



May 2, 2023 | Testimony in opposition to SJR 2 | House Constitutional Resolutions Committee

Chair Plummer, Vice Chair Hillyer, Ranking Member Mohamed, and members of the H Committee, thank you for the opportunity to submit testimony in opposition to SJR 2, a proposal that could weaken a valuable tool for Ohio voters to protect rights and freedoms and hold our elected officials accountable.

Equality Ohio is a nonpartisan statewide LGBTQ+ education and advocacy organization that values civil rights and freedom for all. This proposed resolution has the potential to negatively impact both. Ohioans deserve the freedom to vote not just for the people who serve us, but we also deserve to vote on issues that impact our everyday lives.

**We deserve a state constitution that reflects the modern values of our communities.** The United States has a long history of recognizing the rights of marginalized communities decades or even centuries after others in more privileged positions have had the same rights. That's true at both a state and federal level. This is why it's so important to preserve tools that allow citizens to correct and clarify interpretations that are prejudicial to some.

**For decades, Ohioans have considered citizen-led and legislature-led ballot initiatives to amend the constitution. Some have passed, some have failed, but in all cases, the majority of Ohio voters got to decide their fate.** These changes are not made on a whim, but rather only after gathering hundreds of thousands of signatures, running a statewide campaign, and convincing the majority of voters to agree.

**Equality Ohio has not always agreed with every ballot initiative effort, but that's exactly why it's so important to have an accessible amendment process for citizens.** In 2004, a ballot initiative to ban marriage equality – *initiated by lawmakers*– made it into the state constitution. Thankfully, the US Supreme Court decision *Obergefell v. Hodges*, authored by Justice Gorsuch, clarified that the US constitution protected the right to marry, making the state provision unenforceable. But it remains a stain on Ohio's beloved constitution. Over 70% of Americans support marriage equality, yet our state's own constitution does not reflect this reality because 20 years ago, lawmakers initiated a constitutional amendment to ban it. Progress towards equality has often meant re-evaluating the fundamentals of fairness and justice, and we are not better served by stifling important tools for protecting our state's ability to keep up with an ever-changing world.



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**Raising the threshold to pass a constitutional amendment would ensure that Ohio stays stuck in the past.** The nearly half million LGBTQ+ people in Ohio that Equality Ohio works to protect every day are in every single part of the state and hold a wide range of political ideologies. We are part of *all* religious, racial, and ethnic communities, and every generation. We are also a steadily increasing percentage of Ohio's voting population.

**This resolution would allow a minority of Ohio voters to block the will of the majority of Ohio voters.** Ohio citizens would face even steeper climbs to ensure that the will of the people is protected against partisan political actors in state government. So while the legislature can place an initiative on the ballot with the support of fewer than 100 elected politicians, comparatively, citizen-led initiatives are expensive, time-consuming, and require convincing hundreds of thousands of voters just to put the measure on the ballot, even before getting to the actual vote.

**The warning of partisan special interest groups overtaking Ohio's constitution is unfounded and disingenuous.** Making statewide campaigns more expensive and burdensome will most definitely make it harder for grassroots organizations and regular citizens to get a provision on the ballot, but moneyed special interests will continue to fund statewide campaigns with ease. Political parties and wealthy special interest groups don't need more power. And that's not what this committee should be prioritizing.

**There is nothing partisan about demanding that voters have the opportunity to join a majority of their peers to better the state's constitution.** Adding more inconvenience just for the sake of it is exactly the kind of needless legislation that disempowers voters. Arbitrary barriers such as those proposed in SJR 1 only further reinforce Ohio voters' growing disillusionment towards our election system and elected officials.

**Please reject SJR 2 and instead pass practical reforms that expand—rather than curb— access to democracy.**

Thank you,  
Maria Bruno, Public Policy Director  
Equality Ohio