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Speaker Cupp, Leader Sykes, and members of the House Rules and Reference Committee, thank you for your time this morning to address our support for House Resolution 70. House Resolution 70 seeks the expulsion of Rep. Larry Householder pursuant to the authority vested in the members of the Ohio House in Article II, section 6 of the Ohio Constitution which provides members with not only the authority but the responsibility of expelling members for “disorderly conduct.”

This is the same authority that Democratic members cited in July 2020 when we first made the motion for expulsion nearly a year ago only to have the motion tabled by the Republican majority. At that time, Ohioans were told to wait until this 134th General Assembly for what was at least implicitly referred to, as the time when a more substantive resolution of the issue of Rep. Householder’s expulsion would be addressed. For six months now, Ohioans have waited to know when or if the Ohio House’s majority caucus would finally address the misconduct of one of its members for engaging in what has been described as the largest public corruption scandal ongoing in the country. The failure to even begin this process—of discussing expulsion--until now is a stain on the Ohio General Assembly and an insult to the many hardworking and law-abiding Ohioans across this state.

While this issue may seem political, this is not about politics. This is not about Republican or Democrat. This is about right and wrong and it is about the Constitution that we swore to uphold. Ohioans know what misconduct looks like and many have been calling for the action we are proposing with HR 70 for months because they also believe, as I do, that even the appearance of ongoing public corruption in our government hurts Ohioans. Ohioans also know that if they were accused of the type of misconduct that has been alleged in the 81 page affidavit¹ supporting the Federal criminal complaint, that they would not only be facing criminal charges but they would also lose their job. Finally, Ohioans know the difference between right and wrong—it is long since time for the majority caucus to demonstrate they understand that too by finally bringing this issue back on the floor for another vote. It is time to stand up and be counted along with those of us who have stated clearly and persistently that corruption should have no haven here in the Ohio legislature.

Notably, the Ohio Constitution does not specifically define what constitutes “disorderly conduct,” justifying expulsion nor was this term statutorily defined in the 1850’s when Ohio adopted its current Constitution. This is likely because the drafters chose to allow members to decide for themselves the conduct they deemed worthy of expulsion and that the term “disorderly conduct” was simply a guidepost

¹ The 81 page affidavit in support of the Federal criminal complaint is attached and provided as Exhibit 1 to this testimony.

suggesting any form of misconduct undermining the ability of the General Assembly to conduct its business on behalf of the people of Ohio.

The actions that resulted in Rep. Householder's indictment have cast the entire General Assembly in a bad light. The facts as set forth in the affidavit, which alleges a \$61 million bribery and racketeering conspiracy, have badly damaged the reputation of this institution, shaken the people's faith in their state government, and serves only to confirm the worst fears people have about Ohio elected officials—that they may only be here to serve themselves rather than their constituents. Since the indictment, three defendants have pleaded guilty to allegations specifically described in the affidavit and Rep. Householder's association with the persons that have admitted to their wrongdoing has only caused further harm to the reputation of the Ohio House, especially given his continued presence and participation in this chamber.² We can begin to repair the damage caused by these events and begin to restore the integrity of the General Assembly but we must first purge this chamber of a member who has refused to resign despite the clear misconduct identified; Ohioans have the right to expect assurance that legislators truly do work for them, that the legislation passed from this chamber reflects their best interest and that legislators are not personally benefitting by looking the other way when corruption surfaces.

Consideration of the action proposed in HR 70, expulsion, is appropriate and separate from the pending Federal criminal action. The question here is not innocence or guilt that may lead to imprisonment. This is not a court of law. We are a public body charged with the responsibility to faithfully do the people's work and it is our obligation to preserve the integrity of this institution by enforcing ethical conduct. Whether Ohioans are teachers, lawyers, members of our police force, doctors, social workers or any other professional, they understand that any of their misconduct could result in both criminal and professional sanction. Legislators should not be held to a lesser standard.

Republican legislators in other states understand that misconduct can have both criminal and professional consequences at the same time and that awaiting the outcome of a criminal case to take action against professional misconduct is not required. There are multiple recent examples.

In March, North Dakota Republican members expelled one of their caucus members from the legislature due to pending sexual harassment allegations.³ In explaining the action, the House Majority Leader stated that the Representative's misconduct "would have resulted in a firing if he were in a different line of work." In April, Missouri Republicans expelled one of their Republican members after allegations of child sexual abuse surfaced, despite the pleas of innocence of the expelled member.⁴ Finally, in April of this year an Idaho Republican resigned after a House ethics committee recommended expulsion once accusations of criminal conduct involving an intern surfaced.⁵ Each of these very recent examples demonstrate the swiftness of action by other legislators to address serious misconduct in their

² See Plea agreements for Juan Cespedes, Jeff Longstreth, and Generation Now, Inc. attached hereto as Exhibits 2-4.

³ "Expelled North Dakota Lawmaker Luke Simons Will Not File Lawsuit to Regain Seat." Grand Forks Herald, March 11, 2021. Attached as Exhibit 5.

⁴ "Missouri State Rep. Rick Roeber, accused of child abuse, expelled from Missouri House." The Kansas City Star, April 26, 2021. Attached as Exhibit 6.

⁵ "Idaho legislator accused of sexual assault resigns after ethics panel pushes expulsion." Idaho Statesman. April 29, 2021. Attached as Exhibit 7.

ranks. Members here should be embarrassed that it has taken this long to bring the question of Rep. Householder's professional misconduct up for discussion.

For the past several months, as Ohioans waited for action, little had been done. I am glad that our announcement of the intention to file this resolution finally triggered action on this issue. While we are relieved to see this issue move forward, more must be done to restore integrity to the "People's House." Once this issue is resolved, Ohioans need a commitment from the majority caucus that they will join our efforts to end the repeated cycles of corruption in Columbus. We must act decisively to pass meaningful reforms that would minimize any opportunity for our government to be corrupted. HB 214 introduced in March and HB 306 are opportunities to move that process forward as well and there is still the matter of finally repealing the balance of the corrupt House Bill 6 that brought us here to begin with.

Once again, thank you for your time. We are happy to answer any questions.