

February 26, 2021  
Opposition Witness Testimony, SB 16  
Judiciary Chair's office - Senator Nathan Manning  
Julie Boetger  
Ohio Poor People's Campaign

Dear Senator Manning and members of the Judiciary Committee,

I am writing today in opposition of SB 16. When people feel unheard, they protest. The only thing that will stop the protests is actually listening to people's concerns, and addressing them in a meaningful way. That's what good, effective leaders do. Criminalizing free speech and silencing the people of Ohio, prevents us from coming together and moving forward.

### **Making it a felony for protesters that block roads and sidewalks**

The bill would create new penalties for protests that took place on or spilled onto streets, sidewalks, or any other "public passage" (see Sec. 2917.14). The bill provides that it is a first-degree misdemeanor, punishable by up to six months in jail and a \$1,000 fine, to "impede" or render any public passage "impassable without unreasonable inconvenience" after being asked by an authority to stop.

If the offense occurs as part of a "riot," it is a fifth-degree felony, punishable by one year in prison and a \$2,500 fine. A riot in Ohio is a person with four or more others engaging in disorderly conduct which includes preventing the movement of persons on a public street. Therefore, under this bill any group of four or more persons blocking a street or other public place could be charged with a felony if they are asked to leave, but do not.

I believe that this truly takes away one of our fundamental rights of free speech and gathering. I cannot express my disdain for a super polluter plant to be built in my city by way of protest after my local city and county officials have already chosen not to listen to the majority of people that are against the plant from being built?? We elect the officials not for them to try and suppress our voices and to push their agenda, but to listen to what the people who elected them have to say. How are we supposed to express ourselves after the city council meetings and multiple letters haven't worked?? With such loose language written in this bill it is clear that it will be up to the judges to decide the penalties, which do not suit the crime. It

should never be a crime to gather and voice our opinions about issues that affect our cities and people. A \$474 million super polluting pig iron plant from South Africa is looking to build in Ashtabula, and has been given more tax breaks and perks than is humanly fathomable. After 10 years of planning behind the community's backs with local interest companies, and many filed grievances including an appeal to the Ohio EPA for an issued air permit for this company....we have no other option at this point but to protest to have our voices heard against this unhealthy new neighbor. If five of us were to gather on the sidewalk and hold signs while we peacefully protest we could face a fine of \$2500 and a year in jail???? This is absolutely not fair and suppresses our freedom of speech and peaceful protest and the penalty certainly does not suit the offense. Just because the local industry has ties to the Petmin plant does not mean that the people of the area agree with their decision, and should not be penalized for expressing that. Certainly sounds like the Ohio legislators are trying to silence our voices of concern over unhealthy polluting manufacturing around us.

### **Making it a felony for organizations who organize or support protests**

Under the new proposed Section 2923.31, if a person, group or organization helps to fund, organize, or actively assist in what is deemed a riot they could be charged as a “corrupt activity,” a fifth- degree felony punishable up to eight years in prison and a \$15,000 fine. The person, group, or organization could also be liable for property or other civil damages including those that result in the costs of law enforcement involved in investigating and prosecuting the offense. Under the broad definition of a “riot” in Ohio, a riot could include a person with four or more others engaging in a large number of protest activities or other activities that could be offensive to others,

Example 1: The Ohio Poor People’s Campaign organizes a sit-in at the Ohio Statehouse. Leaders or helps to organize and support the sit-in. Its leaders could be charged with a second-degree penalty plus the Ohio PPC could be subject to a \$15,000 fine plus costs incurred by the Capitol police to make the arrest.

I work for the Ohio Poor People's Campaign and this new bill threatens my own income.....all for voicing my opinion which is a fundamental right to begin with. The bill threatens every social justice organization in Ohio, some

of which are churches. How can you suppress the voices from a social justice organization like a church looking out for peoples human rights such as clean air and water? We have not had any problems in Ohio on the issues of peaceful protest. This is all overkill and too extreme of a measure in trying to suppress the voices of the very people that elected you and is no to win a re-election.

Please reconsider this very detrimental bill in Ohio and I encourage you to vote against the passing of this bill.