



February 5, 2020

Via First-Class Mail

Congresswoman Marcia L. Fudge
2344 Rayburn House Office Building
Washington, D.C. 20515

Dear Government Official:

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 do not equate to limiting political speech.

Chapter 183 requires an annual hearing before the City Council. Accordingly, on January 30, 2020, 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 7:00 p.m. and finished at 9:00 p.m. on January 30, 2020, in the City Hall Council Chambers at 40 Severance Circle, Cleveland Heights, Ohio. Twenty (20) members of the public spoke. Mayor Jason S. Stein, Vice Mayor Kahlil Seren and Council Members Melody Joy Hart, Davida Russell, and Michael N. Ungar were in attendance. Minutes of the meeting will be available no later than March 1, 2020, on the Cleveland Heights' official website at <http://www.clevelandheights.com>.

This was Cleveland Heights' 7th Annual Democracy Day. The entire 2020 hearing may be viewed by going to YouTube, and typing in "Cleveland Heights January 30 2020."

Very truly yours,



Susanna Niermann O'Neil
Acting Clerk of Council
City of Cleveland Heights

cc: Tanisha R. Briley, City Manager
William R. Hanna, Director of Law
Senator Sherrod Brown
Senator Rob Portman
Senate President Larry Obhof
Speaker of the House Larry Householder



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Senate President Larry Obhof
Statehouse
1 Capitol Square, 2nd Floor
Columbus, OH 43215

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

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713 Hart Senate Office Building
Washington, D.C. 20510

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77 S. High St, 14th Floor
Columbus, OH 43215

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Summary of Testimony from the Cleveland Heights Democracy Day Public Hearing held on January 30, 2020

Thirty-eight people attended Cleveland Heights' 7th Annual Democracy Day hearing, with 21 testifying before Cleveland Heights Mayor Jason Stein and Council members Kahlil Seren, Davida Russell, Melody Hart and Michael Ungar.

Public testimony began with an introduction and the presentation to the Cleveland Heights Law Department of a new White Paper published by Move to Amend, explaining the legal necessity of passing the "We the People" constitutional amendment contained in U.S. House Joint Resolution 48. To very briefly summarize, the White Paper states that corruption is the fundamental problem of American politics and government. Its most dangerous forms are excessive election spending and corporate constitutional rights. Corporate constitutional rights subvert democracy because they supersede laws passed by the People's representatives, harming public health and safety, workplace safety, the environment, and democracy itself. A constitutional amendment is the only non-violent method for solving the problem of corporate constitutional rights, and HJR-48 is the only amendment presently in the Congress that addresses both money as speech and corporate constitutional rights.

HJR-48 was re-introduced in the 116th Congress by a new lead sponsor, Rep. Pramila Jayapal (WA-07), and now has 70 co-sponsors, more than ever before.

Resolutions supporting the 28th Amendment were also re-introduced in the Ohio House and the Ohio Senate early in the 133rd General Assembly of Ohio.

In 2019, Democracy Day public hearings created by citizens' initiatives supporting the We the People Amendment were held in these Ohio communities, in addition to Cleveland Heights: Toledo, Cleveland, Shaker Heights, South Euclid, Kent, Newburgh Heights, Brecksville, Defiance, Mentor and Chagrin Falls. In January 2020, University Heights became the fourteenth Ohio city whose City Council passed a Resolution supporting the We the People Amendment, HJR-48.

The 2020 hearing proceeded with testimony covering a broad range of issues, many of which affect the lives of Cleveland Heights residents every day. Here is just a sample of what was said:

- Two citizens focused on how Ohioans are losing our right to self-government due to the collapse of Home Rule authority. Although the Ohio Constitution states "Municipal Corporations have authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations as are not in conflict with general laws," one resident outlined repeated attempts by the legislature to pre-empt local bans on single-use plastic bags. In remarks titled "Fracking vs. Democracy," another citizen outlined how bills passed with bi-partisan support in the Ohio General Assembly have weakened democratic values by suppressing local decision-making and peaceful protest in favor of the oil and gas industries--at great environmental, financial and human cost to Ohio communities. Since 2013, the Ohio General Assembly has prohibited local governments from enacting gun laws, establishing a minimum wage, regulating oil and gas operators, predatory lending, cell phone equipment and wind farm siting, creating residential requirements for city employees, and more.
- A resident noted: his former employer-based health insurance led him to conclude that, as a Type-1 diabetic, he would be better off if he worked less, made less money, and got divorced. Having recently gotten a new job with seemingly better, more affordable insurance, he was surprised to find that he is worse off. His new insurance company is denying coverage for the Continuous Glucose Monitor, the standard of care for Type-1 diabetics, which his old insurance covered for many years. He has

appealed, and the appeal has been denied. He pointed out that “healthcare coverage should not be the basis of whether or not to get or stay married.”

- With the author’s permission, a resident read a recent column by Cleveland’s Roldo Bartimole about the Sherwin Williams Company, which has its hand out for big-bucks incentives to keep its headquarters in Cleveland after benefiting from 150 years of publicly funded safety, education, water and infrastructure services here. Calling out the hypocrisy of elected officials and the press for colluding in this sham, Bartimole concludes: “We have become government by bribe” and asks “Who can offer the biggest, best bribe wins the corporate chiseler?” The resident who read the piece then pointed out that although Sherwin Williams and two other paint companies will be required to pay \$409 million for the cleanup of lead-contaminated homes in California, the Ohio legislature passed a 2007 law protecting paint companies from being sued in our state.
- A Cleveland Heights activist described how an “outside” corporate entity (from Washington D.C.) put its hand on the scale regarding the city’s recent ballot initiative asking citizens to decide whether to keep or change our form of government. The International City and County Management Association (ICMA) spent at least \$30,000 to promote a “no” vote on an issue put on the ballot by citizens’ initiative. He went on to outline questionable conduct on the part of local elected officials during that campaign, asking “What kind of democracy do we want to have in Cleveland Heights?”
- Another Cleveland Heights citizen explained how ending corporate constitutional rights or corporate “personhood” is a conservative issue. Corporations aren’t mentioned in the constitution. Corporations were created originally through public licenses or charters with publicly defined provisions. Corporate “personhood” was only granted by courts – by activist judges, not by any elected public official of any party at any level of government. He concluded: “We humans created these bizarre constitutional doctrines – consciously and intentionally... What has been done can be, and is being, undone.”

Further topics addressed as being subject to undue corporate influence and the corrupt power of unrestricted money in politics included:

- How the Worst Energy Bill Gets Passed
- Working Class People Are Shut of Running for Office
- The United States Postal Service is Ours
- Money in Politics Crosses City Borders and We Should Too
- The “Right to Life” Changes – According to the “Weapon”
- Free Transit
- How to Become an Ohio EdChoice School District

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Respectfully submitted by

Carla Rautenberg and Greg Coleridge
for Cleveland East Move to Amend

2/05/2020