge your support.

Thank you.