IN THE WILLOUGHBY MUNICIPAL COURT
LAKE COUNTY, OHIO

STATE OF OHIO/CITY OF KIRTLAND	)	Case No. 26CRB01160
	)	
Plaintiff,	)	JUDGE MICHAEL CICCONETTI
	)	
v.	)	DEFENDANT'S MOTION TO DISMISS THE
	)	COMPLAINT UNDER THE FIRST AND
DONALD J. BYRNES II,	)	FOURTEENTH AMENDMENTS TO THE UNITED
	)	STATES CONSTITUTION AND ART. I, §§3,11 OF
Defendant.	)	THE OHIO CONSTITUTION
	)	(EVIDENTIARY HEARING REQUESTED)

Defendant Donald J. Byrnes II, by and through his counsel, pursuant to Ohio R. Crim. P. 12, the First and Fourteenth Amendments to the United States Constitution, and Art. I, §§3 and11 of the Ohio Constitution, respectfully moves the Court to dismiss the complaint charging him with telecommunications harassment, in violation of R.C. 2917.21(A)(1).

The grounds for this motion are that the prosecution under the telecommunications harassment statute is unconstitutional as applied to him under the First and Fourteenth Amendments to the United States Constitution and Art. I, §§3 and 11 of the Ohio Constitution. The statute is also unconstitutionally overbroad under the same provisions.

A memorandum in support of this motion is attached hereto and incorporated herein. An evidentiary hearing on this motion is respectfully requested.

Respectfully submitted,

/s/ J. Michael Murray
J. MICHAEL MURRAY(0019626)
jmmurray@bgmdlaw.com
WILLIAM C. LIVINGSTON (0089538)
wlivingston@bgmdlaw.com
BERKMAN, GORDON, MURRAY & DeVAN
55 PUBLIC SQUARE, SUITE 2200
CLEVELAND, OH 44113
(216) 781-5245 (telephone)
(216) 781-8207 (facsimile)
Attorneys for Defendant

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STATE OF OHIO/CITY OF KIRTLAND	)	Case No. 26CRB01160
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Plaintiff,	)	JUDGE MICHAEL CICCONETTI
	)	
v.	)	DEFENDANT'S MEMORANDUM IN SUPPORT OF HIS MOTION TO DISMISS THE COMPLAINT UNDER THE FIRST AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION AND ART. I §§3,11 OF THE OHIO CONSTITUTION
	)	
DONALD J. BYRNES II,	)	
	)	
Defendant.	)	
	)	

STATEMENT OF FACTS

This case presents an extraordinary application of Ohio's telecommunications harassment statute. The State seeks to criminally prosecute a political commentator based upon two satirical text messages and an internet meme sent to an elected state senator after the senator abandoned his campaign for Senate President.

D.J. Byrnes and "The Rooster"

Defendant D.J. Byrnes II publishes *The Rooster*, an online subscription-based publication covering Ohio politics. *The Rooster* is one of Ohio's largest independently owned political publications and has been featured by national and state media, including The New York Times,[1]

[1]https://www.nytimes.com/2026/02/12/us/ohio-state-luke-perez-gordon-gee.html

The Washington Post,[2] The Wall Street Journal,[3] and The Columbus Dispatch.[4] Byrnes frequently refers to readers and subscribers of *The Rooster* as the "Patriots Caucus."

In a March 26, 2026 article, *Columbus Monthly Magazine* described Byrnes as "a new brand of muckraker that works without a net" and "a bipartisan wrecking ball and indispensable outlet for Statehouse gossip, innuendo and scoops of varying newsworthiness."[5] The article further noted that Byrnes has earned a reputation for aggressive reporting, irreverent humor, and commentary.

In that article, a longtime lobbyist was quoted as saying about Byrnes, "He's not anti-Democrat or anti-Republican. He's anti-power. If you are The Man, he's going after you." In addition, a former Statehouse bureau chief for the Cleveland Plain Dealer and Cincinnati Enquirer described herself as a big fan of Byrnes's work: "He arrived as the need for watchdogs was rising, but the number of reporters has been shrinking. Sure, he sometimes assigns rude nicknames to folks and covers and behaves in ways that would get most traditional reporters fired. But he's a blogger who breaks important news—a lot of it."

Byrnes' Coverage of Senator Jerry Cirino

The complainant, Jerry Cirino, is an Ohio State Senator representing District 18.

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[2] https://www.washingtonpost.com/transportation/2021/05/06/andrew-brenner-video/

[3]https://www.wsj.com/sports/football/urban-meyer-videos-girl-origin-jacksonville-jaguars-11633578022

[4]https://www.dispatch.com/story/news/politics/2022/07/19/columbus-tax-deal-employee-monitoring-software-company-aware/10089832002/?gnt-cfr=1&gca-cat=p&gca-uir=false&gca-epti=z1167xxe1167xxv000088&gca-ft=185&gca-ds=sophi

[5]https://www.columbusmonthly.com/story/lifestyle/features/2026/03/16/a-closer-look-at-d-j-byrnes-and-his-controversial-blog-the-rooster/88981545007/

As far back as October of 2022, Byrnes has reported on Senator Cirino's legislative activities and political ambitions in *The Rooster*. *See* Exhibit A (10/6/2022). Initially, the relationship was cordial.

For example, in April 2024, Byrnes interviewed Senator Cirino at the Ohio Statehouse concerning reports that individuals associated with House leadership had received money connected to the FirstEnergy corruption scandal. *See* Exhibit A (4/26/24). Although Byrnes asked pointed questions, the interview remained friendly. The two men joked throughout the interview, and Cirino himself joked that he should subscribe to *The Rooster.* The interview ended with Cirino teasing Byrnes that his comments about Cirino's baseball skills after a statehouse game had been too harsh.



Several months later, on January 7, 2025, *The Rooster* reported another of Byrnes' interviews with Senator Cirino, about his sponsorship of legislation involving diversity initiatives in higher education and imposing restrictions on faculty strikes. *See* Exhibit A (1/7/2025). While criticizing the legislation, Byrnes nevertheless complimented Senator Cirino for his willingness to answer difficult questions and publicly debate controversial issues:

Senator Cirino: I'll see the professors in Hell!



Yesterday, I ran into Senator **Jerry Cirino** (R-Kirtland) in the Statehouse Rotunda.

Setting aside politics, I respect Cirino because he never runs from a question, let alone some pervert with a camera. He ascribes this attitude to his childhood in Cleveland's Little Italy neighborhood.

I said, Senator Cirino, are you coming after our beautiful college professors? This was about **SB-83**, which would have mandated conservative thought on college campuses. The controversial bill died a grisley death in the last general assembly.

Cirino removed language that barred college faculty from striking in an attempt to pass the legislation through the House of Representatives. However, pro-union Republicans killed the legislation before it reached the floor.

Cirino admitted that the legislation was coming back in the 136th General Assembly with the strike ban. He said that if a student pays Ohio State for a semester of classes, then a third party, like professors, shouldn't be able to interfere with that contract by striking for "a better dental plan" or something.

That's a gross oversimplification of what might drive a faculty to the picket line. But I'm just a guy off the street.

Speaker Huffman is anti-union, unlike his predecessor. The strike language in the new version of the legislation will be the first test of what remains of the pro-union Republican contingent in the House.

If that legislation passes in full, as Cirino expects, I predict it will be an ominous sign for more anti-union legislation to come.

What that would look like remains to be seen. But my prediction would be something like banning unions from automatically withholding dues from the paychecks of members, which effectively killed at least eight adjunct unions in Florida.

Byrnes' Reporting on Cirino's Legislative Agenda and Bid for Senate President

As Senator Cirino pursued that legislation and the position of Senate President, Byrnes increasingly criticized his policies and political ambitions.

The Rooster published articles reporting on Senator Cirino's anticipated campaign for Senate President, his legislative agenda, and his relationships with other members of the General Assembly.

Byrnes criticized Cirino's support for public financing of a new Cleveland Browns stadium, reported that Cirino was alienating political allies through heavy-handed leadership tactics, published information concerning Cirino's campaign strategy, and repeatedly predicted that, despite being the frontrunner, Cirino would ultimately lose the race for Senate President to Bill Reineke. Byrnes also coined the hashtag "#RidinWithReineke" to reflect his opposition to Cirino's presidential bid and support for his challenger.[6]

During this same period, Byrnes frequently referred to Senator Cirino by the satirical nickname "Young Mussolini." The nickname appeared repeatedly in articles discussing Senator Cirino's leadership style and his campaign for Senate President, alongside a cartoon image of Benito Mussolini wearing a crown. The articles consistently addressed matters of public concern involving elected officials, legislative priorities, and Ohio politics.

In one piece, on July 16, 2025, Byrnes published text messages sent between Cirino and Statehouse Lobbyist Brian Durdle, he received through a source, where Cirino stated Reineke lacked the savvy and persuasiveness needed for the job and that he expected to have the presidency wrapped up by March of 2025:

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[6] *See* Exhibit A for some additional examples of *The Rooster's* coverage of Senator Cirino. (1/30/25; 6/4/25; 7/16/25; 10/9/25).

Young Mussolini is falling apart at the finish line



Earlier this year, I probably would have wagered a lot of money that Senator **Jerry Cirino** (R-Kirtland) would be the next president of the legislative retirement home.

But that was before the budget season, in which Cirino alienated several potential allies with his heavy-handed tactics as chairman of the powerful Finance Committee.

On Monday night, *The Rooster* obtained a text message from Oct. 2024, in which Cirino discussed his plan to have the future presidency "wrapped up" by March in a conversation with Statehouse lobbyist **Brian Durdle**:



I would be lying if I said I wasn't cackling like a jackal while posting that exchange from my bicycle parked alongside the Olentangy Trail. A big perk of this job is knowing that a tweet like that will be sent to "Young Mussolini" almost within seconds of it being posted.

Exhibit A (7/16/25).

The Challenged Text Messages

On May 6, 2026—the day after Ohio's primary election—it was publicly reported that Senator Cirino had withdrawn from the race for Senate President and that Senator Bill Reineke would become the next Senate President.[7] That same day, Byrnes is alleged to have sent Cirino text messages including a digitally altered image of "Shrek" with an exposed penis.[8] Copies of the text are reproduced in Exhibit B.

The text of the messages is included below:

> Byrnes: Good to see you finally made your humiliation public, Young Mussolini! THE PATRIOTS CAUCUS sends its regards!!!!!!!!!!
>
> Cirino: I don't know who this is but I am certain you are a moron.
>
> Byrnes: It's your old friend who correctly reported you quit like a dog in December! Should have read The Rooster brother. It was curtains for you when Tom Patton declared for #RidinWithReineke!

Exhibit B (Email attachments).

