

Dear Members and Chairman of the Criminal Justice Committee:

I rise in opposition to HB22 in its current form with or without additional amendments.

As a resident in Franklin County for a combined total of 35 years, having moved away and returned, I have been engaged in one form of First Amendment gathering or another for most months, and sometimes weeks, during those years. Over the years, the signs, t-shirts, buttons, flags, banners, chants, bullhorns, songs, and speeches - the tools of the trade of First Amendment expression in the U.S. have basically remained the same, save the invention of both smartphones and ever-improved wireless internet access. Furthermore, for most, but, admittedly, not all of the education events, one-person and multi-person/group marches, rallies, pickets, and vigils I've attended and organized, we were required to apply for permits - for the streets, city hall, and, eventually, this very Statehouse. Remember, that was not always the case here. Many times on these very beautiful, manicured lawns did what we might call "pop-up" protests emerge while workers and others enjoyed lunches on the lawns and benches and there was no immediate police or security presence to remove them. It seemed we were "expected," "appreciated," or "tolerated" by the visitors and folks enjoying their social encounters and being outside. I worked at this statehouse for a year as a graduate student serving in Sen. Marigene Valiquette's office as well as Rep. Michael Stinziano's (Sr.'s) office in 1984-85 and I witnessed and wrote about how fortunate we were to live in a state and country where people could gather and speak their peace - without guns and weaponry.

That is the point of my testimony really. Of course, there has been cultural change over the years and, as with the VietNam War, WWII, advances in immigration, and so many historical points of change, we have always had the First Amendment's assurances of speech and assembly as our foundation. As is true with most complex phenomena or what some scholars call "wicked problems," a number of issues have created the perfect, but imbalanced, storm against "We, the people."

Until the events of 9-11, the date many say "changed everything," one of those changes includes the gradual but observable militarization of the police throughout the country at virtually all levels of policing and, spilling into, personal and private security. Ohio and, my hometown, Columbus and Franklin County, has been no less a victim of these changes. When economic

conditions place additional pressures on local budgets (such as this pandemic or when the state cuts much-needed funding from local communities from its budget), planners and local leaders look to as many measures as they can to “shore up” their budgets often in the name of Public Safety. Such was the case, as you know, with federal funds made available through the Department of Justice and Homeland Security as well as the relaxation of rules about property confiscation. This meant that as the nation witnessed ever-more violence from guns in mass shootings over these 20 years, we’ve had an influx of weaponry from the public confiscation as well as federal budgets encouraging the purchase of high-tech police protection gear including bodysuits, guns, tasers, and various types of vehicles to use for SWAT efforts as well as disbursement of large groups of people (as I witnessed in Cleveland during the Republican National Convention in 2016) where high-pitched sounds and music were part of the tactics used for group disbursement of persons in leadership-determined “protest areas.”

I have been to numerous marches in Washington, D.C., here at home in Ohio, and in several other states. The tactics and tools of “We, the protestors” or “We, the picketers”, or “We, the Tired - of being invisible, of being silenced” have, as I mentioned above, stayed mostly the same. However, with the advance in technology, the number of police returning from service in violent war experiences, more pressure on police due to being “caught on camera,” pressure from businesses (the same as the original policing mission to find and return living or dead escaped slaves) to guard and protect property placing that property in higher value than the lives of neighbors, parents, children, friends (serving and protecting the wealthy land and property owners), fostering division between people through media, stereotypes, and the like - and creating conditions which, when protesting today, looks like a military conflict with a faceoff of people dressed in black with guns, tasers, batons, neck to toe body armor, and a helmet and shield right out of movie - and of course they have the thin blue line reinforced in training and work every single day. Across from them are passionate people upset with the system and, in recent months, it has been the police as a focus of the rage. And it finally came to the statehouse when people placed red hands upon the steps and broke windows. But to penalize all future First Amendment adherents, the ones that might not be on your “side” of the issue, is immoral, wrong, and, most likely, not legal despite how much property is damaged (far less than than the confiscated property kept that should be

returned or the damage done to homes when the wrong house is invaded, for example).

I have been told to move off of a sidewalk; told not to go into the street; advised that I should not cross this line; encouraged to remove my mask; detained (first at my college graduation and later at several inauguration protests); been surrounded by a circle of police in intimidation tactics, and, each year escalating in the assertion-turned-aggression as they were more heavily armed than the year before. I used to see police and their faces and we even greeted one another. But now it is much riskier. Even as a reporter for a local publication, I found myself last year struck by a baton; pushed so hard I hit the ground; and rolled before that officer kicked me directly. I received no warning; given no instruction to do something - rather, just lunging at me and I was 25 people deep in that particular event. As crowds move, you can start on the side but become "in" the crowd in a moment's shift due to something happening or being avoided elsewhere in the crowd or march. Mayhem, name-calling, and the like came from the people I was taught were to protect and serve but I also understood deeply that they were trained to do this for a select few. And each other - no matter the behavior they see or witness.

Let's not worsen this, Ohio! Let's truly assess and weigh the harms to police well-shielded physically and by law who threaten us, not serve us, as we carry water bottles, raised fists, posters and banners, chant our chants risking so much to ensure that generations of people, including the children and grandchildren of legislators, judges, prosecutors, and, even, police, have their voice protected and that we resist the easy impulse to punish only those with whom we disagree. Just because other states are passing or proposing legislation similar to this, does not mean that we do the same. We are smart, with world-class education institutions where we might want to gather to find a way to address these wicked problems without becoming wicked as a state.

I ask for you to reconsider your vote and to vote no and to oppose this legislation stripping, bit by bit, the First Amendment right that we all, regardless of "side," cherish so much.

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