

Public Participation in Politics

Ohioans take part in politics when they voice their opinions on schools or taxes, contribute money to a candidate or cause, join a group backing an issue, sign a petition, vote, or write their legislators. Members of the public may choose to participate in varying degrees and ways. Participation, in whatever form, helps strengthen the system of self-government.

Voting is the initial and easiest form of participation for most citizens. Qualifications and procedures for voting are outlined in the preceding chapter. Further opportunities for political involvement include lobbying and testifying before the legislature; writing to public officials; participating in initiative and referendum petition drives; campaigning for issues or candidates; running for office; serving on government boards, commissions and committees; monitoring governmental meetings; and litigation. Many federal programs require public participation in planning how funds are to be spent.

Contacting Officials

Government officials need to hear from their constituents to better understand what voters are thinking. Individuals may contact their government officials in many ways, including by letter, e-mail, telephone, and in-person meetings. Guidelines for communicating with officials are on page 114.

Testifying at Hearings

Committees in the state legislature, Congress and city halls hold public hearings on proposed laws before the entire chamber debates and votes on them. Government agencies hold hearings before adopting rules for administering laws. Public hearings give individuals, groups and organizations a chance to present their views on a proposed law or rule, to give the reasons why they think it should or should not be adopted, to suggest amendments and to answer legislators' questions directly about the proposal's effect on them. Individuals do not have to be experts to testify at hearings. An informal statement by a single person can be dramatic and effective; those who represent a number of Ohioans carry still more weight.

Those wishing to testify should notify the chair of the committee before a hearing begins by filling out a witness slip and returning it to the committee's legislative aide. Many committees ask that testimony be submitted electronically the day

The Do's and Don'ts of Contacting Government Officials

DO

- get in contact.
- let government officials know when you agree with them, not just when you disagree.
- be brief and to the point; discuss only one issue, and include a specific bill reference if possible.
- clearly express your opinions or ideas.
- use your own words to express your opinion.
- include your contact information and signature.
- be courteous and reasonable.
- make contact early in the session before a bill has been introduced if you have ideas about an issue you would like to see incorporated in legislation. If you are lobbying for or against a bill, and your representative is a member of the committee to which it has been referred, write when the committee begins hearings. If your representative is not a member of the committee handling the bill, write just before the bill comes to the floor for debate and vote.
- contact the chair and members of a committee holding hearings on legislation in which you are interested. While you have more influence with the representative from your own district, you are not precluded from contacting representatives from other districts.
- contact each government official individually; it's courteous and more effective.

DON'T

- apologize for contacting them. (Your opinion is not an imposition, and your representative is elected in part to hear your views.)
- begin on the righteous note of “as a citizen and taxpayer.”
- be vague.
- be rude or threatening.
- sign and send a form letter or photocopied letter or e-mail.

before the committee meeting. When called to testify, individuals should begin by stating their name (and the name of their organization, if applicable, along with its size and goals) and the basis of their concern with the issue.

Clearly state support or opposition to the proposed bill or rule, giving reasons and specific examples from experience. The most effective speakers are calm and direct, taking a positive approach if possible; they are brief and specific and use their own words. Formal statements on behalf of an organization should be in

writing, with copies provided to the committee members and to the media.

Hearings are a useful part of the democratic process at every level of government. These guidelines for giving effective testimony before a state legislative committee apply as well to a hearing before a municipal zoning commission, a county budget commission, or any other board or agency.

Correct Salutations and Closings

FEDERAL

President

The President
The White House
1600 Pennsylvania Ave.
Washington, D.C. 20500

Dear Mr. President:

Very respectfully yours,

To email the President, **go to <http://www.whitehouse.gov/contact/>** then fill out the online form.

Vice President

The White House
Office of the Vice President
1600 Pennsylvania Ave.
Washington, D.C. 20500

Dear Mr. Vice President:

Sincerely yours,

Senator

The Honorable [Name]
United States Senate
Washington, D.C. 20510

Dear Senator [Name]:

Sincerely yours,

Representative

The Honorable [Name]
Look up each representative's
address at:

**[https://www.house.gov/
representatives](https://www.house.gov/representatives)**

Dear Representative [Name]:

Sincerely yours,

STATE

Governor

The Honorable [Name]
Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215-6117

Dear Governor [Name]:

Sincerely yours,

To email the governor, go to:
**[http://governor.ohio.gov/Contact/
Contact-the-Governor](http://governor.ohio.gov/Contact/Contact-the-Governor)** then fill out
the online form.

