

Ohio General Assembly

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Mark D. Fraizer

State Representative, District 71

Chairman Cupp, Vice Chairman Ginter, Ranking Member Sykes, and members of the Rules and Reference Committee, thank you for allowing my joint sponsor, as well as myself, to testify today in regard to Resolution Number 69. This resolution is crafted to embody a position of fact as it relates to the constitution, public evidence against Representative Householder, violations of Ohio Law, and violations against the Ohio House Code of Ethics. It aligns with the intent of our Constitutional Powers to expel a sitting member. I want to be sure we present an accurate reflection of both the accusation and evidence to merit the level of disorderly conduct requiring expulsion from this chamber.

The evidence against Representative Householder has been presented in both an 82-page affidavit in the US District Court signed on July 17th 2020, and a 43-page Federal Indictment in the Southern District of Ohio Western Division US District Court dated July 30th 2020 which my joint sponsor will review in his testimony. The indictment shows a count of RICO Conspiracy as it relates to HB 6 titled “Ohio Clean Air Program” and the details of an extensive FBI Investigation with surrounding activities of Representative Householder to obtain, preserve and expand political power in Ohio through the receipt and use of secret payments, enriching and personally benefitting, and hiding those funds from the public and possible public prosecution. These charges include violations of Federal Law and Ohio Law (ORC 3517.22 and 2921.02 related to bribery) and clearly demonstrate disorderly conduct as it relates to his position in the Ohio House. Examples of Representative Householder’s specific official action outlined in the indictment include crafting the legislation, pressuring and advising office holders to take official action, scheduling and arranging votes for passage, and generally supporting the legislation as a member of this body while receiving monetary benefits to perform these and other actions.

The indictment also suggests Representative Householder personally benefited from this arrangement with more than \$400,000 in payments that he received for settlements, legal fees, repairs, credit card debt, and other costs. Representative Householder also allegedly used his position in the Ohio House to penalize members for their non-support of HB 6 and held legislation from moving forward according to the indictment. The Ohio House every biennium passes a Legislative Code of Ethic via Concurrent Resolution, and for the 132nd General Assembly this was House Resolution Number 3, and remained in effect under the 133rd General Assembly as it was not updated, articulates the expectations for conduct for members of the Ohio

House. Section 7 of the Code of Ethics discusses the use of authority or influence to secure anything of value, soliciting or accepting anything of value, solicitation requirements tied to entities, and discusses briefly the condition of bribery. Section 9 discuss the Separation of Funds and the requirements that members not accept for personal or business use anything of value and dictates the manner in which members are to engage with political entities.

Co-defendants in the case, Jeff Longstreth, Generation Now via Jeff Longstreth, and Juan Cespedes have all plead guilty that the enterprise existed as charged in the indictment, the enterprise affected interstate or foreign commerce, the defendant was associated with or employed by the enterprise, and the defendant knowingly conspired to participate in the affairs of the enterprise through a pattern of racketeering activity in violation of 18 U.S.C 1962(d). The Statement of Facts attached to these agreements show Representative Householder provided official action in exchange for financial payments, concealed the nature and disclosure of payments by design, and advanced Representative Householder's personal political objectives while operating at Representative Householder's direction. Currently, Representative Householder and one another defendant remain the only members under indictment to maintain a not-guilty plea.

On July 30th 2020, the Ohio House of Representatives unanimously voted to remove Speaker Larry Householder from his position as Speaker of Ohio House of Representatives via a motion to vacate the position of House Speaker and then on the same day placed Representative Bob Cupp into the position of Speaker. This actions clearly demonstrate a disruption of business through disorderly conduct of a member and a breach of its privileges as referenced in Article 2 Section 6 of the Ohio Constitution. We have also received letters from both Licking County and Coshocton County officials requesting the expulsion of Representative Householder due to their belief he is unable to appropriately represent them while under Federal Indictment. There was significant disruption to the leadership team, staff, legislative priorities, and ancillary processes halting the business of the Ohio House

Before I hand the next portion over to my joint-sponsor, I want to thank this committee for allowing us to discuss this most important matter and my sincere belief, that this meets the constitutional condition of disorderly conduct of a member of the Ohio House of Representatives, meriting a vote of expulsion.