

Chairman LeRe, Vice Chair Swearingen, Ranking Member Leland, Members of the House Criminal Justice Committee

I submit my testimony voicing my objection to House bill 109. I also wish to testify in person. Thank you.

There are so many issues that I have with this bill but I want to focus on three items in particular. The first is that this bill wants to make a felony out of peaceful marching. Second, The bill wants to make it a felony if there is any harassing of a first responder. The third is this bill financially ties any organization sponsoring a protest, to damages that might arise from that protest and force them to pay triple damages. Felony convictions and financial liability for these types of infractions is unconscionable. The only purpose served by these penalties is to kill dissent.

The very night that we were here offering testimony against House Bill 22, Ohio state students gathered and marched in protest of Mi'Khia Bryant's murder. If House Bill 109 were in effect, they all could've had their futures redirected due to them receiving felony citations for their actions. If House Bill 109 were in effect during the march on Selma, we might never see the voting rights act. The House in putting forth House Bill 109 is criminalizing the act of protest. This bill would have jailed for years those protesters that rallied against the British during the Boston Tea Party, one in a series of protests that birthed this country. How is it that our State House of Representatives in their desire to enact this bill is siding with the monarchy of Britain and not the revolutionaries that founded this country?

If you recall the opponents who spoke out against House Bill 22, you might realize that most of us are getting up there in years, I'd hazard a guess with some confidence, that there are not radical terrorists in our midst. Yet most of us who are here testifying are the same people who show up at rallies and marches, and you want to put us in jail because we choose to dissent? When the government is not acting in the best interest of its citizens, it is codified in the First Amendment that we have a right to speak up. In pushing House Bill 109, you are trying to do away with that right. We are in dangerous times, this country is starting to get comfortable with turning the de facto military, our militarized police, on its citizens. I saw it first hand at Standing Rock where on the night of November 20, 2016, I witnessed what I would best describe as a war zone. There were dozens of officers present along with stockpiles of military gear and weaponry, and they were firing rubber bullets, concussion grenades, water cannons, and teargas at unarmed peaceful water protectors. And all the violence committed by this group of militarized police were to protect the property rights of the wealthy who stole unceded land out from under indigenous peoples treaty rights. The militarized police that night with their egregious actions, resulting in an elder having a heart attack, a young woman having her arm blown to pieces, and dozens of people going to the hospital for hypothermia because they were blasted with a water cannon. All because of a pipeline! A pipeline that by the way bisects the water source for many indigenous peoples as well as 18 million other US citizens. To say you want to put us in jail because we protest for the right to drink clean water is outrageous. For the Ohio legislature to say

that we have to shut up and put up with pollution and toxins in our air, food, and water, because some large corporation wants to drill for gas, or else we go to jail is unfathomable. To say we as Ohioans do not have a right to demand, through our actions, equality of treatment under the law for all people is unacceptable. The Ohio Legislators attempt to subvert the will of the people will not hold up, we will prevail.

The second objection I have is the attempt to criminalize the taunting of an officer. I cannot understand how someone who is decked out in full military riot gear is somehow vulnerable to a person shouting names at them! I think money would be better spent sending these officers to sensitivity training, than attempting to prosecute US citizens for giving these officers a hard time. Furthermore, as in my objection to similar language in House Bill 22, this gives a tremendous amount of discretionary power to an officer to determine the future of a protester over something so subjective as coarse language. An officers life is not in danger because someone is hurling insults at them, neither should a protesters life be at risk because they get emotional in the heat of the moment, officers should be a little more durable as part of their job description.

Finally, the third objection to House Bill 109 is about its punitive nature towards organizations. There is too much leeway in the language of this bill that allows for financially punishing organizations that might have their name attached to an action. To think that an organization sponsoring a protest can have policing power over everyone who shows up at a protest is not realistic. The efforts of instituting treble damages against an organization in this bill are blatantly more about suppression of dissent than about financial justice.

Again this bill is a very crude attempt to protect the wealthiest and their property rights than it is out of concern for the citizens of this state.

As a body of our government who is sworn to uphold the Constitution and is responsible for making our laws, you should be more concerned with protecting our interests so that we may fight for a more perfect union. I urge you to vote no on House Bill 109. Thank you.