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Opposition Testimony to SB 33

In 1997, during a time when both my mother and father were fighting terminal cancers, our family was named in a strategic lawsuit against public participation (SLAPP SUIT). These types of suits are intended to intimidate and silence critics by placing a financial burden on them for legal costs in hopes they will abandon their criticism or opposition to a project. The company that filed that suit was then called Waste Technologies, Inc. and is a toxic waste incinerator. It is now known as Heritage Thermal Services and is located in East Liverpool, Ohio.

The incinerator's permit allows the company to burn thousands of pounds of hazardous wastes in an area 300 feet from the nearest residence and 1100 feet from an elementary school. For nearly three years, the parent company, a foreign owned corporation, Von Roll of Switzerland, basically held over thirty United States' citizens hostage while the company refused to turn over documents and provide corporate testimony on the case. The citizens were harassed because they dared to speak out about a facility that would affect the health of their community

The fact that our family (my husband and myself) were each being sued for a million dollars was alarming. However, the idea that we were being treated as criminals because we spoke up about our concerns for the Ohio Valley and our child's health, was even more troubling.

Eventually the lawsuit was dismissed as being "legally groundless" but the effects of it were long lasting. I never regarded my freedom of speech as a secure right after that incident.

I have lived in Ohio most of my life and I have never been more concerned over the political atmosphere in this state. Each day the rights of the citizens of the state are being steadily eroded away. It is very obvious that SB 33 was written by corporate lobbyists and is being pushed by the American Legislative Exchange Council. Similar bills are being introduced and passed in state legislatures all over the nation in an organized effort by corporations to circumvent free speech.

We are living in dangerous times in this country. Citizens' rights are being disregarded as corporations and lobbyists exert their power and control over our state politicians. Our country was founded on the idea that its constituents have the right to free speech and peaceful assembly. How can we as citizens engage in local and state politics when one of the most important tools, access to free speech, is taken away?

Our democracy is becoming less and less of a participatory democracy every election cycle. When we need to be encouraging more participation in our democracy, we are instead creating an atmosphere of fear. What kind of an example is this setting for our children? Many citizens already feel apathy and a hopelessness when it comes to making changes in our country. This will only exacerbate those feelings.

Ohio has existing laws that address trespass and property damage. This bill, SB 33 is unnecessary and would criminalize free speech. It would place Ohio in the national spotlight as a state that limits free expression and the ability of its citizens to express their Constitutionally guaranteed rights.

The working people who built this country by taking part in actions to change laws will be shut out of the process. We already live in a time when corporations have equal or greater rights than citizens. Why would we want to allow them even greater control over our lives? The citizens of Ohio count on their elected officials to protect them and secure their futures, not abandon them and take away their rights in favor of powerful financial and political elites. SB 33 should be shelved for the good of Ohio and Ohio's citizens.

Respectfully,

Dr. Randi Pokladnik