Senator

The Honorable [Name]
Look up each senator's address at:
**[http://ohiosenate.gov/members/
contacting-your-senator](http://ohiosenate.gov/members/contacting-your-senator)**

Dear Senator [Name]:

Sincerely yours,

Representative

The Honorable [Name]
Look up each representative's
address at:
**[http://www.ohiohouse.gov/members/
member-directory](http://www.ohiohouse.gov/members/member-directory)**

Dear Representative [Name]:

Sincerely yours,

For information about contacting
other elected officials, go to
www.ohio.gov/agencies

State Legislative Lobbying

The laws of the state are passed by the legislature (General Assembly). Lobbying is the art of persuading elected representatives to pass, defeat, or amend laws. Lobbyists perform an essential function in the democratic process. They provide legislators with facts relating to proposed laws and background information that might not otherwise be available. A lobbyist's job is also to demonstrate to the legislature that substantial support for or opposition to change exists among the voters.

A person does not have to be paid to be a lobbyist. While many corporations, unions, and associations pay their lobbyists, other groups use volunteers. There is always opportunity for people who feel strongly about a legislative objective to work for or against its passage. Good lobbyists should have a thorough understanding of the issue, a commitment to the cause, enthusiasm, sincerity, and a sense of humor. They build rapport and understanding with legislators by personal contact, presenting them with relevant factual material and demonstrating support from constituents.

Ohio law requires all paid lobbyists and other persons paid full or part-time to try to influence legislation to register with the Joint Legislative Ethics Committee (JLEC). Paid staff of organizations may testify in hearings without being considered lobbyists who need to register with the JLEC. Volunteer lobbyists and those lobbying on their own behalf do not register.

The Do's and Don'ts for Lobbyists

DO

- recognize legislators as human and show them respect. Use the visit to get information, ask questions.
- get to know their staffs and treat them courteously.
- identify yourself immediately with each contact.
- know the issue and status of the legislation.
- know the legislators (their past records on legislation, party, position in the legislature, legislative and outside interests).
- commend them for actions you approve.
- be brief, then follow up periodically.
- give legislators easy-to-read materials with important facts highlighted.

DON'T

- be arrogant, condescending, or threatening.
- overwhelm them with too much written material that they do not have time to read.
- get into prolonged arguments.

The same rules apply for lobbying members of Congress and federal agencies.

Initiative and Referendum

The Ohio Constitution gives Ohioans rights to propose constitutional amendments or new statutory laws through ballot initiatives and propose, through referendums, that voters reject laws passed by the legislature. Initiative and referendum provisions are a final protection for citizens who believe the legislature has ignored an important issue or passed a bad law. Ohioans exercise these powers by filing petitions containing the required number of signatures with the appropriate authority, resulting in a statewide vote.

In each case, the process starts when petitioners designate a committee of three to five persons to represent them, draft their initiative or referendum proposal and collect at least 1,000 voters' signatures on their petition.

For initiatives, petitioners must file the proposal, a summary and the petition with the attorney general, who must certify the summary is fair and truthful. The attorney general then forwards the information to the Ohio Ballot Board, which must certify the proposal contains only one constitutional amendment. The certifications are then filed with the secretary of state's office.

The people bypass the legislature by initiating a constitutional amendment directly. After the certifications, Ohioans who initiated the amendment must circulate petitions to collect enough signatures to equal 10 percent of the electors voting for governor in the last gubernatorial election. At a minimum, signatures must come from half of Ohio's 88 counties and represent no less than five percent of the total vote cast for governor in each of those counties in the last gubernatorial election. The petitioners must submit the signatures to the secretary of state no later than 125 days prior to the general election so that the office, with the assistance of the local boards of elections, can verify the validity of the signatures. The ballot wording, explanations and arguments for and against are prepared and made available to the public, as explained on page 105. If a majority of the voters approve the amendment, it becomes part of the constitution.

The process for initiating laws (statutes) allows Ohioans to first prod the General Assembly, and if it fails, take the proposed law directly to voters. After the initial certifications, petitioners must collect signatures equal to three percent of the electors voting in the last gubernatorial election, from at least half of Ohio's 88 counties. The signatures must equal at least 1.5 percent of the vote in each county. If the secretary of state validates these signatures, the proposed law is introduced in the legislature.

