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LWVO Written Testimony on Senate Bill 250
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Chairperson Bacon, Vice Chair Dolan, Ranking Minority Member Thomas, and Members of the Senate Judiciary Committee, thank you for this opportunity. The League of Women Voters of Ohio opposes Senate Bill 250. As a solution looking for a problem, the proposed language is completely unnecessary. Even worse, if enacted, it would infringe First Amendment rights in Ohio.

SB 250 supporters claim that this legislation codifies criminal penalties for a person convicted of willfully trespassing a critical infrastructure facility without permission by the owner of the property. No such codification is needed, because such acts are currently considered criminal and are successfully prosecuted under state law. Similarly, proponents have claimed that this bill would address acts of terrorism, when in fact this bill does not address Ohio Revised Code sections 2909.21 to 2909.31, which were adopted in Ohio as a response to the horrific attacks on September 11, 2001.

By liberally expanding definitions of “criminal trespass,” “criminal mischief,” and “critical infrastructure facility,” SB 250 could result in criminal charges and fines for workers peacefully striking at their workplace, even if no criminal trespass or property damage occurred. The legislation would also criminalize flying camera drones over “critical infrastructure”, which has been used by the media to report on the extent of environmental disasters like the Rover pipeline spills into pristine wetlands adjacent to the Tuscarawas River. If enacted, even innocuous acts like advertising events by posting flyers on telephone poles could be considered unlawful.

LWVO urges the committee to protect freedom of speech and freedom of the press by abandoning this bill. If the Committee does move forward with a vote, many more hearings are needed to ensure that you have fully reviewed the drastic consequences of this bill and that Ohioans have had adequate ability to give feedback. This committee should, at minimum, provide ample time for all parties to review the substitute bill in detail. As of Tuesday morning, when testimony was due, neither the substitute bill language nor its LSC analysis were available on the Ohio Senate website.

You can reach me at 614-469-1505 or director@lwvohio.org. Thank you.