On May 8, 2026, Cirino emailed the Chief of Police for the City of Kirtland:

> Chief: on Wednesday, May 6th I received the attached messages tested [sic] to my cell number.
>
> Based on the referenced language I believe it is someone who has harassed me before.
>
> Not only is the message harassing but the disgusting picture is pornographic in nature and not something I want to see on any of my devices.

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[7] https://tiffinohio.net/posts/bill-reineke-poised-to-lead-ohio-senate-as-jerry-cirino-bows-out/ (last accessed May 6, 2026).

[8] This is one example of longstanding internet memes depicting the animated character Shrek in absurd or surreal situations. Variations of the image have circulated online for years and have been used by journalists and internet culture writers, including journalist Ashley Feinberg, formerly of *Gawker*, known for breaking stories about public figures.

> I am officially filing a complaint and am asking that the Kirtland Police Department take appropriate actions since this occurred in Kirtland where I live. I would like this harassment to stop immediately and I would like charges filed against the individual.
>
> Please call me with any questions.

Exhibit B (Email).

The Arrest and Jailing of Mr. Byrnes

A misdemeanor complaint was later filed in the Willoughby Municipal Court against Mr. Byrnes, which states as follows:

> On or about May 6, 2026, within County of Lake/Kirtland Ohio, Donald J. Byrnes II
>
> did, knowingly make or cause to made a telecommunication to another, and the caller made the telecommunication with purpose to harass, intimidate, or abuse a person at the premises to which the telecommunication is made to wit: Donald J. Byrnes II did send an explicit image and two harassing text messages on May 6, 2026 from phone number ***-***-**** to J.C. with purpose to harass J.C.
>
> In violation of 2917.21(A)(1) of the Revised Code, Telecommunications harassment, a misdemeanor of the first degree.

See Exhibit C (Complaint).

Judge Cornachio signed an arrest warrant for Mr. Byrnes to any law enforcement officer of City of Kirtland/County of Lake and set a ten percent bond at $3,500. Exhibit D (Warrant and Summons). In addition, the Clerk issued a summons with the Complaint. *See* Exhibit C.

In a misdemeanor case such as this, there is a presumption that a summons will be issued to insure the defendant's appearance in court rather than effectuating an arrest. *See* Crim. R 4(A)(1)-(2)

Nevertheless, nearly a month after the communication was sent, Mr. Byrnes was arrested pursuant to the warrant. Moreover, he spent nearly an entire day in jail despite posting bond hours after his arrest.

On June 1, 2026, at 1:26 p.m., David Flanagan, a sergeant-at-arms for the Ohio Senate, called the City of Kirtland dispatch.[9] He said, "we heard there might be a warrant for one of the..I want to say...uh frequent flyers here at the Statehouse." Flanagan then asked the representative for the City of Kirtland to confirm the pick-up radius for Mr. Byrnes. He said that Mr. Byrnes was at the Statehouse now and they were having committee meetings and "we were told from the Chief of Staff that there's a warrant." The dispatcher told him that they would have to get some more information and call him back.

At 1:46 p.m., Sergeant Flanagan received a phone call from another dispatcher, who said that he would email him a copy of the warrant. The dispatcher then stated "the only thing that is going to be in question is when you guys hook him up is the Rule 4..." Sgt. Flanagan responded "yeah, yeah we'll just take him to the jail here in Columbus...We're not worried about that." Sgt. Flanagan then asked what the warrant was for and the dispatcher responded "harassing communications...misdemeanor." Flanagan responded "it was against a Senator."

The dispatcher was referencing Criminal Rule 4(E), which requires that when an arrest is effectuated pursuant to a warrant from a different county, an officer must convey the accused before a judicial officer so that he can post bond.

At 1:51 p.m., the dispatcher spoke with an officer from the Kirtland Police Department. He explained to the officer that he asked the sergeant at the Statehouse he had spoken to about the Rule 4 and was told "don't even worry about it because they were taking him to Columbus jail" and the dispatcher, who seemed concerned, told the officer "I don't even know what that entails for us."

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[9] Audio files of these calls were provided in discovery and can be presented at the evidentiary hearing.

The officer said in response, "yeah...we still need the Rule 4." The dispatcher then told the officer that he would give him the number for the Columbus Jail and that the Sergeant at the Statehouse was Sgt. Flanagan. The officer responded "oh... yeah, I knew who he is. He's like Cirino's personal...yeah..."

Four Ohio State Highway Patrol Officers subsequently arrested Mr. Byrnes at the Statehouse shortly after 2:00 p.m. and he was taken in handcuffs to the City of Columbus Jail.

The $3,500 ten percent bond was posted on Mr. Byrnes' behalf at approximately 7:30 p.m. in the Franklin County Municipal Court. *See* Exhibit E (Docket Sheet, Franklin County Mun. Case No. 2026CRB009016). However, he still was not released.

A docket entry posted the next day, June 2, 2026 states that the Franklin County Sheriff's Office was "not accepting bail sheet." Exhibit F (6/2/26 Docket Entry).

At approximately 10:30 a.m. Franklin County Municipal Court Judge Zach Gwin issued An Order stating, "bond posted-Defendant to be released." Exhibit F (6/2/26 Order).

Almost 24 hours after his arrest on this misdemeanor complaint, and 15 hours after he had posted the bond required by the warrant, Mr. Byrnes was finally released.

The extraordinary manner in which this misdemeanor complaint was executed illustrates precisely why courts must exercise special vigilance when criminal statutes are invoked against political speech.

LAW AND ARGUMENT

When a defendant files a pretrial motion to dismiss challenging the constitutionality of his prosecution, the trial court must decide the issue prior to trial. *State v. Swazey*, 2023-Ohio-4627, at ¶27.

"The judge has a duty to protect the constitutional rights of defendants who assert the protection of the First Amendment that requires him, when the issue is properly presented, to pass on the constitutional adequacy of the evidence *before it can be submitted to the jury on the question of whether the statute was violated*. His decision is a constitutional one." *United States v. Head*, 317 F.Supp. 1138 (E.D. La. 1970) (emphasis added). *See also United States v. PHE*, *Inc.,* 965 F.2d 848 (10th Cir. 1992) ("The First Amendment bars a criminal prosecution where the proceeding is motivated by the improper purpose of interfering the defendant's constitutionally protected speech)(citations omitted). *See also City of Cleveland v. Kristoff*, 2002-Ohio-1265 (8th Dist) (affirming trial court's granting of a motion to dismiss charge on grounds it violated First Amendment as applied to the defendant); *See also City of Cleveland v. Inguanta*, Cleveland Mun. Case No. 2016 CRB 13735 and consolidated cases (dismissing obstructing official business and aggravated disorderly conduct charges on grounds it violated First Amendment as applied to the defendants).

I. THE COMPLAINT SHOULD BE DISMISSED BECAUSE THE DEFENDANT ENGAGED IN CONSTITUTIONALLY PROTECTED SPEECH AND R.C. 2917.21(A)(1) IS UNCONSTITUTIONAL AS APPLIED IN THIS CASE.

R.C. 2917.21(A), the statute under which Mr. Byrnes is charged, provides:

> (A) No person shall knowingly make or cause to be made a telecommunication, or knowingly permit a telecommunication to be made from a telecommunications device under the person's control, to another, if the caller does any of the following:
>
> (1) Makes the telecommunication with purpose to harass, intimidate, or abuse any person at the premises to which the telecommunication is made, whether or not actual communication takes place between the caller and a recipient.

Id.

This case does not involve repeated telephone calls to a private citizen. It does not involve

threats, extortion, stalking, soliciting sex, or attempts to invade another person's privacy. Byrnes communicated with Senator Cirino in the course of covering Cirino's public campaign for Senate President. The challenged messages were the culmination of months of reporting on that campaign and immediately followed the public announcement that Cirino had abandoned it. The prosecution therefore burdens not only Byrnes's right to speak, but also the freedom of the press to gather information, criticize public officials, and communicate with sources and subjects of reporting.

The Constitution does not permit the government to transform protected political speech into a criminal offense simply because the public official who received it found it offensive.

A. The Statute is Unconstitutional As Applied Under the First and Fourteenth Amendments.

The First Amendment to the United States Constitution reflects a "profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." *New York Times Co. v. Sullivan*, 376 U.S. 254, 271 (1964). A person "who decides to seek governmental office must accept certain necessary consequences of that involvement in public affairs ... [and] runs the risk of closer public scrutiny than might otherwise be the case." *Gertz v. Robert Welch, Inc*., 418 U.S. 323, 344 (1974). "The language of the political area... is often vituperative, abusive and inexact." *Watts v. United States*, 394 U.S. 705, 708 (1969).

"Speech concerning public affairs is more than self-expression; it is the essence of self-government." *Snyder v. Phelps*, 562 U.S. 443, 453 (2011) (*quoting Garrison v. Louisiana*, 379 U.S. 64, 74–75 (1964)). Accordingly, "speech on public issues occupies the highest rung of the

hierarchy of First Amendment values, and is entitled to special protection." *Id. quoting Connick v. Myers*, 461 U.S. 138 (1986).

The arguably "inappropriate or controversial character of a statement is irrelevant to the question whether it deals with a matter of public concern." *Rankin v. McPherson*, 483 U.S. 378, 387 (1987). *See e.g., id.* at 381(holding that an employee's statement to a co-worker that, "if they go for him again, I hope they get him," in reference to the assassination attempt on President Reagan, was speech on a matter of public concern); *Snyder*, 562 U.S. at 452 (holding that picketers at a military funeral were speaking on a matter of public concern by wielding signs saying "God Hates the USA/Thank God for 9/11," "Thank God for IEDs," "God hates fags," "You're Going to Hell," and "God Hates You."). *See also Cohen v. California*, 403 U.S. 15, 25 (1971) ("We cannot lose sight of the fact that, in what otherwise might seem a trifling and annoying instance of individual distasteful abuse of a privilege, these fundamental societal values are truly implicated.").

In *Hustler Magazine v. Falwell*, 485 U.S. 46 (1988), a magazine published a satirical parody of an advertisement for Campari Liqueur modeled after Campari ads that included interviews of celebrities discussing their "first times." *Id.* at 48. The magazine's satirical advertisement featured an image of Jerry Falwell, a well-known minister and conservative political activist and commentator, and an alleged interview of him in which he states that his "first time" was during a drunken incestuous rendezvous with his mother in an outhouse. *Id.* The point of the advertisement was to criticize Falwell and portray him as immoral, a drunk and a hypocrite. *Id.* Falwell brought suit seeking to hold Hustler liable for intentional infliction of emotional distress. The case required the Supreme Court to decide, "the First Amendment's limitations upon the State's authority to protect its citizens from intentional infliction of emotional distress." *Id.* at 50.

