

TO: House Committee on Government Accountability and Oversight

FROM: The Rev. J. Bennett Guess, Executive Director, ACLU of Ohio

DATE: January 31, 2018

RE: House Bill 160, Ohio Fairness Act

To Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde, and members of the House Government Accountability and Oversight Committee, my name is J. Bennett Guess, executive director of the American Civil Liberties Union of Ohio (“ACLU of Ohio”), and I want to express our organizational support, and my personal support, for House Bill 160, the Ohio Fairness Act.

The ACLU of Ohio is extremely supportive of House Bill 160, which will expand legal protections in housing, employment, and access to public services for all Ohioans based on their actual or perceived sexual orientation, gender identity or expression.

This bill offers a strong restatement of First Amendment principles while ensuring there are legal remedies available when discrimination does occur. Many reasonable people inaccurately *believe* these protections already exist, either in federal or state law, but the stark reality is that they do not. Ohio should follow the lead of other large industrial states and pass legislation that will safeguard people in their workplaces, in their homes, and in public accommodations.

As an organization that works closely with communities disproportionately impacted by discrimination, there is need for this legislation. Because of this, already 20 municipalities in Ohio have adopted local ordinances that seek to safeguard against such discrimination, but these legal protections deserve to be statewide, not selective. Affected persons deserve full access to state commissions and courts to ensure that fundamental fairness exists for everyone, including those who are lesbian, gay, bisexual and transgender (LGBT).

Personally, as a United Church of Christ clergyperson, I have known and counseled many LGBT people who have experienced dehumanizing discrimination. I have witnessed the personal impact – and the fear and powerlessness – that too many people feel, knowing that when and if discrimination occurs, there are no just, legal remedies, because state and federal laws do not safeguard them. This is not right; it is not fair.

As a person of faith, as an advocate for civil rights, and as a gay person myself, I believe Ohio has been on the wrong side of history, but today we can begin to remedy that sad reality. The time has come for Ohio lawmakers to do the right thing, to pass this legislation that will make our state more inclusive, safe and fair for all who live and work here. Fairness, no more, no less. That is what this legislation is about.