

TO: House Public Safety Committee

FROM: Gary Daniels, Legislative Director, ACLU of Ohio

DATE: June 10, 2025

RE: Amended House Bill 20 – Opponent Testimony

To Chairwoman Abrams, Vice Chair Miller, Ranking Member Thomas, and members of the House Public Safety Committee, thank you for this opportunity to provide opponent testimony on Amended House Bill 20.



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As this committee knows, HB 20 is billed as necessary to prevent and penalize those who interfere with activities and actions by first responders, including, but not limited to, law enforcement. HB 20 does this, in part, by establishing a fourteen-foot buffer zone around any first responder performing their duties.

HB 20 is framed as applying to situations such as someone filming, standing, etc. in such close proximity to a first responder the person's actions and presence legitimately interfere with the apprehension and arrest of suspects. But, HB 20 goes much farther than those situations, already illegal under current law.

This HB 20 buffer zone appears and applies when a first responder claims they have been, among other scenarios, "interrupted" or "disrupted" from performing their duties and that first responder warned the person responsible not to approach or remain within a fourteen-foot distance.

To what necessary degree or magnitude that interruption or disruption, HB 20 is silent. Likewise, whether that disruption, interruption, interference, etc. must be ongoing or whether it can be temporary, fleeting, or must truly prevent a first responder from performing their duties is unrevealed in HB 20. Indeed, these are very low hurdles.

Consider situations such as the following: A person watches their companion subjected to physical force and arrest and loudly yells to, and at, police officers that person has a physical limitation or disability limiting their flexibility, movement, or hearing. Or that they have the wrong suspect. Or if one or more law enforcement officers quickly descend on a person or scene but are not clearly identified or identify themselves as law enforcement, causing alarm.

Or, law enforcement deliberately expanding that buffer zone through strategic placement, situating, or shifting of other officers. Or stretching the definition of “interrupted,” “disrupted,” and so on. Or any number of other scenarios. In the wrong hands, HB 20 can be abused, used to avoid or minimize accountability, and reduce transparency. Or to target certain individuals.

Proponent testimony from a previous hearing mentioned the necessity of HB 20 for law enforcement carrying out “critical missions in volatile scenarios that can often be described as ‘life or death.’” Other testimony mentioned people shoving cameras into the faces of law enforcement, described as “an all too common tactic.”

What was not revealed or discussed to date is how often, under such situations where law enforcement claims other’s actions have so severely hindered their performance and duties, those people are charged under existing law, how often they are prosecuted, and the results of those cases. That is, first responders have the tool, via existing law, to pursue legal charges against people engaged in behavior and actions truly preventing them from carrying out their duties. But, if they are not utilizing current law, or are unsuccessful in doing do, it is hard to imagine HB 20 offering anything of additional benefit.

That is, unless some supporters of HB 20 hope to use HB 20 to discourage and disincentive people engaging in constitutionally protected speech or activities viewed as unwelcome and undesirable by first responders. Certainly, HB 20 can be weaponized for those situations and that is one of our concerns with this legislation.

First Amendment concerns are why similar laws in Arizona and Indiana have been met with scrutiny and resistance by courts in those states. In Arizona, a law banning video recording of law enforcement within eight feet was struck down and is currently on appeal. In Indiana, a law with a twenty-five-foot zone was enjoined and is also being appealed. HB 20 appears to recognize deficiencies and controversies with some other states’ laws and address them via this bill’s language. But, the same fundamental First Amendment problems remain.

To be clear, the ACLU of Ohio understands those who support HB 20 because it addresses those clear situations when a person, or persons, knowingly, literally, and physically interfere with crucial law enforcement functions like apprehension and arrest. We are not here to defend those actions or claim they have, or are deserving of, constitutional protection. We are here to say laws and legislation, like HB 20, inherently cast too wide of a net, impacting First Amendment rights, even when that is not the intention.

For these reasons and more, the ACLU of Ohio urges your rejection of Amended House Bill 20.