The Court held that the speech was constitutionally protected. *Id.* at 51. It explained, "despite their sometimes caustic nature, from the early cartoon portraying George Washington as an ass down to the present day, graphic depictions and satirical cartoons have played a prominent role in public and political debate. *Id.* at 54. These images often exploit "unfortunate physical traits or politically embarrassing events—an exploitation often calculated to injure the feelings of the subject of the portrayal. The art of the cartoonist is often not reasoned or evenhanded, but slashing and one-sided." *Id.* at 53-54. Indeed, the success of a particular graphic depiction may depend on "the emotional impact of its presentation" and the fact that "it continuously goes beyond the bounds of good taste and conventional manners." *Id.*

The Court in *Hustler* warned that judges must be "particularly vigilant" to ensure that "individual expressions of ideas, particularly on matters of public interest and concern remain free from governmentally imposed sanctions." *Id.* at 50-51.

These constitutional principles apply with equal force to memes and other forms of digital and graphic imagery. *See e..g, Noble v. Cincinnati & Hamilton County Public Library*, 112 F.4th 373 (6th Cir. 2024) (holding in a First Amendment retaliation action that public employee's Facebook post of internet meme with the messages "ALL LIVES SPLATTER" and "NOBODY CARES ABOUT YOUR PROTEST," and including an offensive graphic of a vehicle running over protestors was protected speech); *Mahoney Area School Dist. v. B.L.,* 594 U.S. 180 (2021) (student's post on Snapchat of a photo of her and a friend with their middle fingers raised, together with caption, "Fuck school fuck softball fuck cheer fuck everything" was protected speech).

Like the parody in *Hustler,* the force of the image of Shrek lies in ridicule of a public figure. If the First Amendment protects an outrageous parody accusing Jerry Falwell of drunken incest, it

necessarily protects a satirical Shrek meme ridiculing an Ohio state senator over his withdrawal from a contested race for Senate President. The significance of the Shrek image is not that it depicts digitally constructed nudity. It is that it is fantastical, cartoonish, and satirical—precisely the sort of exaggerated visual ridicule that *Hustler* recognized has long been a feature of political discourse.

Courts considering telephone harassment and other similar criminal statutes have recognized that the First Amendment prohibits criminal punishment when the defendant is engaging in constitutionally protected political speech directed toward public officials or candidates for office.

Start with *United States v. Popa*, 187 F.3d 672 (D.C. Cir. 1999). The defendant was found guilty of violating 47 U.S.C. §223(a)(1)(C), which made it a crime to "make[ ] a telephone call or utilize[ ] a telecommunications device, whether or not conversation or communication ensues, without disclosing [one's] identity and with intent to annoy, abuse, threaten, or harass any person at the called number or who receives the communications." *Id.* at 674. The defendant made seven phone calls, over the course of a month, to the office of the U.S. Attorney for the District of Columbia, Eric Holder. He called to, among other things, complain about being assaulted by police officers and the prosecutor's office conduct of a case against him. In those calls, the defendant referred to Holder as "a criminal, a negro" and a "whore, born by a negro whore." *Id*. at 673. In what the court considered "the most nearly lucid" passage the defendant left on voice mail, he said: "Eric Holder is a negro. Is a negro. Which is a criminal. He make a violent crime against me, violating the rights in court of the white people. [inaudible] negro. He's a negro. Eric Holder. Criminal." *Id*.

On appeal, the D.C. Circuit vacated Popa's conviction, holding that statute was unconstitutional under the First Amendment as applied to his conduct. Then-judge Ruth Bader Ginsberg, before she was a Supreme Court Justice, wrote for the court and explained that the statute

failed intermediate scrutiny, as applied to Popa, because it burdened more speech than what was necessary to further the government's interest in protecting individuals from annoying, abusive, and harassing phone calls. "[T]he governmental interest at stake here is no less effectively furthered by a statute that gives a pass to those who intend in part to communicate a political message." *Id* at 676. *See also United States v. Bowker*, 372 F.3d 365, 379 (6th Cir. 2004) *vacated on other grounds*, 543 U.S. 1182 (2005) ("if Bowker had been charged with placing anonymous telephone calls to a public official with the intent to annoy him or her about a political issue, the telephone harassment statute might have been unconstitutional as applied to him.").

Similarly, in *United States v. Sryniawski*, 48 F.4th 583 (8th Cir. 2022), the Eighth Circuit the court overturned a defendant's conviction for cyberstalking based on emails sent to a political candidate's campaign email address that were alleged to have been sent with the intent to "harass [or] intimidate."*Id.* at 585. "Even where emotional distress is reasonably expected to result, the First Amendment prohibits Congress from punishing political speech intended to harass or intimidate in the broad senses of those words." *Id*. Thus, to survive the defendant's "as applied" constitutional challenge, the government was required to identify "sufficient evidence for a jury to find that Sryniawski acted with intent to 'harass' or 'intimidate' in a sense that is not protected under the First Amendment." *Id.* at 587. The government was unable to make that showing. The court held "[T]he cyberstalking statute cannot be applied constitutionally to a defendant who directs speech on a matter of public concern to a political candidate with intent merely to trouble or annoy the candidate." *Id.*

State courts have reached similar conclusions when it comes to communications sent to political candidates and elected officials.

In *State v. Drahota*, 280 Neb. 628 (Neb. 2010), the defendant was charged with disturbing

the peace as a result of sending offensive emails to his former political science professor and a candidate for state legislature at his university-issued email account. The emails stated, among other things, "I'd like to puke all over you. People like you should be forced out of this country....Remember that Libs like yourself are the lowest form of life on the planet." *Id*. at 632. The Supreme Court of Nebraska held that the State cannot constitutionally criminalize speech under its disturbing the peace statute and the defendant's virulent messages that touched on matters of public concern were not trumped by the candidate's right to be left alone. "So even when criticisms of public officials are outrageous, if they fall short of provoking an immediate breach of the peace, they are protected by the First Amendment. To hold otherwise would obstruct the free exchange of ideas." *Id.* at 804.

In *Commonwealth v. Bigelow*, 475 Mass. 554 (Mass. 2016), a defendant was charged and convicted under a criminal harassment statute after he sent typed letters to a town selectman's home address following a recent election. The letters contained a variety of personal insults aimed at the selectman including, "Michael Costello–The biggest fucking loser I have ever met. You should be utterly ashamed of yourself for even suggesting that anyone take you seriously as 'chairman of the board of selectmen.' it won't be long before you crash and burn big time." *Id*. at 556. Another letter exhorted him to "resign or else." *Id*.

The Supreme Court of Massachusetts reversed that conviction. Because the letters could be broadly viewed as discussing, among other things, the defendant's view of the representative's qualifications and performance, the court found that the letters fell within the category of constitutionally protected speech at the core of the First Amendment. *Id*. at 1112. The fact that the letters were sent to the politician's home rather than his office did not alter that conclusion. *Id.* Thus,

the court held that his convictions could not stand because they were predicated on constitutionally protected speech. *Id.*

The facts in this case are even more compelling. This prosecution targets a political commentator who, after covering an elected official's campaign for Senate President for an extended period of time, allegedly sent two text messages and a satirical internet meme concerning the official's withdrawal from that race. The texts were directed to a phone the Senator used to conduct business, and they were sent without any prior request that Byrnes cease communicating with him.

If the First Amendment means anything, it means the government cannot convict a reporter of a crime because an elected official disliked the manner in which he celebrated the official's political defeat. The Constitution protects caustic political speech precisely because those who wield governmental power are often the least tolerant of it.

As a result, this Court should dismiss the complaint against him as R.C. 2917.21(A)(1) is unconstitutional under the First Amendment as applied.

B. The Statute is Unconstitutional as Applied Under Art. I, §§3 and 11 of the Ohio Constitution.

Article I, § 3 of the Ohio Constitution promises:

> The people have the right to assemble together, in a peaceable manner, to consult for the common good; to instruct their representatives; and to petition the General Assembly for the redress of grievances.

Id.

Article I, §11 of the Ohio Constitution guarantees that:

> Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of the right; and no law shall be passed to restrain or abridge the liberty of speech, or of the press.

Id.

The Ohio Constitution is a document of independent force and vitality, and the protections it confers are not limited by the federal constitution. The Ohio Supreme Court made that clear in *Arnold v. Cleveland*, 67 Ohio St.3d 35, 616 N.E.2d 163 (1993), where it stated in paragraph 1 of the syllabus:

> The Ohio Constitution is a document of independent force. In the areas of individual rights and civil liberties, the United States Constitution, where applicable to the states, provides a floor below which state court decisions may not fall. As long as state courts provide at least as much protection as the United States Supreme Court has provided in its interpretation of the federal Bill of Rights, state courts are unrestricted in according greater civil liberties and protections to individuals and groups.

Id.

The Ohio Supreme Court has reiterated that:

> this court, the ultimate arbiter of the meaning of the Ohio Constitution, can and will interpret our Constitution to afford greater rights to our citizens when we believe that such an interpretation is both prudent and not inconsistent with the intent of the framers. We also reaffirm that we are not confined by the federal courts' interpretations of similar provisions in the federal Constitution any more than we are confined by other states' high courts' interpretations of similar provisions in their states' constitutions.

State v. Mole, 2016-Ohio-5124, ¶21.

On its face, the protection afforded expression under the Ohio Constitution is strikingly broader than the protection afforded expression under the First Amendment. Article I, §11 not only prohibits laws abridging and restraining expression– the federal Constitution's text only prohibits laws that abridge the freedom of speech and press–it affirmatively confers on each citizen the right to speak freely, which the federal Constitution does not.

The Ohio Supreme Court has thus found that Art. I, §11 of the Ohio Constitution provides greater protection than the First Amendment. In the context of defamation actions, for example,

under the federal Constitution, statements that cannot "reasonably [be] interpreted as stating actual facts" about an individual –such as rhetorical hyperbole and exaggeration–are not actionable as a matter of law under the First Amendment. *See Hustler,* 485 U.S. at 50.

The Ohio Constitution goes further and confers a "separate and independent guarantee of protection" for statements that constitute opinion. *Scott v. News Herald*, 25 Ohio St. 3d 243 (1986); *Vail v. The Plain Dealer Publishing Co.*, 72 Ohio St. 3d 279 (1995); *Wampler v. Higgins*, 93 Ohio St. 3d 111 (2001).

Indeed, the First Amendment only protects citizens from governmental action. The Ohio Supreme Court, however, recognized that under Art. I, §11, "A state may adopt greater protections for free speech on private property than the First Amendment does, so long as those broader protections do not conflict with the private property owner's constitutional rights under the First, Fifth and Fourteenth Amendments to the United States Constitution." *Eastwood Mall, Inc. v. Slanco*, 1994-Ohio-433, 68 Ohio St.3d 221, 626 N.E.2d 99.

