

Chairman Wiggam, Vice Chairwoman John, Ranking Member Kelly, and distinguished members of the House State and Local Government Committee:

My name is Josiah Lanning. I stand before you here today as a lifelong resident of the State of Ohio and a strong proponent of House Bill 90. In order to adequately understand from my perspective as to why HB 90 is a vital piece of legislation, let me provide the context which I have utilized to determine my support.

As an infant, I was diagnosed with a disability which I have lived with my entire life. This has created a unique set of challenges for my physical, social, and intellectual development over the years but has *never defined me*. In 2019, I graduated from the John Glenn College of Public Affairs with a Master degree in Public Administration. Given my background in public policy and politics, I have had a keen interest in relevant policy discussions. Since March, the state of our political affairs has taken a drastic shift due to COVID-19, placing a greater emphasis on public health. While there are many perspectives on COVID's impact on economics, societal stability, and our understanding of balance of power, my hope would be to provide this committee with an alternative perspective of the impact of newly implemented policies on the lives of disabled Americans.

On July 23, 2020, a statewide masking mandate went to effect for all citizens living in Ohio. Governor DeWine's mandate specified that individuals must wear facial coverings at all times when: (1) an indoor location that is not a residence, (2) outdoors but unable to maintain proper social distancing, (3) waiting for riding, driving, or operating public transit.ⁱ Although the order contained a list of exemptions, the statewide public service announcements designed to encourage everyone to "don your mask" has conditioned society to understand that everyone *must* wear a mask, creating yet another social and societal barrier for many physically challenged Americans.ⁱⁱ

Ohio's indefinite mask mandate has further complicated social barriers which inherently exist in my daily life. As someone with physical limitations, it can often be difficult and socially awkward to interact with the public due to people's uncertainty of how to properly engage in social conversation. In addition to the public's lack of social knowledge, *my state government has now conditioned the people I could interact with throughout my day to perceive me, a non-masker, as someone who should be feared as I could be an "asymptomatic carrier."* Through policies originally designed to allegedly "flatten the curve" and "slow the spread," my government has encouraged those around me to remain socially distant from me through required physical distancing guidelines. *Thanks to the executive branch's public health orders, I am yet again confronted with points, stares, avoidance, and being blatantly denied public access – something not experienced since the time surrounding the passage of the Americans with Disabilities Act.* Unlike in times past when societal discrimination was based on my disability or my service dog, I am now discriminated upon based on my educated decision to not mask.

Community outings which used to be an enjoyable experience, such as having dinner or grabbing my preferred Starbucks drink, have now become a source of frustration. Social outings which used to be a way of meeting new people, such as the movies, a bar, or comedy club, are no longer enjoyable. Even though I am able to attend, I am isolated and found sitting by myself.

Anywhere I go, I am faced with the dilemma of endangering my health and safety by asking a complete stranger to assist me in masking or risk being refused public access or service as a “non-masker.”

Living with a physical disability my entire life, I have developed and utilized various skills and adaptive technologies as a means of overcoming my physical inabilities and interacting with my world. Recognized by tech giants and law enforcement alike, the face is one of the most distinctive characteristics of the human body. For me, the utilization of facial expressions is one of the most efficient ways to non-verbally communicate with those around me. ***To mandate I cover my face is to mandate that I not only hide who I am but that I be socially silenced.***

In addition to being socially silenced, the mask mandate has hindered me from efficiently utilizing my adaptive equipment designed to assist me in overcoming physical barriers in my life. One of the most important assistive pieces of equipment I utilize every day is enshrined with four paws and a wagging tail. For most of my life, I have been blessed to have a service dog by my side which has enabled me to retrieve dropped items, open and close doors, get items off of shelves at a store, and a variety of other daily tasks. My relationship and utilization of my service dog is rooted in effective communication with him – both verbal and nonverbal. Prior to COVID, my verbal communication was distinct and clear. If I were to mask, my communication would be muffled and unclear. Further complicating communication, my face mask has removed my service dog’s ability to read my facial expressions in potentially noisy environments or in times when my speech may not be clear. ***To mandate I wear a mask is to disrupt vital communication throughout my day which has empowered me to engage in commerce and other various activities independently without having to depend on anyone.***

