

The Cincinnati NAACP and many organizations adamantly oppose the advancement of House Bill-22 (Expansion of Obstruction of Justice) because it is an arbitrary law proposal that will give more power to law enforcement to selectively penalize citizens. This bill allows police to increase the penalty of Obstruction of Justice up to a Felony against citizens simply exercising their right to free speech. The expansion of Obstruction of Justice is not only unnecessary but counter-productive to ongoing efforts toward better police and community relations.

The current law reads as follow:

ORC. 2921.32 OBSTRUCTION OF JUSTICE states:

“No person, without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official’s official capacity, shall do any act that hampers or impede a public official in the performance of the public official’s lawful duties.”

There is no evidence of an increase in citizens impeding and preventing officers from performing their official duties. The current law as it stands is sufficient and addresses all acts that prevent, obstruct, or delay the performance of a public official.

Adding failure to follow a lawful order and diverting the attention of a law enforcement officer will only broaden the scope in which law enforcement can penalize Ohioans. It is also extremely punitive to charge concerned citizens with the same level offense the accused is being charged. This regressive measure will only create more low-level felons in an already exhausted correctional system.

HB-22 will lend more opportunity for police abuse of power, leaving citizens vulnerable and their rights exploited. Legislators and law enforcement who believe in our free society should never support a bill like this that attempts to thwart and penalize law-abiding citizens who exercise their rights to observe and record interactions with police and the public. If citizens witness police misconduct and have reasonable objections, the answer is not to create laws to penalize those good Samaritans, the answer instead, should be, to seek laws that welcome accountability and discourage police misconduct.

Similar to the concerned citizens who witness police misconduct that led to the murder of George Floyd, they were within their rights to record the incident as evidence. As taxpayers, it is our right to freely approve and disapprove of Police conduct. Our inherit freedoms should not be left to the mercy of an officer whose tolerance levels could be biased. If HB-22 is made into law, it would only lead to more abuse of power that is subjective and discriminatory.

Law Enforcement Officers receive first class, taxpayer funded training that provides an abundance of skill sets on how to work under pressure. We should not have to lower the bar and include unnecessary measures to Obstruction of Justice for trained professionals. Lawmakers must stop using every opportunity to strip away the freedoms and rights of citizens just to further empower a government agency that already lacks meaningful measures of accountability.

If HB-22 becomes law, it will have a negative impact on peaceable citizens that could potentially face severe criminal charges for exercising their basic rights provided and protected under the First Amendment of the United States Constitution.

As such, I oppose this bill and implore that lawmakers do not support HB-22 and demand the members of the Ohio House Criminal Justice Committee DO NOT ADVANCE THIS BILL out of their committee.