

Senate Bill # 33

The Judiciary Committee needs to consider some of the unintended consequences of SB 33.

While the stated purpose of SB 33 is to increase penalties for criminal acts of a serious nature against “critical infrastructure”, the law will possibly be interpreted much broader than that.

The danger of this law is that it will include many minor infractions that are a part of our nation’s history of non-violent civil disobedience, as well as include peaceful protest that had no violent or criminal intent.

The bill will serve to intimidate average citizens from many kinds of protests, because they may be seen as aiding someone who committed “criminal trespass” and thereby subject to this new law’s increase penalties. For example, the terms “impede” and “impair” are vague. They are subject to a variety of interpretations, and could easily be used against actions which are really misdemeanors or not even crimes at all. Even if not used in this way, they could have a chilling effect on citizens who might otherwise want to express a point of view in public.

SB 33 will also deter organizations from engaging in certain peaceful activities. The language of the law could be interpreted to mean that just organizing or promoting a rally could leave the organization subject to financial penalties if some people at the rally violated the law. And with the 10-fold increase in fines, the sanction could potentially bankrupt an organization.

I believe this is the main purpose of SB 33 – to deter organizations and individuals from engaging in certain kinds of peaceful protests because they will face unknown penalties. There are already serious punishments for people who cause damage to property or to persons. But the law is ambiguous enough that it could be interpreted to mean that an organization might be subject to extreme fines because of actions of individuals who were vaguely guided by the

organization's goals, but took illegal actions against the wishes of said organization.

Finally, I would like to say that in a few years, SB 33, if enacted. could be used against other protesters, depending on who is in state government. The people advocating SB 33 this year may be its victims down the road.

Bob Parker
Brecksville, Ohio