Article I, Sections 3 and 11 thus provide an independent basis as to why this prosecution cannot stand.

II. THE COMPLAINT SHOULD BE DISMISSED BECAUSE R.C. 2917.21(A)(1) IS UNCONSTITUTIONALLY OVERBROAD UNDER THE FIRST AMENDMENT AND FOURTEENTH AMENDMENTS AND ARTICLE I, SECTIONS 3 AND 11 OF THE OHIO CONSTITUTION.

Separate and apart from Mr. Byrnes' as applied challenge, the complaint should be dismissed because R.C. 2917.21(A)(1) is unconstitutionally overbroad on its face.

The Supreme Court has held that the very existence of some broadly written statutes may have such a deterrent effect on free expression that they should be subject to challenge even by a

party whose own conduct may be unprotected. *Thornhill v. Alabama*, 310 U.S. 88 (1940).

In *Gooding v. Wilson*, 405 U.S. 518 (1972), a draft-protestor was convicted of breach of the peace under a state statute that prohibited individuals from uttering "opprobrious words or abusive language." *Id.* at 519. The defendant had screamed at officers trying to "restore access to a public building:" "White son of a bitch, I'll kill you"; "You son of a bitch, I'll choke you to death"; and "You son of a bitch, if you ever put your hands on me again, I'll cut you all to pieces." *Id.* at 534. The Supreme Court held that the statute swept too broadly under the First Amendment, imposing criminal liability on otherwise protected speech. *Id.* at 528. In reversing Wilson's conviction, the Court explained that "it matters not that the words appellee used might have been constitutionally prohibited under a narrowly and precisely drawn statute." *Id.* at 520.

While the Ohio Supreme Court is yet to weigh-in on this issue, some Ohio courts have rejected facial overbreadth challenges to certain subsections of R.C. 2917.21. *See e.g., State v. Kronenberg*, 2015-Ohio-1020, ¶ 38 (8th Dist.) (upholding R.C. 2917.21(B)); *State v. Gibbs*, 134 Ohio App.3d 247, 730 N.E.2d 1027 (12th Dist.1999) (upholding R.C. 2917.21(A)(5)).

Here, R.C. 2917.21(A)(1) prohibits making a telecommunication with "purpose to harass, intimidate or abuse any person..." The term "telecommunication" is broadly defined for purposes of R.C. 2917.21(A)(1) as:

> the origination, emission, dissemination, transmission, or reception of data, images, signals, sounds, or other intelligence or equivalence of intelligence of any nature over any communications system by any method, including, but not limited to, a fiber optic, electronic, magnetic, optical, digital, or analog method.

R.C. 2913.01(X). *See also* R.C. 2917.21(G)(3).

As written, the statute reaches far beyond repeated telephone calls or targeted invasions of

residential privacy. It potentially criminalizes any communication including mentions, comments, replies on social media, tagged posts, and countless other forms of modern political communication.

That breadth is especially troubling because social media has become one of the principal forums for political debate. The Supreme Court has recognized that these platforms "can provide perhaps the most powerful mechanisms available to a private citizen to make his or her voice heard." *Packingham v. North Carolina*, 582 U.S. 98, 108 (2017). But speech on a social media platform "need not be communicated to the general public to be on a matter of public concern." *Marquadt v. Carlton*, 971 F.3d 546, 551 (6th Cir. 2020). "Whether one's public expression comes from the ink of a quill pen, the stroke of a keyboard, or the tapping of an iPhone, that expression is entitled to First Amendment protection under the same strictures." *Id.*

The problem, then, is not merely hypothetical. Under the statute, any citizen who sends a sharply worded social-media message to a public official could face criminal prosecution whenever a prosecutor concludes the communication was sent with a purpose to "harass." Political speech is often caustic. It is frequently intended to embarrass, ridicule, shame, or pressure elected officials. Yet those characteristics do not remove such expression from First Amendment protection.

Public officials, journalists, bloggers, satirists, comedians, celebrities, activists and ordinary citizens routinely exchange insulting, sarcastic, and profane messages concerning matters of public concern on social media. Those exchanges frequently include personal ridicule, satirical imagery and inflammatory rhetoric.

A citizen who replies to a public official on X by posting a vulgar meme could commit a first-degree misdemeanor if a prosecutor concluded the citizen intended to harass. A constituent who sends a direct message on Instagram to a legislator criticizing pending legislation could likewise face

criminal prosecution. The First Amendment does not permit such sweeping criminalization of modern political discourse.

If this prosecution is permitted, political writers and ordinary citizens alike will inevitably hesitate before sending pointed criticism directly to elected officials. The resulting chill on political expression is precisely the evil the First Amendment and the free-speech provisions of the Ohio Constitution were adopted to prevent.

CONCLUSION

For all of the foregoing reasons, the complaint in this case should be dismissed.

Respectfully submitted,

/s/ J. Michael Murray
J. MICHAEL MURRAY (0019626)
jmmurray@bgmdlaw.com
WILLIAM C. LIVINGSTON (0089538)
wlivingston@bgmdlaw.com
BERKMAN, GORDON, MURRAY & DeVAN
55 PUBLIC SQUARE, SUITE 2200
CLEVELAND, OH 44113
(216) 781-5245 (telephone)
(216) 781-8207 (facsimile)

Attorneys for Defendant

CERTIFICATE OF SERVICE

A copy of the foregoing was served on Matthew Lallo, City of Painesville Special Prosecutor via email at mlallo@lallofeldman.com this 29th day of July 2026.

/s/ J. Michael Murray
J. MICHAEL MURRAY (0019626)
WILLIAM C. LIVINGSTON (0089538)
BERKMAN, GORDON, MURRAY & DeVAN

Attorneys for Defendant

Not any asshole off the street can teach algebra

Why not let vets become heart surgeons while we're at it?



D.J. BYRNES
OCT 06, 2022

6 6 Share



Prominent Ohio Republicans push nonsense in public education like "transgender students use kitty litter boxes" or "Critical Race Theory will turn your lumpy-headed son Bartholomew into a Stalinist" to scaremonger bigoted white people into voting their unpopular agenda.

The cacophony of jibber jabber also hides the fact that they don't have any serious policy proposals. Ohio is a Republican State—as they're so quick to remind us after every election. That means the state's myriad of problems is on them.

EXHIBIT
tabbies
A

I'm 35. When I went to school, Ohio ranked fifth in public education. We're No. 34 r and tumbling. But that's a feature of your state hooked on conservative narcotics. T leaders don't think that rating is low enough.

After reading Senate Bill 361, the latest Republican proposal to fix the teacher short caused by Republicans short-changing our public school system for decades, how could you think anything else?

From the minds of Republican State Senators Sandra O'Brien (Lenox Township), Jerr Cirino (Kirtland), George F. Lang (West Chester) and Tim Shaffer (Lancaster), via Morgan Trau of news5cleveland.com:

> COLUMBUS, Ohio — A new bill in the Ohio Senate that is aiming to curb the teacher shortage by allowing veterans to become educators without them havin background in education is leaving both veterans and educators concerned.
>
> The bill would allow school districts to greatly lessen the requirements for vetera to become teachers. Some service members would be able to teach without havi a degree, a license or a background in education.

Any time you can introduce a bill that confuses the two groups of people it involves you have to do it! I'm always saying that to myself.

There hasn't been an Ohio Legislature moment like this since "Lawmaker's commen about Holocaust raise concern."

This reeks of a bill from people who have never served in a classroom. Or just a gro of lazy chumps who want headlines about "helping vets find work" to run in their lo news outlets weeks before the Midterm Elections.

It's like watching a seasoned mailman. You watch them and think, "My god, that ma job is a literal walk in the park." No. It's grueling, physical labor. That mailman just

weathered that storm that 70% of his fellow new hires failed. He makes that job loo easy.

Republicans similarly treat public school teachers. They have zero respect for the tra They hate their union. They wouldn't care tomorrow if the earth opened and swallowed every public school tomorrow.

That's why they think any shell-shocked veteran off the street can waltz into a classroom and do an adequate job molding young minds for whatever horrors tomorrow's economy has in store. In my case, it was two unwinnable wars, a Great Recession and a pandemic, to name a few highlights.

The conservative movement has no answers for public education. So, like the gun issue, this is the level of thought that gets put into possible solutions. And hey, it's hard to blame them. I probably wouldn't think that hard either if my re-election was already written in stone, no matter what vile misdeeds I got caught doing.

It's diabolical, however, that Democrats can't push back on this issue without Republicans shrieking about how they're dishonoring our nation's bravest heroes. It would be rank hypocrisy considering they'd feed every veteran willingly into the collective wood chipper if it advanced their political aims. But that's never mattered their voters before, and it won't stop now.

In times like this, I'm thankful I don't have a child. If I did, I'd have serious questions about letting this cabal of unfuckable reactionaries within 100 feet of their educatio



THOSE WMDs. The story behind Ron DeSantis' migrant flights to Martha's Vineyar How our eyes change colors throughout our lives... The incentives to get workers b to the office aren't working... Ransomware hunters: The self-taught geniuses fightin cybercrime... How Istanbul became the home of the hair transplant.

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Write a comment...

Chris How to Commute Oct 6, 2022

Liked by D.J. Byrnes

That article about hair transplants was fascinating. Good find!

LIKE (1) REPLY



Sameer Oct 6, 2022

Liked by D.J. Byrnes

Well to be fair they already have a ton of experience being shot at so this could be a nice segue civilian life

LIKE (1) REPLY

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Substack is the home for great culture

How to carry a vendetta

The only blog post you'll read today involving the state's largest bribery scandal and Palestine.



D.J. BYRNES
APR 26, 2024

16 2 Share



This post is too long for email. Please open your browser to view in full.



Ohio Senate Majority Comms Director John Fortney looks like he stumbled out of Asshole Central Casting Department.

John Fortney, the Communications Director for the Ohio Senate Republican Caucus treated me very unfairly last week.

I asked Fortney when I could be a guest on *The President's Podcast*, the laughable production featuring Fortney and State Senate President Matt Huffman (R-Lima) wi an intended audience of 15 people maximum.

Fortney claimed I didn't have the juice for that. It was odd to say, considering one o my TikTok videos probably has more views than The President's Podcast has total downloads, but it was nothing I couldn't handle.

Fortney, however, crossed the line by claiming that I'm a blogger (fair) who "does" a "sells dope."

At first, I thought he was accusing me of doing and selling heroin. But then I remember men of a certain age only refer to marijuana—something I haven't used, alone sold, in over a year.

