



June 16, 2022

**Via First-Class Mail**

Senator Sherrod Brown  
713 Hart Senate Office Building  
Washington, D.C. 20510

Senator Rob Portman  
448 Russell Senate Office Building  
Washington, D.C. 20510

Congresswoman Shontel Brown  
2344 Rayburn House Office Building  
Washington, D.C. 20515

Senate President Matt Huffman  
Statehouse  
1 Capitol Square, 2nd Floor  
Columbus, OH 43215

Speaker of the House Robert Cupp  
77 S. High St, 14th Floor  
Columbus, OH 43215

Dear Government Officials:

In November 2013, the citizens of the City of Cleveland Heights, Ohio voted in support of a Citizens' Initiative which enacted Chapter 183 of the Codified Ordinances of the City of Cleveland Heights, Ohio and calls for an amendment to the U.S. Constitution declaring:

1. Only human beings, not corporations, are legal persons with Constitutional rights; and
2. Money is not equivalent to speech, and therefore, regulating political contributions and spending does not equate to limiting political speech.

Chapter 183 requires an annual hearing before the City Council. Accordingly, on June 9, 2022, the City Council of Cleveland Heights held a public hearing to examine the impact on its city, our state, and our nation of political influence by corporate entities and big money in connection with the most recent election. Corporate entities include business corporations, Political Action

Committees, Super PACs, 501 c4 groups and unions. Members of the general public in attendance were afforded the opportunity to speak on these matters for up to five (5) minutes per person.

The public hearing started at 7:08 p.m. and finished at 9:04 p.m. on June 9, 2022, in the City Hall Council Chambers at 40 Severance Circle, Cleveland Heights, Ohio. Twenty-one (21) members of the public spoke. Mayor Kahlil Seren, Council President Melody Joy Hart, Council Vice President Craig Cobb, Council Members Tony Cuda, Gail Larson, Anthony Mattox, Jr., Josie Moore and Davida Russell were in attendance. Minutes of the meeting will be available no later than August 1, 2022, on the Cleveland Heights' official website at <http://www.clevelandheights.gov>.

Very truly yours,



Craig Cobb  
Clerk Pro Tem of Council  
City of Cleveland Heights

cc: Kahlil Seren, Mayor  
William R. Hanna, Director of Law

## Summary of Testimony from Cleveland Heights' 9<sup>th</sup> Annual Democracy Day

*Public Hearing hosted by Cleveland Heights City Council and also livestreamed on June 9, 2022*

Twenty-one speakers addressed the Cleveland Heights City Council and the public, with Council President Melody Hart presiding. Mayor Kahlil Seren later joined the proceedings.

It was announced that U.S. House Joint Resolution 48, "Proposing an amendment to the Constitution of the United States providing that the rights extended by the Constitution are the rights of natural persons only," and also establishing that money is not speech, has attained 94 co-sponsors in 117<sup>th</sup> Congress, an all-time high. Members of the Ohio Congressional delegation Marcy Kaptur and Tim Ryan are co-sponsors. Cleveland Heights and other 11<sup>th</sup> district citizens who have been actively lobbying Rep. Shontel Brown to co-sponsor hope that she will do so soon.

Again this year, many speakers focused on the strenuous protection of illegitimate corporate "rights" by the Ohio General Assembly and/or the courts. Over and over, speakers showed how each "right" granted to a corporate entity was matched by the pre-emption or violation of one or more rights guaranteed to The People under the Ohio Constitution. To provide historical perspective, four participants each read out two questions from a "Ohio Democracy/Corporation History Quiz." Multiple choice answers were given, and all present were asked for a show of hands as to which they thought were correct.

It is instructive to consider how the state of Ohio progressed from one reality, described in Quiz question 2:

"Early legislative acts in Ohio creating corporations one at a time through petitioning the legislature (or General Assembly) stipulated rigid conditions. These privileges, *not rights*, included what provisions?

(a) Limited duration of charter; (b) Limits on amount of land the corporation could own; (c) Limits on the total investment of owners; (d) Limitation of charter to a stated purpose, with the state reserving the right to amend corporate charters or to revoke them; (e) All of the above.

