

Proponent Testimony: HB 504 – Sacred Spaces Act
Ohio Senate Judiciary Committee
November 15, 2022

Chairman Manning, Vice-Chair McColley, Ranking Member Thomas, and Members of the Judiciary Committee:

My name is Rabbi Ari Ballaban, and I am the director of the Jewish Community Relations Council of Cincinnati. I have served as a rabbi in a variety of capacities for close to ten years; before that, I spent five years studying in rabbinical school; even before then, I served as a Jewish communal professional within synagogues.

My background allows me to know firsthand that there is little in this world as special as coming together in common purpose, to serve something greater than yourself. Such occasions change people: enabling joy at times of celebration, providing comfort during the depths of mourning, and generating *meaning* in many hard-working folks' lives. Building communities where this can occur doesn't happen automatically: it takes dollars, and it takes hours, and it takes energy. More than that, though, it takes a setting in which individuals feel safe and sheltered from the world around them, at least to the extent that they can gather, express their prayers and engage in their religion, and then go back to the outside world. When law-breakers disturb places of religion, they abrogate worshipers' right to assemble and pray safely and peacefully; they fundamentally undermine religion's free exercise.

If parishioners do not feel they can worship safely, one of two things happens: they either stop coming to worship, or they worship under such a cloud of insecurity that they are unable to avail themselves of what is meant to be a protected activity. The threat posed by unlawful disruptions to religious services--both in physical and virtual spaces--so much chills the conduct of religionists that it demands a higher classification than currently held under the Ohio Revised Code.

There is pressing need for this reclassification, particularly as it moves to differentiate between unlawful disruptive activity perpetrated by those, on the one hand, targeting religious communities, and on the other hand, targeting other gatherings, meetings, or processions. As a Jewish professional, I am well aware of how certain malfeasants seem to have a fascination with making the lives of people of faith intolerable. The unfair, discomfoting reality is that such behavior often is successful in its motive--there are Jewish folks I represent who have decided, after experiencing harassment, to adapt how

they do or *do not* exercise their religious identity. Existing law simply does not fully take into account the differences between disruptions to something like a city council meeting, as opposed to meetings of a religious nature. To state just one example of a key difference, most religious communities are of diminutive size and lack the capital and human resources to protect themselves from or react to such threats. In their modest attempts to be prepared for disruptions of this nature, they often take time and resources away from facilitating religious experiences. Synagogues, churches, mosques, and temples should not face this burden: It is imperative that there be sufficient penalties for engaging in illegally disruptive behavior at places of worship that the likelihood of these threats occurring is, at least, somewhat diminished.

However, it is important to recognize one more reason that this need calls out: The COVID-19 pandemic made digital religious gatherings--once-relatively infrequent--into a commonplace aspect of religious communities' practice. Despite the abatement of the pandemic, this modality of religious expression isn't going anywhere. Unfortunately, disruptions to online religious services apparently pose a much more easily accessibly--and thus tempting--target for those who wish to harass religious communities. I have a disturbing number of colleagues who have seen their flocks--engaged in worship--be disrupted, harassed, and intimidated. It is simply unacceptable that there are Jewish communities where things like funeral services, shared digitally with those who must mourn at a distance, are sometimes interrupted with things like Nazi symbolism, pornography, and racial slurs. These are serious breaches of our social and legal compact, and they demand more serious punishment.

To quote Representative Johnson, "Ohioans *are* entitled to worship without disruption, period." I ask you to please support the passage of HB504 into law. Without adequate protections for worshipers and punishments against those who seek to harass and intimidate them, it cannot be said that Ohioans truly enjoy a fully vested right to worship without disruption. That must not be true.