Selling dope would be more honorable than carrying water for the odious State Senate, which is where the rare good ideas produced in the Statehouse go to die. It would be more cooler, too.

You can watch our full exchange on Twitter.

But as we say on the Westside of Columbus: When you stand with the Lord, the Lor will stand for you. And wouldn't you know it? Earlier this week, Jake Zuckerman of cleveland.com reported FirstEnergy directed $300K to a dark money group affiliatec with Senator Huffman, who at the time was a regular member.

> FirstEnergy's lobbyist, Ty Pine, in a May 2019 email referred to Liberty Ohio as "Huffman's C4." Neil Clark, a lobbyist indicted alongside ex-Ohio House Speaker Larry Householder, told undercover FBI agents around that time that Huffman ha "already set up" a 501(c)(4) of his own. And Mike Dowling, an executive who has been criminally accused of orchestrating FirstEnergy's bribery campaign, told the company's CEO Chuck Jones in a text message that they're going to "need some (4) infusion" because Huffman "wants us to give him A LOT," also noting that Huffman is "transactional and can get shot [sic] done."

The Huffman money is in addition to the nearly $4 million in dark money FirstEnerg gave to Governor Mike DeWine, the $1.5 million it gave to Lieutenant Governor Jon Husted, and the $4.3 million bribe it paid to the late Sam Randazzo days before he became the Chairman of the Ohio Public Utilities Commission.

That's on top of their deal with former House Speaker Larry Householder, who is currently serving 20 years in federal prison for his role in what FBI agents call the largest bribery scheme in state history (that we know about).

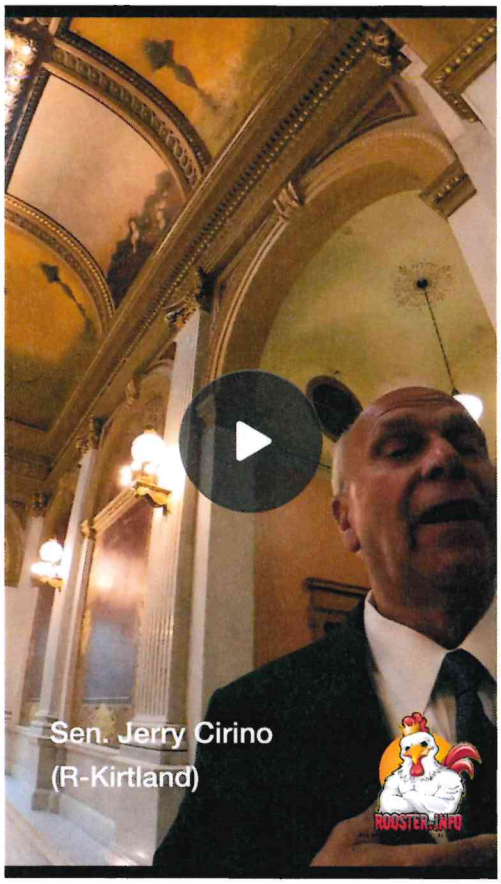
Why do you suppose FirstEnergy, in the earliest days of what became the largest bribery scheme in state history (that we know about), funneled millions of dollars in dark money to the most influential politicians in the state?

I obviously have my theories. But I wanted to talk to Huffman's Senate compatriots about the newest HB-6 revelations—while also proving to that gremlin Fortney that while he might not talk to me, members of the prestigious State Senate do!

And there may be no more influential Senators outside of Huffman than Senate Majority Floor Leader Rob McColley (R-Napoleon), whom many Statehouse observe expect to replace Huffman as President next year, and Senator Jerry Cirino (R-Kirtlar

Senator Cirino was the first unfortunate legislator to walk up the Statehouse Senate side's stars into my camera's waiting lens. Cirino and I get along fine when he's not pushing anti-transgender nonsense or waging a nonsensical war on woke with our state's institutions of higher learning.

But thanks to Fortney's antics, I had to put Cirino on the hot corner!

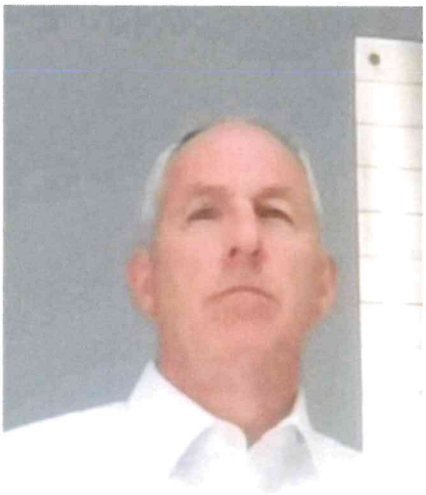


It's funny to me that these guys instinctually give an answer like, "Oh, I don't know much about [the latest installment in the biggest scandal in state history]."

It's obviously bullshit. Or, at the very best, an honest admission as to why they're to busy to be in this line of work. But either way, I'm one of the few people in the state who can quickly get you up to speed.

If only they had the sense to subscribe to *The Rooster* like the brave and noble soldi reading this dispatch, we wouldn't have to waste that kind of time. The thing about HB-6 is it's easy to sound like a conspiracy theorist unless you know exactly what you're talking about.

Here are some cast of characters that I reference in our conversation that normal people might not know:



The mugshot of Michael Dowling, the former FirstEnergy Vice President of Bribes. FirstEnergy is curiously paying for his legal defense despite firing him for cause in 2020.

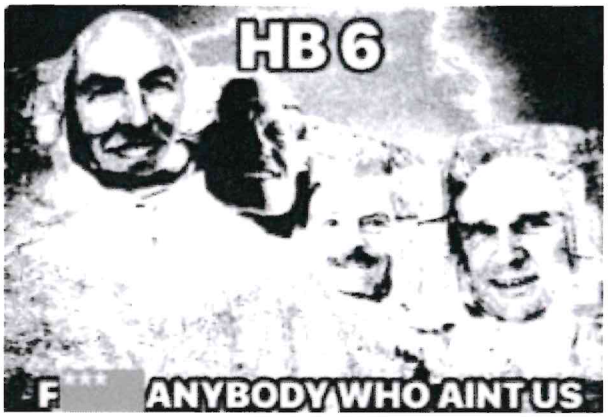
- **Michael Dowling, the former FirstEnergy Vice President of Bribes**. FirstEner is still paying Dowling's legal fees despite firing him for cause in 2020. It's a

curious choice given that Dowling is the bridge from the company to the dark s of Ohio's pervert playground that masquerades as our political system.



Dan McCarthy in happier times. McCarthy, a longtime owner of horses and a so-called "longtime Democrat," currently serves on the Ohio Racing Commission after the State Senate unanimously confirmed his appointment.

- **Dan McCarthy**, the former legislative director for Governor DeWine, who mysteriously resigned for unexplained circumstances in September 2021. Mont later, we learned of documents in which McCarthy pleaded with HB-6 co-conspirators to keep his name off an official form with the government. Almost year after McCarthy's initial resignation, DeWine appointed the so-called "longtime Democrat" McCarthy to the Ohio Racing Commission. The State Sen *unanimously* confirmed McCarthy to the position in May 2023.
- You can call McCarthy "corrupt" to the face of any State Legislator, and they wil basically shrug like, "What are you going to do?"



Ty Pine, second from the left, in happier times.

And that's without even mentioning C-List celebrities in the HB-6 scandal like **Ty Pi** the former FirstEnergy lobbyist of the henchman-level variety who has yet to be charged with a crime despite being all over investigation documentation.

You can see one example above in the infamous "FUCK ANYBODY WHO AIN'T US" meme celebrating what the criminal conspirators thought was the finish line of a years-long RICO scheme.

And here's another telling example from Marty Schladen of *Ohio Capital Journal* in March 2023:

> When the Householder-led House passed the first version of the bill on May 29, 2019, there was an obvious sense of euphoria. Jeff Longthreth, a co-defendant w has since pleaded guilty, texted FirstEnergy lobbyist Ty Pine and said, "I have 10- reps in the back room at Mitchell's (Steakhouse) having dinner. They're all 'yes' votes."

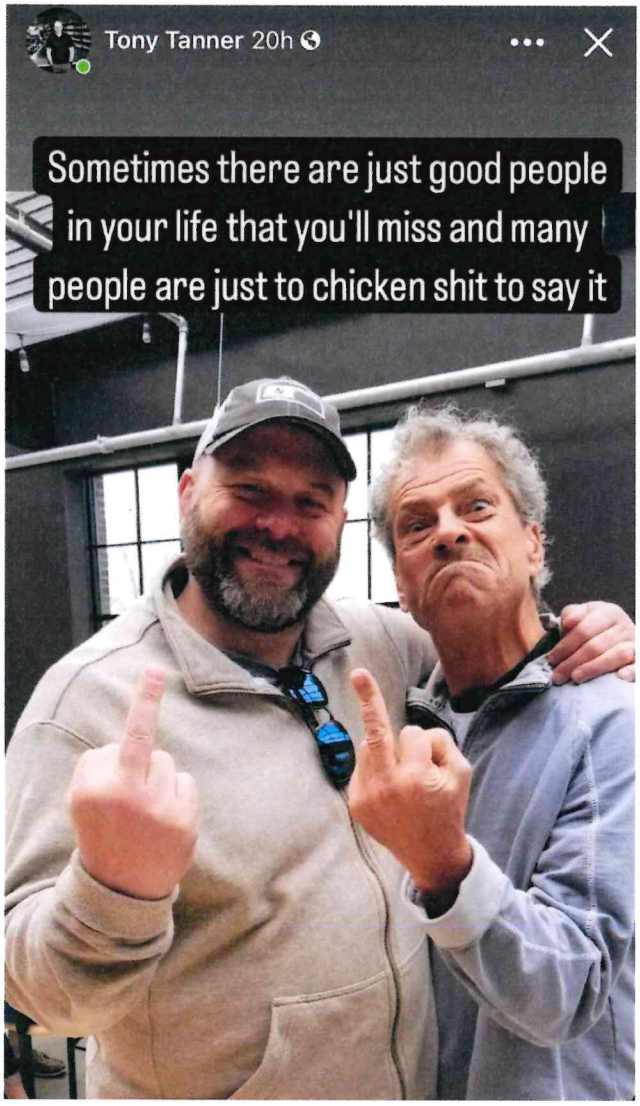
Nothing more than pigs feeding at the public trough!



An AI-generated image of "hobgoblins making corrupt utility deals in a smoke-filled back room."

And it's a bad look for Huffman, who wants to return next year as the Speaker of th Ohio House, to be linked to that motley crew of white-collar criminals.

And when Cirino tries to play it off like he isn't up-to-date with the latest revelation had no choice but to remind him that two people charged in the case have already died by suicide.