The correct answer is (e) All of the above.

And after those early assertions of who held the power in Ohio (the elected legislature, representing the people) it took just 200-odd years for us to devolve into what is described in Quiz question 8:

In July 2020, we learned that FirstEnergy Corporation spent over \$60 million **bribing Ohio legislators** to ensure the passage of House Bill 6, to publicly bail out the company's antiquated non-renewable energy power plants and prevent the expansion of clean energy. Since then, what actions have our elected representatives in the Ohio legislature taken?

(a) They've repealed in its entirety House Bill 6; (b) They've committed legislatively to mandate the dramatic expansion of clean energy; (c) They've prohibited FirstEnergy from making political campaign donations to any state official or candidate running for any state office; (d) They've called for the dissolution of FirstEnergy and the provision of electricity by other privately or publicly owned utilities; (e) None of the above.

- On behalf of the Cleveland Heights/University Heights Chapter of the League of Women Voters, a resident addressed "The Ohio Redistricting Trainwreck." She stressed that gerrymandering is a regular practice of whatever party is in the majority. But this year, Ohioans discovered that despite voters' robust support for redistricting reforms in 2015 and 2018, "the majority party...failed to comply with the reforms and created maps that were rejected several times by the Ohio Supreme Court. They dragged their feet and effectively ran out the clock on the primary election, which will now be held August 2 for statehouse representatives and senators using district maps rejected by the Ohio Supreme Court. The May 3 primary used a rejected map for congressional districts." Rules? We don't need no stinkin' rules.
- A Cleveland Heights resident made her case for bringing the city's outsourced Building and Housing departments back in-house, saying "Corporations that privatize municipal services (1) don't provide what they promise (efficiency and cost savings), and (2) erode local democracy. Privatization siphons off residents' tax money to those corporations and their shareholders. We become their cash cows." She concluded that "maintaining and restoring our commercial and residential buildings is too imperative to

leave in the hands of a private entity whose overriding purpose is to make money for its parent organization. Our new city administration should bring these functions back in-house as soon as it is feasible, and resist falling for the promise of easy solutions in the future.”

- The final speaker proposed thinking of the U.S. Constitution as a box. “It symbolizes in large part our democratic space, rights and responsibilities, and limits.” The box got bigger with each of the 27 Constitutional Amendments enacted -- many adopted following democratic people’s movements. The box also was expanded by various Supreme Court decisions. But then, “other Supreme Court interpretations have vastly *decreased* the size of the democratic box – the space that we call our democracy, which never was very large to begin with. Many of those interpretations involved activist Supreme Court decisions that granted corporations never-intended unalienable constitutional rights – rights that trumped people’s rights. Following each decision by the court, our democratic space contracted – the box became smaller.” And the speaker graphically illustrated the shrinking with a series of smaller and smaller boxes, each marked with one of those decisions.

Other testimony addressing topics subject to undue corporate influence and the corrupting power of unregulated money in politics included:

- The Intersection of Militarism, Money in Politics and Corporate Rule
- The Problems of Spreading Waste Brine in Our Environment
- Corporate Influence & Money in Politics: Some Terrible Examples, Including Local Ones
- Why Do We Need the We the People Amendment?
- A Skit About Corporate Personhood: The Return of Ms. McGillicutty
- The Urgent Need for Expanded, Improved Medicare for All
- Vouchers and Their Corrosive Effect on Public Education
- Stopping the Slaughter of Schoolchildren
- How Corporate Power Hurts Poor and Low-Wealth People
- Democratizing Money Creation
- The Importance of Juneteenth
- Money in the Recent Brown/Turner Congressional Race
- Ohio Has Stifled Renewable Energy Investment
- After HB-6, Can We Pull the Plug on First Energy?

At the conclusion of the hearing, several Council members and Mayor Seren remarked upon on the importance and relevance of the testimony, and thanked the speakers for their dedication to democracy.

The entire hearing may be viewed on YouTube: Cleveland Heights Democracy Day June 9, 2022.

Respectfully submitted,

Carla Rautenberg and Greg Coleridge, for Cleveland East Move to Amend, 6/14/2022