

# WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: June 5, 2019 \_\_\_\_\_

Name: Christopher R. Hicks \_\_\_\_\_

Are you representing: Yourself  Organization \_\_\_\_\_

Organization (If Applicable): \_\_\_\_\_

Position/Title: \_\_\_\_\_

Address: 444 Woodwick Ct. \_\_\_\_\_

City: Cincinnati State: Ohio Zip: 45255 \_\_\_\_\_

Best Contact Telephone: 513-289-4341 Email: chris@hickspub.com \_\_\_\_\_

Do you wish to be added to the committee notice email distribution list? Yes  No \_\_\_\_\_

Business before the committee

Legislation (Bill/Resolution Number): HB 153 \_\_\_\_\_

Specific Issue: County official vacancy of office \_\_\_\_\_

Are you testifying as a: Proponent  Opponent \_\_\_\_\_ Interested Party \_\_\_\_\_

Will you have a written statement, visual aids, or other material to distribute? Yes  No \_\_\_\_\_

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

How much time will your testimony require? 10 min. \_\_\_\_\_

Please provide a brief statement on your position:

I fully support the bill.

*Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.*

## **CHRIS HICKS PROPONENT TESTIMONY ON HB 153**

Mr. Chairman, members of the committee, thank you for the opportunity to speak on this topic. My name is Chris Hicks and I am from Clermont County, Ohio. Some of today's speakers are from neighboring Brown County, and by now you know the story of Amy Jo DeClaire. She is the elected Recorder from Brown County who was hired full-time by Clermont County. In the spirit of Paul Harvey, I want to start by telling you the rest of the story.

You know that Ms. DeClaire got hired full-time in Clermont County as a budget analyst while being the elected recorder in Brown County. What you might not know is that she had worked in the same Clermont County job prior to her election as Recorder in 2008. People in Clermont County government knew her, knew that she was an elected official and hired her anyway.

She was hired on September 19, 2018. She worked quietly from October 8 until November 7, a month. Who said anything? No one. On November 7, she was presented at a Commissioner meeting as a new employee and a few of us noticed it on the video. We would never have noticed it otherwise.

She was fired on November 14. Why? Because in the SWAMP hubris of Clermont County, she had been not only hired, but hired into a classified position meaning she could not be involved in political activity. Even Clermont County's finest politicians could not explain away that an elected official wasn't engaged in "political activity." But they tried. At first, saying in a press release that they knew they had hired the Recorder but, "At the time she was hired, she was expected to shortly resign her Brown County office." Then the story changed a few times eventually landing on a lie. They had no idea.

So, why re-hash that again? Brown County is well-represented here and I applaud them standing for what is right. A GOP Party Chair, a Commissioner, and an Assistant Prosecutor. But where is a Clermont County Commissioner? Where is the Party Chair? Where is the Prosecutor's office? They are home and worried about this bill.

Clermont County has a history of elected officials who don't come to work very often. We had a recorder, Carolyn Green who wintered in Florida. We have an Auditor today, Linda Fraley, who for years wintered in Florida. And we had a Commissioner who literally disappeared for 60 days, Archie Wilson.

Sen. Joe Uecker said this in a press story in 2019 about Clermont County, "I do know that there are obvious abuses and what I would consider negligence in office. In one of the counties I represent, a county official would winter in Florida and brag about it. That just churns the stomach."

I asked Uecker if he took any action at the time to alert the public of this stomach-churning negligence in office. He had not. It was kept hush-hush. I mean no disrespect to him. He tells me he supports this bill, which I appreciate. But his silence in the past speaks to how the

political system works and you all know it. He claims he was talking about Clermont County Recorder Carolyn Green. He goes into the three-monkey routine if asked whether the same applies to Auditor Linda Fraley. Fear is powerful. Silence is the norm. Cover up is the standard behavior.

If wintering in Florida at taxpayer expense is “stomach churning” how about prostitutes and drugs? Just last week, Enquirer Columnist Jason Williams referred to Clermont County as the wild west. Well, yippie ki-yea. Let’s party.

Ex-Clermont Commissioner Archie Wilson carried a Bible with him wherever he went. Including, apparently, to drug fueled orgies with young prostitutes but, to be fair, he might have left the Bible in the car when checking into dive hotels. The political system in Clermont knew about it. It was covered up for the good of the Party. That is, until Commissioner Wilson was ensnared across state lines and it could not be contained. During that ordeal in 2012, Mr. Wilson disappeared for 60 days. He had no contact with any other commissioner. He missed every meeting. 60 days. That is an important number. More than 30 and less than 90. Mr. Wilson only resigned when federal charges were imminent.

I am a watchdog in Clermont County, I was one of the people who identified Amy Jo DeClaire on county video. Had I been around in 2012, I would have noticed Commissioner Wilson never being there. I would have told others. I might have counted the days since a sighting. I would have hit 30 days and then 45 and then 60. But beyond that, what could I do as Mr. Wilson continued to get a taxpayer paycheck? Not much.

Had this bill been the law then, at 30 days I could have gone to public participation and demanded he appear or compel action myself. As a lowly citizen I could have asked for accountability with the law on my side.

This law is, more than anything else, about checks and balances. It is about giving citizens the ability to push for accountability. While other elected officials could highlight abuses of their colleagues, we know they will not. You know they will not. So that is where a check and balance is essential.

The 90 days in the current law is ridiculous, and it would be darn near impossible for a citizen to expose a missing-in-action official for that long. 30 days is possible. And, let’s face it, having the standard will -likely solve the problem 9 out of 10 times. The politician will show up. But, as in the case of Archie Wilson, if they disappear, there is action that can be taken.

This legislation says nothing of timeclocks or hours, but opponents disingenuously use such language. It is simply about showing up, per se, leading the horse to water. It is about ethics and integrity. When it was introduced, I was here and I heard questions about exceptions and maternity leave and part-time. Come on. The requirements of this bill, which mainly tighten existing statute, are so basic that to oppose them is indefensible regardless of part-time or even

maternity leave. Stopping by your office for 2 minutes, 5 times in 30 days covers the requirements of this bill.

So, let's come back to Clermont and Brown Counties. Both are one-party counties, in this case Republican. Consider the representation here today from Brown County vs. Clermont.

Where is the Clermont County Republican Party Chair, Greg Simpson? Where is Commission President David Painter? They are home. The Party Chair forbids this topic being discussed at meetings. The Commissioners refuse to answer this basic question, "On average, how many hours per week would you say you spend performing your official duties of office?" They cover for others like our Auditor Linda Fraley. It is a code. So strong that drugs and prostitutes could not break it in 2012, and it goes on to this day.

From March 1 through March 10 inclusive, Clermont County had no person with the statutory authority of Auditor. Auditor Linda Fraley retired and was terminated on February 28. Her new term of office began on March 11. It was part of her double-dipping strategy, but messed up leaving 10 days with no Auditor, as millions in checks were issued with her signature and myriad court filings took place under her name. All illegal. She had been terminated on February 28, to retire. What has happened in Clermont? More cover-up and, while not 30 days, another example of how the code works.

It is second nature. This bill, at least in one important way, gives the people the ability to notice and demand action on an abuse that should never happen and cannot wait for the next election, especially when politicians seek to keep it hidden from voters. I urge this bill be recommended out of this committee with bi-partisan support. I applaud John Becker for standing with his constituents on this one in the face of self-interested party elite and elected officials. I hope that Rep. Doug Green will see the light and also support this bill. It should be easy for him. After all it means standing with his constituents, party elite and elected officials. Why wouldn't he do that? Ask him.

Thank you for the chance to speak. Please, stand with the people on this one.