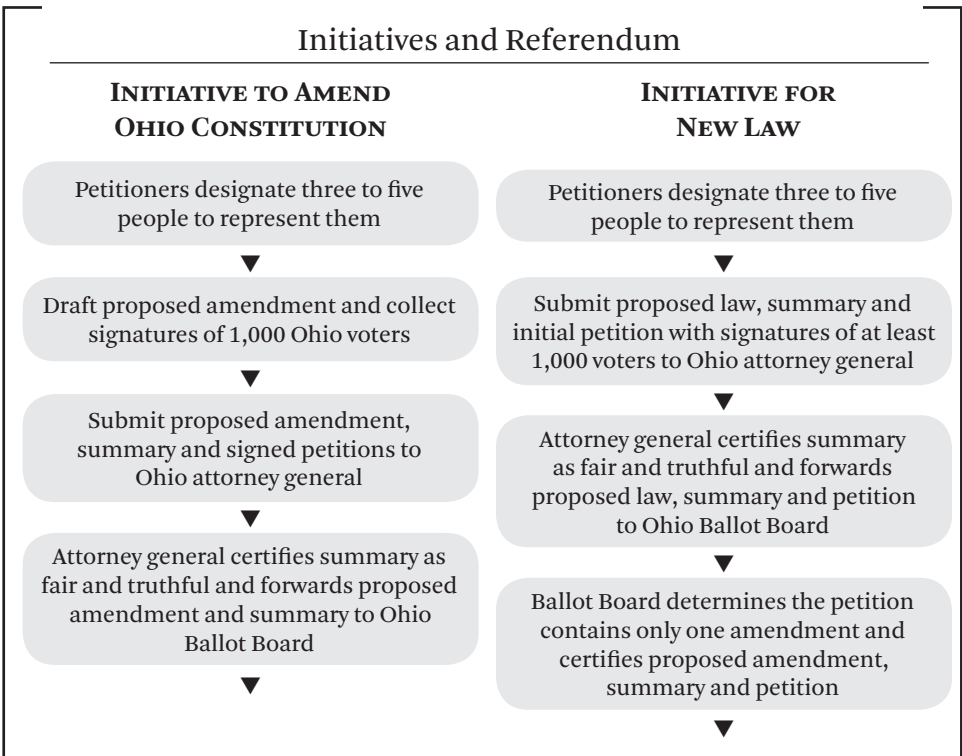
If the legislature fails to pass the law in four months or passes an amended version, the petitioners have 90 days to collect signatures equal to an additional 3 percent of voters under the same rules as the second petition required in this process. If the secretary of state verifies the signatures, the Ballot Board writes the official ballot language and certifies it to the secretary of state within 75 days of the

election. Ohio residents vote on the law at the next general election at least 125 days after this third petition is filed. If voters approve, the law becomes effective. It is not subject to the governor’s veto.

Ohioans may petition for a referendum on any law passed by the legislature with the exception of emergency laws, tax levies or appropriations of current expenses. They first file the 1,000-signature petition and full text and summary of their proposal with the secretary of state who has 10 days to verify the signatures and certify the referendum text is correct. The day of or the day after filing with the secretary of state, the citizen group must file the same information with the attorney general, who has 10 days to certify the summary as fair and truthful.

If both offices certify, petitioners must then collect enough signatures to equal 6 percent of the electors voting in the last gubernatorial election. The signatures must come from at least 44 of the 88 counties and equal at least 3 percent of the vote cast in each county. The petitioners must file these petitions with the secretary of state no later than 90 days after the governor filed the law at issue with the secretary of state.

If the secretary of state validates the signatures, the law is put to a statewide vote at the next regular or general election at least 125 days after the petition is filed. If voters disapprove the law, it cannot take effect.



Ballot Board determines the petition contains only one amendment and certifies proposed amendment, summary and petition

Submit a certified copy of the amendment's full text, summary and petition to Ohio secretary of state

Circulate petition, collecting signatures equal to at least 10 percent of electors voting in last gubernatorial election; signatures must come from at least 44 counties and equal at least 5 percent of votes cast in each county in last gubernatorial election

Submit petition to secretary of state no later than 125 days before the general election at which the amendment will be placed on the ballot

Ballot Board prescribes ballot language; under certain circumstances, the board may add a companion question

Proposed amendment and arguments for and against are published in a newspaper of general circulation in each county once a week for three weeks prior to the election

If approved by majority of voters, amendment becomes part of Ohio Constitution

INITIATIVE TO AMEND OHIO CONSTITUTION

Submit a certified copy of amendment's full text, summary and petition to Ohio secretary of state

Petitioners circulate petition, collect signatures equaling at least 3 percent of votes in last gubernatorial election; signatures must come from 44 counties and equal at least 1.5 percent of votes cast in each county in last gubernatorial election

Petitioners file signed petition with secretary of state at least 10 days before the first Monday in January, which is when a session of the General Assembly begins

If the legislature fails to pass the law within four months or passes an amended version, within 90 days petitioners must collect signatures from an additional 3 percent of voters under the same requirements as above

Petitioners file signed petition with secretary of state no later than 125 days prior to election at which the proposal will be placed on the ballot

Ballot Board prescribes ballot language for proposal

Proposed law and arguments for and against are published in a newspaper of general circulation in each county once a week for three weeks prior to election

If voters approve, proposal becomes law

INITIATIVE FOR NEW LAW

Initiatives and Referendum

REFERENDUM ON LAW

Petitioners designate three to five people to represent them



Submit initial petition seeking referendum with full text and summary of the law or section of law being challenged and the signatures of 1,000 voters to the Ohio secretary of state; within a day, submit same to Ohio attorney general



