



**SIERRA
CLUB**

OHIO CHAPTER

Sierra Club Ohio Chapter
P.O. Box 1977
Westerville, OH 43086

January 28, 2019

RE: Senate Bill 33

Thank you, Chairman Callender, Vice Chairman Wilkin, Ranking Member Smith and members of the Committee:

My name is Elissa Yoder Mann, I am the Conservation Manager for the Ohio Chapter Sierra Club, and I represent 127,000 members and supporters in Ohio. I am writing to express our strong opposition to SB 33, an attack on free speech and freedom of assembly that would drastically increase “trespass” penalties, and impose long prison sentences and significant financial liability on those who participate in or who are deemed “guilty by association” in peaceful protest.

Bills such as these are designed to discourage political participation and curtail freedom of association. Everyone has the right to free speech and peaceful assembly, and existing laws are already in place to prosecute unlawful actions. These attacks on civil liberties are happening in states across the nation, led by industry groups and abetted by oil and gas interests in response to growing public demonstrations against controversial fossil fuel projects.

The sheer breadth of this bill’s “critical infrastructure facility” definition creates confusion stemming from its blanket list of broad categories of places, objects, or general areas, which trespassers must avoid. Example: *“Improperly tamper with critical infrastructure or any other device, apparatus, or equipment intended for protecting or preserving the safety of persons or property”*.

Controversial infrastructure projects are far from the only public policy issues that generate mass mobilization, public protest, and deeply felt political expression. However, individuals and organizations who engage in similar activities on other political issues would not be subject to the same standard of financial and criminal liability.

Individuals and organizations participating in peaceful assembly are the sign of a healthy democracy, and it is undemocratic for elected officials to pass laws that attempt to silence their own constituents. Ohio has a long and proud history of people coming together to exercise their rights and make their voices heard. This legislation unfairly targets Ohioans who choose to express themselves and peacefully assemble on certain, selectively chosen matters of public policy, and would put Ohio in the national spotlight for criminalizing freedom of expression.

We urge you to oppose SB 33 and show that Ohio leaders value a healthy democracy.

Sincerely,

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