

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

I am the Rev Joan VanBecelaere, Executive Director of Unitarian Universalist Justice Ohio, an organization that offers social justice education for Unitarian Universalist congregations throughout Ohio. I want to speak in opposition to HB 109.

I know that many others testifying today will talk about the threat that HB 109 poses to our first amendment rights of freedom of assembly and freedom of speech. But I want to specifically address the threat HB 109 poses to freedom of religion.

HB 109 says that organizations that provide support or resources that will be used to plan, prepare carry out or aid in conduct that that, due to vandalism or an occasion of violence, becomes a riot will be charged with corrupt activity. This includes organizing or calling persons to gather as well.

The term "organizations" includes charitable non-profits and congregations. All of them can have their assets seized and be fined or shut down regardless of whether the congregation or non-profit had any knowledge or expectation whatsoever that someone would engage in vandalism, temporary vandalism or any kind of violence at the protest.

Let me offer a very real hypothetical. A pastor or rabbi preaches a sermon about a justice issue and uses the words of the late John Lewis -- "When you see something that is not right, not fair, not just, you have to speak up. You have to say something; you have to do something." And as a result, several congregants join a street march to protest immigrant child detention, or water pollution in Appalachia or police violence or any number of other issues. The Justice Team at the congregation goes to the march and passes out snacks while wearing their congregational t-shirts. And some act as march marshals and the clergy in the congregation come out to help with peacekeeping duties for the event.

With all of this, -- the march might exceed its limits at some point and spill into an unauthorized street. Or maybe some folk on the margin block a road or sidewalk or engage in some vandalism and temporarily spray

chalk words on a building or even engage in violence against someone by throwing something damaging.

Instantly, the march becomes an illegal protest or a riot. And the congregants and the congregational Justice Team could be arrested on riot charges. And the congregation can face heavy fines and corrupt activity charges for providing support or resources or calling persons to gather with its call to justice. And the congregation is destroyed as a result.

Or a police officer's bicycle is broken or other property is damaged and the officer takes the protestors to court in a civil suit. The congregation can also be included in the suit and would be liability for up to treble the damages sustained. The legal fees alone would bankrupt most small congregations.

You might say that congregations have no business being part of any protest, no matter how peaceful. And I will argue that Faith without works is dead, as it says in the Epistle of James. And I will point out that the prophets of the Hebrew bible knew that it was the duty of people of faith to speak truth to power in the public arena. And I will point out the examples of Jeremiah, Jesus and the Rev Dr Martin Luther King Jr.

Rabbi Abraham Heschel wrote in 1965, "For many of us the march from Selma to Montgomery was about protest and prayer. Legs are not lips and walking is not kneeling. And yet our legs uttered songs. Even without words, our march was worship. I felt my legs were praying." (Note that the march from Selma was an illegal protest.)

HB 109 criminalizes those whose conscience calls them to practice their faith by preaching justice, speaking truth to power, and praying with their feet in the street.

During the time of Nazi Germany, many pastors of the Confessing Church, such as Dietrich Bonhoeffer and Norbert Capek, who preached truth and acted for justice were jailed and murdered. Here in Ohio, HB 109 would force pastors to either censor their preaching and teaching for justice or risk the destruction of their congregation. If we have to censor our sermons to survive, freedom of religion is clearly threatened.

I want to leave you with words from the late Rev Dr Martin Luther King Jr:

*All we say to America is, "Be true to what you said on paper." If I lived in China or even Russia, or any totalitarian country, maybe I could understand... the denial of certain basic First Amendment privileges, because they hadn't committed themselves to that over there. But somewhere I read of the freedom of assembly. Somewhere I read of the freedom of speech. Somewhere I read of the freedom of press. Somewhere I read that the greatness of America is the right to protest for right.*

I ask you to support the promise made in our Constitution. Do not silence our voices or take away our first amendment rights, including our freedom to preach as we see right and just. I ask you to vote against HB 109.