If attorney general certifies the summary as fair and truthful, petitioners circulate petition and gather signatures equal to 6 percent of electors voting in the last gubernatorial election; signatures must come from at least 44 counties and equal at least 3 percent of votes cast in each county



Signed petition must be filed with the secretary of state within 90 days after law being challenged was filed with the secretary of state by the governor



Electors vote on referendum at the next regular or general election 125 or more days after the petition is filed



If the majority disapproves the law, it does not take effect

Source: Ohio Secretary of State: <https://www.sos.state.oh.us/legislation-and-ballot-issues/putting-an-issue-on-the-ballot/#gref>

Monitoring the Administration

After laws are passed, the executive branch of government is responsible for administering and enforcing them. Ohioans have a right to know what executive branch officials are doing and are aided by The Ohio Open Meetings Act, originally adopted in 1954, and Ohio Public Records Act, originally adopted in 1963. The acts, which have been repeatedly amended, are referred to as Ohio's sunshine laws.

The Ohio Open Meetings Act requires public bodies to conduct official business in meetings open to the public at all times. Any prearranged meeting of a majority of members of a governmental body to discuss or conduct public business is a public meeting. Public bodies must establish a method for Ohioans to learn the time and place of regular or special meetings they hold and must notify the media immediately if an emergency meeting is called. There are several public organizations that are exempt from all Open Meetings Act provisions due to the nature of the organization. They are grand juries, audit conferences, and the Ohio Organized

Crime Investigation Commission. Furthermore, certain meetings of the Adult Parole Authority, the State Medical Board, the Board of Nursing, and the Emergency Response Commission are exempt from Open Meetings Act requirements.

Under certain circumstances, several state agencies and other public bodies that are subject to the Open Meetings Act may hold “executive sessions” that are closed to the public. Closed sessions are permitted to discuss pending litigation with an attorney, personnel matters, the purchase or sale of public property, collective bargaining issues and security arrangements. But, specific motions and their disposition stemming from the closed sessions must always be made in open session.

Any person or organization may bring suit in common pleas court against a public body holding or planning to hold an unauthorized closed meeting. Under the Open Records Act, full and accurate minutes of public meetings must be recorded and open to public inspection. In fact, all public records must be open at all reasonable times for inspection. Any document that records the organization, functions, policies, decisions, procedures, operations, or other activities of a public body is a public record under the law. Persons responsible for public records are required to make copies of them available at cost to anyone requesting them within a reasonable period of time.

A 2016 law gives individuals, organizations and the media a new avenue to challenge state agencies they believe are wrongly withholding public records. Rather than file a lawsuit, they may file an appeal to the Ohio Court of Claims and receive a ruling within 60 days in most cases. The cost of filing an appeal is \$25, significantly less than going to court.

Going to Court

Although people’s rights and duties may appear to be guaranteed or defined by laws or by the constitution, there is often room for interpretation. Litigation is a way to determine exactly what those rights and duties are and to ensure compliance with them. Advocacy groups increasingly are suing in court to protect public interests over voting rights, gun rights, abortion access, protection from pollution and more.

By forming a coalition with other organizations or by working with a law firm that will handle public interest cases pro bono—that is, without charge or at a reduced rate—can reduce the expense of initiating a lawsuit. Some national organizations take cases they consider to be of public concern without charge, or they have access to low-cost legal aid, such as law school faculties and government-paid legal aid lawyers. If a plaintiff wins the suit, the court may order that plaintiff’s attorney’s fees be paid by the defendant. Court costs are an additional expense.

A person or group who is not a party to litigation can become involved in a limited way by filing an *amicus curiae* (friend of the court) brief in a suit brought by another organization or individual. The court, and often both parties, must first give

permission. Those who receive permission can submit an amicus brief that advises the court of relevant information, implications or other points on which they have expertise, but the filer has no control over the suit or relief requested.

Appointment to Boards, Commissions and Councils

Many advisory or policy-making boards and committees include individuals appointed by the governor or an appointing body. A citizen can apply for appointment to one of these boards and, through it, influence state or local decision-making.

In most cases, an Ohioan must have knowledge specific to the organization in order to be appointed. Individuals may demonstrate the required knowledge by establishing a professional reputation in the field, or actively participating in pertinent politics, such as lobbying, or through participation in a reputable volunteer organization such as Common Cause, the Farm Bureau, the American Civil Liberties Union, or the League of Women Voters. These organizations are often asked to nominate a candidate for an ad-hoc or standing committee on a particular problem.

There are various positions that do not require professional expertise. Sometimes a relevant life experience is of prime importance, as in an advocacy council for people with disabilities. Citizens with experience and interest can write to their congressional delegates or other elected officials, give their qualifications, and ask for an appointment. Advisory boards exist at the local, state, and federal levels.