July 26th, 2020, marked the 30th anniversary of the Americans with Disabilities Act – a law designed to prohibit discrimination and to provide greater inclusiveness for people with disabilities into American society. Ohio’s mask mandate has failed to recognize Americans with disabilities are fully capable of making our own decisions with regards to what is in our best interest. Yes, there are exemptions. However, most places do not recognize them and promote curbside service for those with disabilities rather than equal treatment/access. Rather than embrace inclusiveness and the core tenants of individual freedom, ***Ohio’s mask mandate not only has reinforced negative stereotypes about people with physical disabilities but it also has incentivized private business to discriminate against individuals with disabilities based upon their personal choice or inability to not wear a mask.*** The feelings associated with the mental and physical violation from being masked by someone else against my will is a feeling I will ***never*** forget. As a sovereign equal citizen, my natural right to breathe how I deem appropriately or to engage in commerce does not require government approval.

In March 2020, Ohio began a dramatic shift in public policy as it placed a greater emphasis on public health than almost any other aspect regarding public policy. First it was “15 Days to Flatten the Curve” which was soon followed with “30 Days to Slow the Spread” and analogies of a wounded but lurking COVID monster.ⁱⁱⁱ At the onset of these various messaging campaigns, Ohioans were assured “we are all in this together.” In less than a year one branch of our state government has managed to become the source of depression, anxiety, and fear for all Ohioans, including people with disabilities. ***The constant strategic messaging barrage of fearmongering***

regarding the disabled has only served to resurrect the perception that somehow people with disabilities are “contagious.”

Ohioans are falling through the loopholes of social support systems with nowhere to turn as non-profits struggle to keep up with daily operations due to drastic declines in donations. Speaking from experience, not everyone who became unemployed during 2020 was eligible for unemployment or pandemic unemployment assistance. Not everyone has been fortunate enough to be a recipient of the federal stimulus checks which were supposed to go to all Americans. I have received zero COVID financial assistance since completing my task driven employment in May 2020.

The harm done to Ohioans due to the incompetence of government is reprehensible. From nursing home and prison cases accounting for 79 percent of the state’s justification for a lockdown to the hundreds of millions of misappropriated COVID dollars, Ohioans decision makers have destroyed nearly all public trust that may have existed.^{iv} ***The citizens of Ohio have had little to no voice throughout this entire policy process.*** Our state government has continually picked winners and losers, impacting people with disabilities and the elderly the most as their necessary support systems and economic advancement opportunities have been stripped away. Is my life or anyone else’s any less important based on how many people contract a virus which has a significantly high recovery rate? ***My life matters just as much as anyone else in this state,*** yet I have been demonized, isolated and abandoned. As Ohioans reflect on COVID policy, we must ask ourselves if the marginalization of particular groups would be just as socially acceptable if we replaced someone’s abilities or age with race or ethnic background?

This ***has to stop!*** The lives of healthy Ohioans are no less important than the lives of those who become sick. Despite objections to House Bill 90 which are sure to come from health bureaucrats, ***their source of political power comes from the Consent of the Governed – expressed through you – our elected representatives.*** Through House Bill 90, this committee and the 134th General Assembly can reaffirm that political power in America belongs to the People – ***not*** unelected bureaucrats. For the elderly, disabled, psychologically abused and financially devastated, I respectfully urge you to pass House Bill 90, in an effort to bring an end to the insanity that has taken over our lives and to ensure this type of abuse of emergency power never happens again. Thank you for your time and consideration.

Sincerely,
Josiah Lanning

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- ⁱ The Office of the Governor & Governor Mike DeWine (2020, July 22). *Governor DeWine Issues Statewide Mask Order, Travel Warning*. Retrieved from <https://governor.ohio.gov/wps/portal/gov/governor/media/news-and-media/covid19-update-07222020>
- ⁱⁱ 10TV Web Staff. (2020, April 13). *Dr. Acton to Ohioans: Don the mask, don your cape*. Retrieved from <https://www.10tv.com/article/news/local/ohio/dr-acton-ohioans-don-mask-don-your-cape-2020-apr/530-227ab025-406b-44ed-b749-ac82a819cf55>
- ⁱⁱⁱ Jordan, F. (2020, April 14). *DeWine: 'When we do open again, it's going to be different'*. Retrieved from <https://www.wcpo.com/live-gov-dewines-daily-update-on-covid-19-in-ohio>
- ^{iv} Kasler, K. (2020, May 21). *Huge Percentage Of Ohio COVID-19 Deaths Come From Nursing Homes*. Retrieved from <https://radio.wosu.org/post/huge-percentage-ohio-covid-19-deaths-come-nursing-homes#stream/0>