



Jaime Miracle, Deputy Director  
House Judiciary Committee  
Testimony in Opposition to HB 249  
March 18, 2026

Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and members of the House Judiciary Committee, I am submitting this testimony today in strong opposition House Bill 249, a bill which would unconstitutionally restrict free speech and put the health and safety of Ohioans at risk. My name is Jaime Miracle, and I am the deputy director for *Abortion Forward*, formerly Pro-Choice Ohio.

H.B. 249 is unconstitutional, unnecessary, and a continuation of the obsession this legislative body has on criminalizing and attacking Ohioans who don't fit the conservative fabricated definition of gender and gender expression. This bill as written would criminalize a whole range of actions including *just existing* as a person who is Trans, non-binary, or someone who simply does not fit into the narrow definitions of "proper" gender expression. We hear a lot from conservatives railing against "cancel culture" but this bill is the ultimate example of it, criminalizing people in our state because they don't look like you want them to look.

Drag performances are art. They create community, provide support, celebrate joy, and provide spaces for people to be themselves when so much of the world is telling them that everything about them is wrong. They bring income to bars and community theaters; they provide income for the performers themselves. By limiting performances to designated "adult cabaret" venues not only do other locations face criminal penalties for continuing to open their spaces to Drag performances but it could have a chilling effect on all kinds of performances.

Shakespeare regularly uses characters dressed in clothing of the other sex in his plays: Portia in "the Merchant of Venice," Viola in "Twelfth Night," Rosalind from "As You Like It." Will a high school drama department suddenly be under investigation for criminal wrongdoing if they pick one of these plays for their school performance? Will they face a felony if someone's 10-year-old sibling comes to see their performance? High School drama performances helped craft who I am today, a self-confident advocate for what I believe in, able to give testimony and present before any kind of audience and speak up for those who have not yet found their voice. I still remember my dad coming to one of my first auditions. Afterwards during the car ride home, he told me that he had never seen his shy, soft-spoken daughter speak with such vibrance and confidence. That is what theater does, that is what theater is about. This bill could make it much harder for students around the state to have the same chance to grow.

Proponents of this bill say that it will protect children, but Ohio law already does that. Performances that are obscene or harmful to juveniles are already illegal under Ohio law. This bill is about discrimination and silencing an art form that has been around for centuries.

Bills similar to H.B. 249 have already been ruled as unconstitutional attacks on our First Amendment free speech rights in multiple states. The U.S. Supreme Court has been clear, the government may not regulate expression simply because some members of the public find it inappropriate. Decisions about “taste” or “style” must be left to individuals – not politicians, police officers or prosecutors. Whether you like it or not, the first amendment protects Drag performances as free expression just like other forms of art. One of my favorite movies has the perfect quote on this topic. In The American President<sup>1</sup>, the character President Andrew Shepherd talks about his position on the protection of free speech by describing our constitutionally protected rights:

“America isn’t easy. America is advanced citizenship, you have to want it bad, because it’s going to put up a fight. It’s going to say, you want ‘free speech?’ Let’s see you acknowledge a man whose words make your blood boil, who’s standing center stage and advocating at the top of his lungs that which you would spend a lifetime opposing at the top of yours. You want to claim this land is the land of the free? Then the symbol of your country cannot just be a flag, the symbol also has to be one of its citizens exercising his right to burn that flag in protest. Now show me that, defend that, celebrate that in your classrooms. Then you can stand up and sing about the land of the free.”

I have stood outside of churches to protect people going into those sacred spaces from the vile protests of the Westboro Baptist Church. I have stood to counter their hate and to ensure that people know that they are loved. Free speech and the freedom of expression are fundamental constitutional protections – for everyone, not just for those with whom you agree.

On your first day in office you swore (some of you with your right hand on a Bible) “to support the Constitution of the United States, and the Constitution of the State of Ohio, and faithfully to discharge and perform all duties incumbent upon me as a member of the Ohio House of Representatives according to the best of my ability and understanding...”

Anyone who votes in favor of this bill will not only be fiscally irresponsible and wasting tens of thousands of taxpayer dollars to defend this clearly unconstitutional attack on free speech and expression but also will be in direct violation of your oath of office. The people of Ohio deserve leaders who lead. We deserve elected officials who represent the people, not rule us. Vote NO on HB 249.

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<sup>1</sup> <https://www.americanrhetoric.com/MovieSpeeches/moviespeechtheamericanpresident.html>