A recent Instagram Story from Tony Tanner, owner of The Butcher & Grocer in Grandview. Tanner used to work for then-Ohio Auditor Dave Yost. On the right is the late Sam Randazzo, who died by suicide after being charged by federal and state investigators for his lifetime of public corruption.

- **Sam Randazzo aka "The Randazzler,"** the **former PUCO chairman.** One of th most knowledgeable utility and energy lawyers in Ohio who spent his life doinc the bidding of energy conglomerates and ripping off the public while enriching himself. He died by hanging himself in the decrepit warehouse on the near-eastside that served as the address for an LLC through which he embezzled millions of dollars from his utility company clients.

- **Neil Clark** the **former corrupt lobbyist**. Originally charged alongside then-Ho Speaker Larry Householder, Clark died by suicide next to a retention pond in Florida while wearing a "Mike DeWine for governor" t-shirt. The revelations fror his tell-all book, *I'm Just a Lobbyist* have not been too far off the mark as the investigation has unraveled. I profiled Clark's career in March 2021, shortly afte his demise.

Let's get ready to rumble

All signs pointing to Vivek Ramaswamy running for governor while Dave Yost could soo earn a cushy federal appointment.



D.J. BYRNES
JAN 07, 2025 · PAID

13 9 Share



From left to right: Browns owner Jimmy Haslam, notorious conman Vivek Ramaswamy, Ohio Attorney General Dusty Dave Yost, and a COVID-era protestor against Amy Acton.

The 136th General Assembly started overcooking my grits yesterday afternoon.

Rep. **Jonathan Newman**, a Baptist pastor from Troy who earned his position throug backroom deal with his predecessor, led the blessing of the lower chamber before t ascension of Rep. **Matt Huffman** as the Speaker of the House.

Government isn't supposed to work this way. And Ohio voters probably thought the eliminated a guy like Huffman when they enacted term limits in 1992. But there was Huffman, back in the House chamber for his second rodeo after serving the last fou years as President of the State Senate.

Huffman wasted little time in giving searing insight into his upcoming agenda, whic can be distilled into destroying public schools and more tax breaks for the wealthie citizens and business interests of the state:



A tweet from *Cincinnati Enquirer* reporter Jessie Balmert.

For over twenty years, Ohio notoriously funded public schools in a way the Supreme Court had ruled illegal. The bipartisan Cupp-Patterson fix wasn't perfect, but it was a massive improvement over the then-status quo.

Not funding the Cupp-Patterson Plan would be Huffman's latest innovation of putti the screws to public schools. After all, it's easier to deride public schools as "failing" and "crumbling" when the state shorts its funding while pushing the elimination of income tax as yet another favor to the wealthiest residents of Ohio.

Jake Zuckerman of cleveland.com reported last week that Huffman and Senate President **Rob McColley** (R-Napoleon) are "quietly crafting a plan for 'new energy creation.'"

I asked House Assistant Floor Leader **Adam Bird** (R-New Richmond) if we could get some love for green energy in the bill that will almost assuredly expedite the climat crisis with more fracking in our natural parks.

Bird predictably scoffed at the idea, but he asked if I was anti-nuclear power. I'm no

And I thought that question was interesting in the context of the "sweeping" energy bill coming down the pike.

I wouldn't be against an expansion of nuclear power in Ohio, even if our last foray i the field—a bailout out two decrepit nuclear plants—resulted in the prosecution of largest bribery scheme in state history (that we know about).

All signs pointing to Vivek Ramaswamy as 20 GOP gubernatorial nominee



From left to right: Attorney General Dave Yost, Donald Trump and Vivek Ramaswamy.

I talked with a friendly Republican State Senator yesterday.

The Senator relayed that they had "anecdotal evidence" that suggested President-E **Donald Trump** wants to clear the 2026 gubernatorial field for notorious conman **Vivek Ramaswamy.**

The Senator said, and other Republicans corroborated in private conversations, that the current scuttlebutt is that Trump will get Attorney General **Dave Yost** out of the race by appointing him to a federal judgeship.

Another source, however, heard Yost could be named as U.S. Attorney General of th Southern District, which would give him oversight of whatever remains in the HB-6 case.

The Senator also agreed that I would be right about Lieutenant Governor **Jon Hust** and his lack of a brain if he doesn't accept the appointment to the United States Senate.

- Later in the day, I asked State Senator **Sandra O'Brien** (R-Ashtabula) if she was running for governor as I had heard from one Northeastern Ohio source. She smiled at me as she walked into the Senate chamber.

On the Democratic side, a source told me last night that **Dr. Amy Acton** will file to for governor as soon as today.

Acton's camp wanted to do that discreetly, so I probably ruined my chances of a Christmas card by reporting that news. By filing to run, their campaign can raise mo in private while saving an official, splashy announcement for a more convenient tim later in the year.

In August, I wrote about the coterie of professionals that Acton had tapped for her nascent campaign. She'll raise tons of money, especially for a rookie candidate.

But it's hard to get excited about her campaign. I don't see her winning a General Election, even against the likes of Ramaswamy. And if she somehow did, the State Legislature and the stooges on the Supreme Court would neuter any power she hac before she took office.

But given that **LeBron James** won't be running, it's hard to think of a candidate bet than Acton who would also be interested in running what would be, at best, an uph battle.

Last I heard, House Minority Leader **Allison Russo (**D-Upper Arlington) will *not* run governor against Acton. After that... things get grim, quick, since none of the big cit mayors have any interest in a suicide campaign.

State Legislature seemingly open to loaning a billion dollars to broke Browns billionaire



I asked incoming House Finance chairman **Brian Stewart** (R-Ashville) yesterday wh he stood on the Browns getting over $1 billion in public money to build a suburban pervert playground so their owner could monopolize parking.

Stewart said there'd be plenty of time to discuss that issue in the near future.

Greg Lawson, a lobbyist for the Buckeye Institute and the most interesting Libertar I have ever met, agreed with my assessment that giving public money to billionaire' pet projects is horrendous public policy.

That made me feel good about the kind of coalition that could be built when Browr owner **Jimmy Haslam**, the brokest billionaire in the world, comes calling to Columt with his hand out.

Haslam and his wife, "Sweet Dee," are max donors to Speaker Huffman, who is notoriously "transactional." But on the other side of the Statehouse, Senate Presider McColley tipped his hand on what a possible deal for the Browns might look like:

From Jeremy Pelzer of cleveland.com:

> "Quite frankly, I'm not in favor of something that would just simply be a handout McColley said. "There would have to be an ability (for the state) to be paid back.'
>
> Another factor, McColley said, is what Gov. Mike DeWine thinks should be done.
>
> While DeWine has indicated support in principle for putting state money toward new Browns stadium, he – like McColley – has said he first wants the team, as we as local officials, to figure out exactly how much they will contribute. The governo held meetings last month with Browns owners Jimmy and Dee Haslam, as well as Cleveland Mayor Justin Bibb, to try to collect information and find a resolution.

It's telling that McColley used the word "ability" when discussing the public getting money back from the Browns. That strikes me as the language of a sweetheart deal

But again, why give loans to a guy like Haslam, who could build the dome himself if weren't a cheapskate? Especially in a year when the COVID money goes away and tl state is expected to collect much, much less in revenue than in the previous cycle?

Plus, if that contract is anything like how the City of Columbus operates with tax abatements to companies, the public won't be able to get its money back even if th contract terms aren't met.

Meanwhile, the location of the new stadium hasn't been decided. The Browns triggered a clause to purchase the 176-acre lot in Brook Park's suburban wasteland.

Cleveland mayor **Justin Bibb** and Cuyahoga County Executive **Chris Ronayne**, meanwhile, have stood steadfast in their belief that the Browns should stay downto Bibb and the City of Cleveland have even triggered the "Art Modell Law" in an effor keep the Browns downtown.

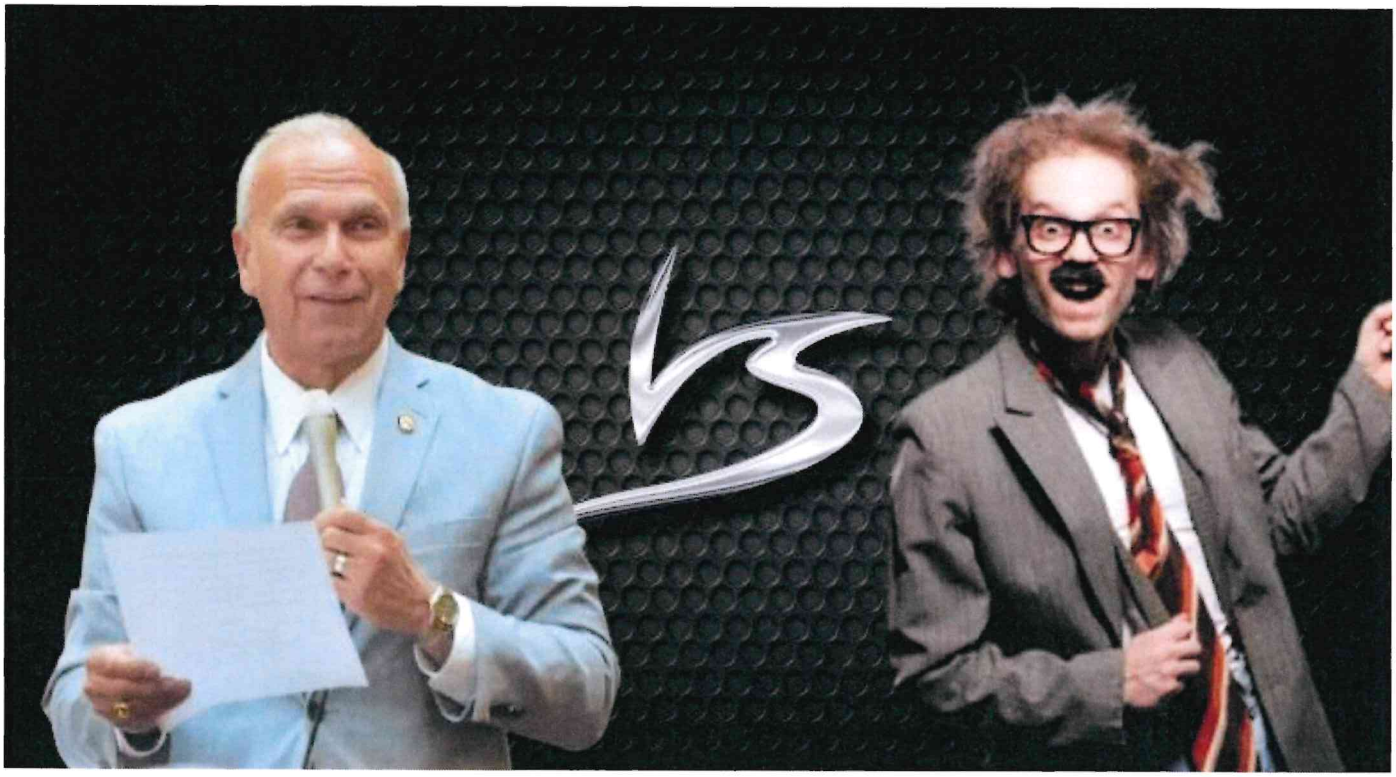
Yesterday, I saw State Rep. **Terrence Upchurch** (D-Cleveland), whose jurisdiction includes the current Browns stadium. I mentioned that Bibb had declared war on th Haslam ownership group.

