

Chair LeRe, Vice Chair Swearingen, Ranking Member Leland and members of the Criminal Justice Committee:

My name is Paul Sherlock from Cleveland Ohio and I am here to testify against HB 22. The spate of bills increasing penalties for peaceful protests that are in front of Ohio representatives have arisen from the George Floyd protests of last year. In the example of George Floyd's death, HB 22 says that a citizen could potentially receive a felony charge for speaking out against the officer who had his knee on Mr. Floyd's neck. Many have seen the eight minutes and forty six seconds where the officer was choking Mr. Floyd, but during that time bystanders were pleading with the officer to stop. As HB 22 is interpreted, these bystanders, could all be charged for interfering with a police officer, and if there were four or more people objecting to the officers actions, which under current Ohio law constitutes a riot, those bystanders could be charged with a felony.

The bill also increases penalties for preventing an officer from doing their job. Recently in Los Angeles hundreds of community members came out in support of a homeless encampment and temporarily prevented officers from coming into the camp to disperse its residents. According to HB 22 these community members all could have been charged with obstructing an officer, and because there were more than four community members, the charges would have the potential to become felonies. I would offer that most of these community members were acting out of care for their fellow men and women, and not involved in a plot to bring harm to law enforcement officers.

Finally HB 22 wants to criminalize peaceful protest gatherings if those gatherings impede traffic flow be it on a street or sidewalk. The US Supreme Court has come out and said streets and sidewalks have "immemorially been held in trust for the use of the public" to make our voices heard. One wonders what this provision in the law which, again, potentially imposes felony penalties on people who decide to march, would have had on Freedom Fighters in their March on Selma. Would this country ever had the opportunity for the Voting Rights Act?

As a concerned citizen who has spent years speaking out against social justice and environmental issues and have been been arrested for peacefully protesting, I go into a direct action knowing full well I might get arrested for my civil disobedience and I accept those consequences. People protest when they are frustrated that lawmakers are not hearing their grievances. Peaceful protests are one of the few vehicles we as citizens of this nation have to express our opposition to injustice. The efforts of HB 22, whether intended or not, serve to suppress this pillar of dissent we citizens have, by instilling fear in people that they might be permanently marred with a felony conviction for speaking out.

To consider putting people in jail as a punishment for standing up for their beliefs, is an excessive use of force and only serves to create further divisions in communities and more animosity toward the police you are trying to protect with this law.

We already have laws on the books that make it illegal for peaceful protesters to commit the actions addressed in HB 22. We don't need more laws, we need better policing. When police come out in full tactical gear and are armed with military grade weapons, they do not serve as a deterrent, rather they act consciously or unconsciously to inflame the situation. For decades, criminal justice experts have warned that warrior-like police tactics escalate conflict at protests instead of defusing it. Between 1967 and 1976, three federal commissions investigated protests and riots. All found that police wearing so-called "riot gear" or deploying military-style weapons and tear gas led to the same kind of violence police were supposed to prevent.

This bill is unconstitutional and it is poised to cost Ohioans significantly, not only because we will be putting more people in prison, but especially because the state will need to defend lawsuits aimed at overturning this unconstitutional bill.

We are a country founded on dissent. To disagree and show our displeasure about a government's actions is healthy for a democracy, otherwise we slide into autocracy, which is what is happening now. I urge you to not let this bill advance.

I urge you to vote no on HB 22. Thank you.