



State Representative Cindy Abrams
State Representative Sara Carruthers
Sponsor Testimony - House Bill 109
Senate Judiciary Committee
April 5, 2022

Representative Cindy Abrams

Chair Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to present sponsor testimony on House Bill 109, the Ohio Law and Order Act.

The Ohio Law and Order Act supports the men and women of law enforcement. It supports our first responders. It supports small businesses and jobs in our communities. It supports law-abiding Ohioans.

Our legislation is straight forward: It embraces the right of all Americans to peacefully assemble and make their voice heard – but it also says, when you break the law, there will be consequences.

Freedom of speech and freedom of assembly are important cornerstones of our democracy. Whether I agree or disagree with what others may have to say, I will defend their right to say it. The bill before you today in no way infringes on the constitutional rights of Ohioans to freely speak and peacefully assemble. But it does say that when misconduct occurs, when the law is broken, those responsible will be held accountable.

I'd like to turn it over to my joint sponsor, Representative Carruthers, for some additional comments and then we'll walk through the highlights of the bill.

Representative Carruthers

Thank you, Representative Abrams.

I think it's worth reiterating, this bill does not limit the ability to speak, to peacefully assemble. Vandalism, looting and violence are not free speech. Frankly, these types of reckless and irresponsible actions – typically from a handful of agitators – detract from the core message law-abiding demonstrators are trying to convey.

When businesses are boarded up and shut down as the result of the irresponsible actions of a few agitators, law-abiding citizens lose. Small business owners lose. Jobs are lost.

When public property is vandalized, law-abiding citizens lose. Their tax dollars used to clean up the damage. Meanwhile, innocent bystanders are at risk, and law enforcement and first responders put themselves in harm's way protecting and serving our communities.

Here are a few highlights of the bill:

- The bill increases the penalties for rioting and creates the offenses of riot assault and riot vandalism.
- We are increasing the penalty for disorderly conduct when the offender hinders the movement of people if the violation occurs during a riot or illegal protest.
- We are expanding Ohio's corrupt activity laws to encompass those who organize people to commit a riot or provide material support or resources for those individuals.
- To support law enforcement and our first responders, we are creating the offense of bias motivated intimidation that prohibits a person from harming a person or property based on the victim's status as a first responder.
- The bill also gives a peace officer who suffers harm due to persons committing a riot offense, filing a false complaint or an abridgement of the officer's civil rights a cause of action against those responsible, including any organization that provided material support or resources.

Representative Abrams Closing Remarks

Mr. Chairman, if I may, let me offer a few closing remarks.

In 2001, I was serving as a Cincinnati Police Officer on the front lines during the civil unrest. I was a member of a 15 officer response team, fully uniformed equipped with riot gear. We were a mobile unit that responded to active rioters that were looting, setting fires, throwing rocks and bricks, damaging public and private property, being destructive. For days, there was nothing but violence. It was devastating to witness.

However, there were also a number of peaceful protesters, community leaders, and faith based leaders that were willing to have respectful conversations with the Cincinnati Police Department. CPD listened, and implemented a number of positive changes.

A former colleague who is still serving on Cincinnati PD commented on what has changed over 20 years. They told me the difference between 2001 and 2020 is that today, they're seeing among the variety of protesters more young people whose focus is hatred towards the police and authority figures. This subset of protesters doesn't want to come to the table and talk. They only want to stir up violence. These few people are unfortunately taking away from the messages of the peaceful protestors. It is these individuals - those whose actions are violent and destructive - that are the focus of this bill.

This is a common sense bill that supports the right to peacefully assemble while holding accountable those who break the law. Thank you for the opportunity to present House Bill 109, the Ohio Law and Order Act. We're happy to answer any questions you may have.