"As [Bibb] should," Upchurch said. "Stay tuned."

Indeed I will! Keeping Haslam's grubby little fingers out of public pocketbooks is or of my top priorities in the 136th General Assembly. And I'll work with anyone on the political spectrum to accomplish that goal.

Public welfare for the oligarch class must end.

Senator Cirino: I'll see the professors in Hell!



Yesterday, I ran into Senator **Jerry Cirino** (R-Kirtland) in the Statehouse Rotunda.

Setting aside politics, I respect Cirino because he never runs from a question, let alc some pervert with a camera. He ascribes this attitude to his childhood in Cleveland' Little Italy neighborhood.

I said, Senator Cirino, are you coming after our beautiful college professors? This wa about **SB-83**, which would have mandated conservative thought on college campus The controversial bill died a grisley death in the last general assembly.

Cirino removed language that barred college faculty from striking in an attempt to pass the legislation through the House of Representatives. However, pro-union Republicans killed the legislation before it reached the floor.

Cirino admitted that the legislation was coming back in the 136th General Assembly with the strike ban. He said that if a student pays Ohio State for a semester of classe then a third party, like professors, shouldn't be able to interfere with that contract b striking for "a better dental plan" or something.

That's a gross oversimplification of what might drive a faculty to the picket line. But just a guy off the street.

Speaker Huffman is anti-union, unlike his predecessor. The strike language in the ne version of the legislation will be the first test of what remains of the pro-union Republican contingent in the House.

If that legislation passes in full, as Cirino expects, I predict it will be an ominous sign more anti-union legislation to come.

What that would look like remains to be seen. But my prediction would be somethi like banning unions from automatically withholding dues from the paychecks of members, which effectively killed at least eight adjunct unions in Florida.



THOSE WMDs. Ford and Musk made cars; they've also backed fascists... The shado millions behind San Francisco's "moderate" politics... A teen's fatal plunge into the London Underworld... What a decades-old Denver murder reveals about right-wing extremism... Why is the American diet so deadly?

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Andrew McDonnell Jan 7, 2025

Liked by D.J. Byrnes

The goose is in the house, i dont see Dave doing that role but still some good tea

LIKE (1) REPLY

Robert Homan Jan 7, 2025

Liked by D.J. Byrnes

Ugh the anti-union crap is seriously bleak.

LIKE (1) REPLY

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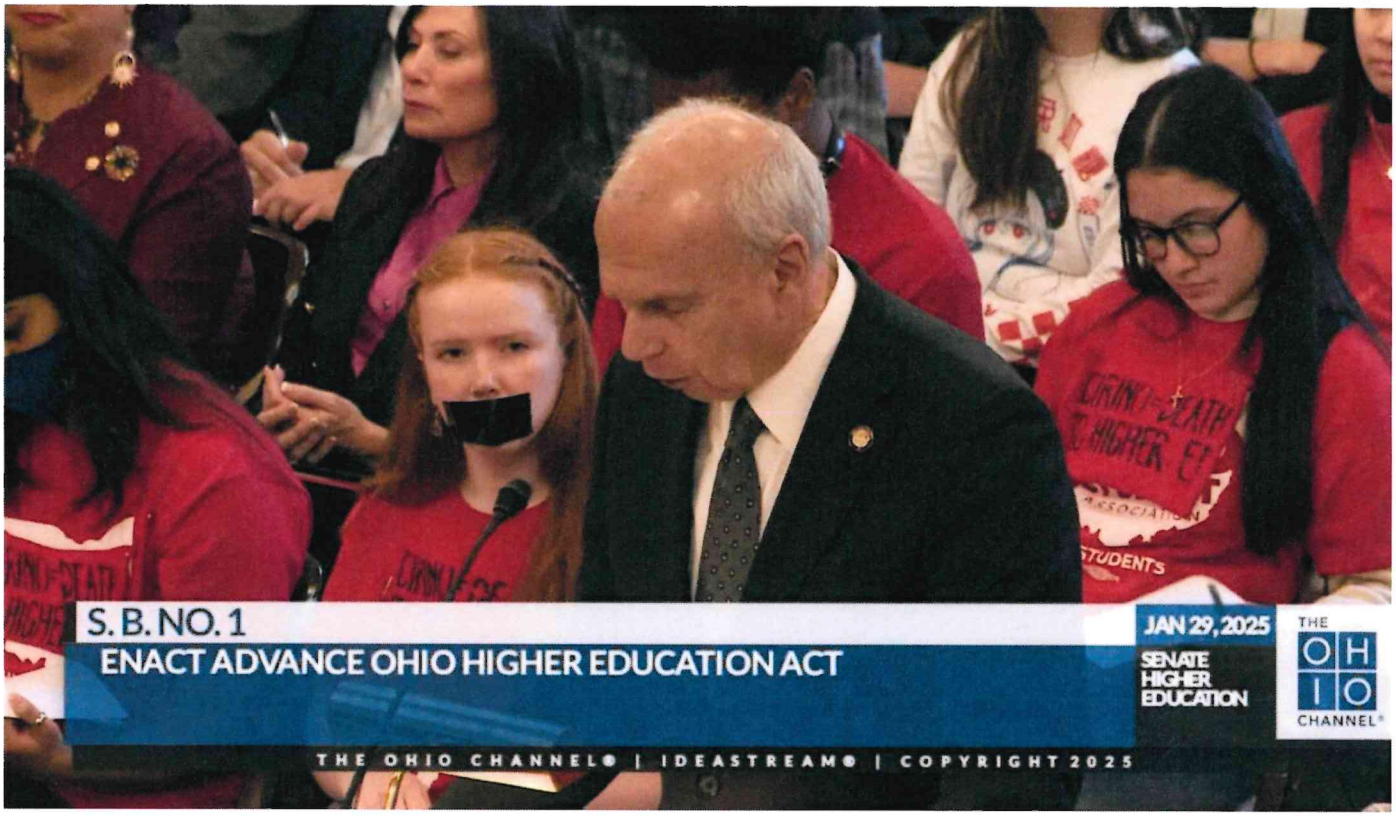
The Trojan Horse

SB-1 is a textbook example of how the Republican Party uses culture war window dressi to cover flagrant attacks on worker rights.



D.J. BYRNES
JAN 30, 2025 · PAID

22 6 2 Share



Senator Jerry Cirino unveils SB-1 in front of the Senate Education Committee while student protestors watch in the background.

Yesterday, I attended the Senate Education Committee proponent hearing on **SB-1**. that, I mean I sat outside the Senate's North Hearing Room, listening to testimony.

You can watch that meeting, in its entirety, over at the Ohio Channel.

The legislation sponsored by Senator **Jerry Cirino** (R-Kirtland) and State Rep. **Tom Young** (R-Circleville) is a dual-pronged attack on labor rights and diversity in

education.

The bill includes post-tenure reviews and annual performance reviews of faculty. It a prohibits faculty from striking and mandates that they publish public syllabi for helicopter parents to shriek about.

On the culture war side, the bill bans diversity, equity and inclusion courses and any faculty training unless required to comply with state or federal law, professional licensure requirements or receiving accreditation or grants.

The attack on "DEI" — the latest acronym the Republican apparatus is feeding to its voters primarily driven by wishing they could say racial slurs in public with no repercussions — is the trojan horse for the attack on worker rights to prevent strike like the one that happened at Wright State in 2019:

From wright.edu:

> In Dayton, Ohio, faculty members at Wright State University have just concluded one of the longest public university strikes in U.S. history. On Sunday, the university's administration reached a tentative contract agreement with the facul union's executive committee, which union members will vote to ratify in coming days. The strike began late last month, when the university imposed a contract o faculty members that worsened working conditions and decreased benefits. Whe the administration refused to negotiate, 85 percent of Wright State University's union members voted to authorize a strike

It's a miracle if you can get 85 percent of any group to agree on anything, which tel you how dire things had become for workers at Wright State. Yet, the faculty got further in negotiations in 19 days of striking than in two years at the negotiating tal

That seems like the system worked as intended. The world continued to spin, and Wright State University still operates today.

But working people having that kind of power is unacceptable to the types of Republicans that currently rule over the Statehouse. And the Republican trustees th run Ohio's public universities (and the presidents they hire) would love nothing mo than to take that tool from unions to make it easier to cut costs by gutting compensation and benefits packages.

However, I did not see trustees or presidents arguing for the legislation yesterday. That's because they already know the legislature is in their pocket and don't need t waste their time.

That left the testimony to hardline Republican legislators like State Representative **J Williams** (R-Sylvania), activists from private universities unaffected by the legislatio and kooks like **Dr. Stanley Goldfarb,** who lost his standing in the UPenn medical community because he once proposed that minority residents receive worse grade than white counterparts because they're worse residents and not because of syste racism.

The anti-DEI part of the legislation might as well be inscribed in stone. If it were a standalone bill, it would sail through the legislature because "DEI" has become the boogeyman for voters whose minds have been consumed by right-wing media.

The anti-labor half of the legislation has a dicier road. Labor groups, especially the trades, have been forced to collaborate with Republicans to ward off death knells lik right-to-work legislation. But ultimately, most of those "pro-union" Republicans are that "pro-union" at all.

My sources in the Senate admittedly aren't as good as in the House. And while ther more ball to play on the House side with the anti-labor part of SB-1, things aren't looking great as they currently stand.

Shoutout to the Students!



Members of the Ohio Students Association came to the Statehouse to protest SB-1 on Wednesday. [Photo from OSA]

I'd be remiss if I didn't mention the efforts of the **Ohio Students Association**, whor you should follow on Twitter.

If you polled college students in Ohio, I'm not sure more than three percent could t you anything about SB-1. But yesterday, a handful of students traveled to Columbu across the state to watch proponent testimony and register their disgust as soon as the meeting concluded.

It's inspiring to me because, at that age, I was too busy drinking and partying to be concerned with the intricacies of the Statehouse. And it's something I regret to this

day.

But I respect the Hell out of every student who is making the continued effort agair SB-1 because they all know the odds are stacked against them.

