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TO: House Government Oversight Committee
FROM: Gary Daniels, Chief Lobbyist, ACLU of Ohio
DATE: March 25, 2021
RE: House Bill 55 – Proponent testimony

To Chairman Wilkin, Vice Chair White, Ranking Member Sweeney, and members of the House Government Oversight Committee, thank you for this opportunity to provide proponent testimony for House Bill 55.

The ACLU of Ohio supports HB 55 because we know the numerous negative impacts COVID-19 has on the ability of Ohioans to meaningfully participate in important discussions and decisions made here at the Statehouse.

Like most or all of you, we know many who refuse to come in person to the Statehouse because they are worried about their safety and the safety of others. Still others are forbidden by their employers to visit the Statehouse (or Riffe Center) for committee hearings or legislator meetings.

This is extremely unfortunate and unsatisfactory because we at the ACLU of Ohio know many who hope to assist this body in making Ohio the best it can be but are unable without a virtual testimony option.

Of course, COVID-19 has impacted Ohioans' lives and schedules far beyond their individual health concerns. Changes and interruptions to schedules including jobs, schools, daycare, caregiving and more means even less ability to participate during this global pandemic.

For these reasons and more, the ACLU of Ohio joined 75 other organizations in signing on to a letter sent January 14, 2021 to Speaker Cupp and Senate President Huffman, plus all members of the General Assembly, to request and encourage virtual testimony.

In addition, I completed some additional research regarding other states' efforts. My conclusion is at least 17 other states (AK, CO, CT, DE, HI, ID, ME, MT, NV, NH, NJ, NM, ND, OR, SD, UT & WY) have adopted virtual testimony of the type we believe Ohio should emulate.

By that, I mean these states arrange and facilitate virtual testimony in a way that allows people to testify during hearings and also provides the opportunity for dialogue between committee members and witnesses. That ability for back and forth between legislators and constituents is key. Written only testimony is always welcome as an option. But it does not allow for helpful discussion on what is in a bill, what the ramifications are of its passage, or ways it can be improved.

HB 55 also only applies to the adoption of virtual testimony as a result of Gov. DeWine's March 9, 2020 executive order. The ACLU of Ohio advocates for virtual testimony whether or not we are in the midst of this global pandemic or any future ones.

Indeed, the ability of someone from Toledo or Youngstown or Steubenville to travel for hours back and forth to the Statehouse, on a weekday, with relatively short notice, is extremely limited before, during, and after COVID-19. Yet, these are the people directly and indirectly impacted by all the decisions made here. Virtual testimony provides additional and welcome opportunities for their input.

Finally, as welcome as HB 55 is, I think it should also be noted the House, the Senate, or any individual committees can adopt virtual testimony now, without a law or internal rule. Legislative committees, ad hoc committees, local government legislative bodies, and related others have utilized virtual testimony before and throughout this pandemic.

Virtual testimony is doable, it has been used before, it is being used now throughout Ohio and elsewhere. House Bill 55 expands its use at the Statehouse - the peoples' house - and that is why the ACLU of Ohio supports this legislation and encourages the same from members of this committee.