At last week's introductory press conference, Senator Cirino degraded their efforts b quipping that they were "earning extra credit from their professors" for attending th protest when the reality was that many students skipped class to exercise their right

Cirino couldn't even be bothered to meet with them after the press conference because they dared to chant outside the media room.

I don't know if "the kids are alright" because I don't know many kids. But *these* kids have my approval, and I hope God rewards them with lucrative careers outside of O when they graduate. They deserve nothing less.

With Democrats like these...



Left to right: Senate Minority Leader Nickie Antonio, and State Rep. "Mean Jean" Schmidt" [image via Fox 19 Now]

Earlier this week, a bipartisan group of legislators stood in the Warren G. Harding Media Conference Room at the Statehouse to advertise the latest attempt to abolis the death penalty in Ohio.

It's a song and dance that's tried every General Assembly to avail. This time, howeve the bipartisan group is trying a new approach. They want to abolish the death pena as well as state funds for assisted suicide and abortion.

The leaders of the movement include:

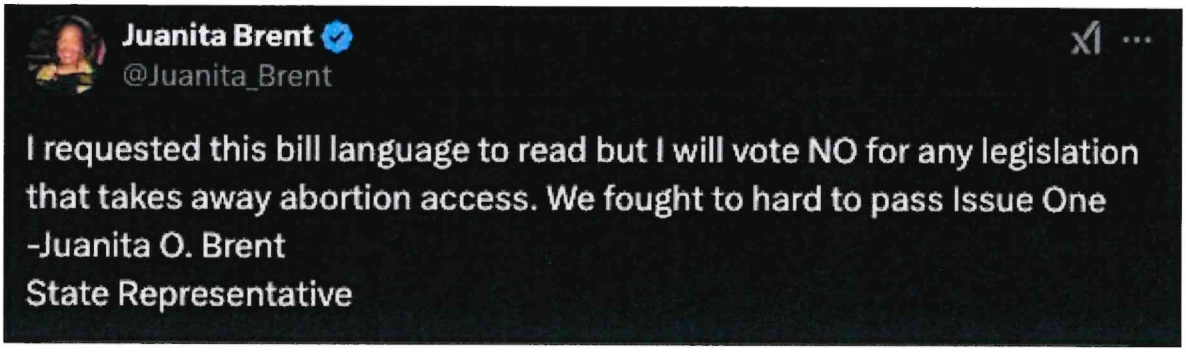
- State Senators **Nickie Antonio** (D-Lakewood), Herceal Craig (D-Columbus), Ste Huffman (R-Tipp City)
- State Reps. **Adam Mathews** (R-Lebanon) and **"Mean Jean" Schmidt** (R-Lovela

I'm down to abolish the death penalty. The state shouldn't be in the murdering business; it's racist and classist. And having a death penalty inevitably means we'll execute an innocent person.

I'm also down to abolish state funds for assisted suicide. I used to support the idea assisted suicide until Canada wielded the practice primarily to execute poor and disabled citizens.

I don't understand why Senate Minority Leader Antonio and Senator Craig would co sign on Republican legislation that equates abolishing the death penalty with a safe medical procedure like abortion.

A lot of Ohioans—and, by extension, Democratic voters—put a lot of sweat equity i enshrining abortion rights into the State Constitution in 2023. This new legislation s in their face.



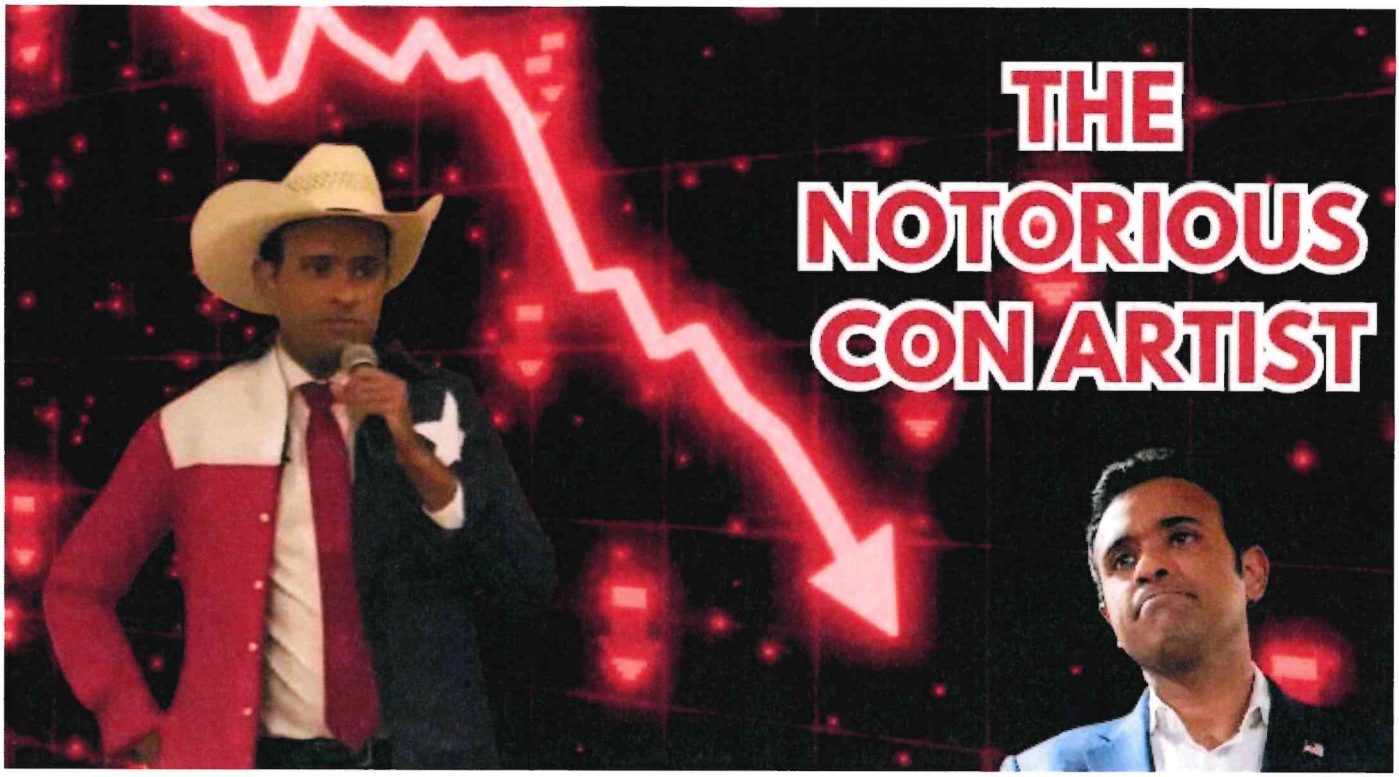
State Rep. Juanita Brent (D-Cleveland Heights) knows the score.

Leader Antonio should know that this is Ohio, and the Republican Party doesn't respect the will of the voters. Attorney General **Dave Yost** is running for governor ir 2026; it's not out of the realm to think he'll attempt something egregious to court p life voters in that primary. And if he did, well, the Ohio Supreme Court remains as embarrassing as ever.

Why stand with Republicans on this legislation and allow them to drape this as "bipartisan"? Especially since the effort to abolish the death penalty will go where it always does in the Republican-dominated legislature: Into the nearest trashcan.

I won't be heartbroken when Antonio leaves the Senate. I can tell you that much.

God, we're really about to make Vivek Ramaswamy the governor of Ohio



Yesterday, we got more proof why **Jon Husted**, who has an empty Pez dispenser where his brain is supposed to be, cut and ran to Washington D.C. with an appointment to the United States Senate.

Notorious con artist **Vivek Ramaswamy** is leading the 2026 GOP gubernatorial fiel before he's even declared.

From Mike Allen of axios.com:

> Vivek Ramaswamy, who is expected to announce for Ohio governor in mid-February, is over 50% among Republican primary voters and leads his nearest competitor by 34 points, according to a poll by a pro-Ramaswamy outside grou

Yes, these numbers come from a pro-Ramaswamy group, but they're margins that can't be ignored.

And all we can do is laugh that Attorney General **Dave Yost**, the Ramswasmy's clos competition, only mustered a measly 18 percent after spending the last 14 years in

statewide elected office.

It's a fate Yost deserves, honestly. He went from posting 800-word, anti-Trump diatribes on Facebook to taking pictures in the port-a-pot line at the 2017 inauguration. He knows exactly what Donald Trump is, and he sold his soul like the of them in pursuit of political glory.

And now that's all gone down the shitter because some 39-year-old grifter has deluded himself into thinking he wants to be governor of Ohio.

I've talked to Democrats on Capitol Square who think Ramaswamy would give the party the best chance to win in 2026. That might be true. But don't underestimate Ohio. We are dumb enough to elect this charlatan, especially when he rides into bat with Trump's Complete & Total Endorsement.



THOSE WMDs. Sean "Diddy" Combs was a "demon," new accusers say... The future too easy... The best Buddha bowl recipe... 1491: The New World before Columbus... The complicated business of selling the NYPD logo.

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Christine Christine Jan 30, 2025

I remember SB6 back in 2008? Our school district went on strike. My daughter wanted to march picket line with the teachers and I wholeheartedly supported her decision to walk the lines. The C has been trying to bust the unions since unions first became a thing. All for them and none for th She wrote a beautiful essay on what the unions had done for her family over time and she was av a 10,000 $ scholarship to help pay for her education! Union strong! Keep up the good work DJ.

LIKE (1) REPLY 1

Jen Carroll Feb 9, 2025

Working on my written testimony against this bill today. Thank you for your work.

LIKE REPLY 1

1 reply by D.J. Byrnes

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It's a smash and grab for the Clowns

The Senate had its say in budget process on Thursday while unqualified bum sails towar confirmation on the Industrial Commission.



D.J. BYRNES

JUN 04, 2025 · PAID

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August 2023: "Chairman Jim Hughes and Commissioner Daniel Massey welcomed new Commissioner Cheri Hottinger for her first Commission hearing," — @OhioIC in its last tweet.

The Ohio Industrial Commission is the kind of institution most residents wouldn't kr about until they're maimed for life on the job.

That's an extreme example, but the commission, under the best circumstances, operates as a patronage board for **Governor Grandpa Sleepy Tea**. That is to say, it

powered by the politically connected Republicans who look favorably upon the DeWine Administration.

As such, steadfast Republicans power the worker's compensation commission. Whil they can't deny every worker's claim, it's safe to say that the commission generally favors the wordview that the rich hold dominion over the poor. The arc of justice bends toward the employers in that reactionary universe.

Recently, however, a Northeast Ohio woman sued the Franklin County Commission, alleging that three members, who were appointed by the governor and confirmed b the State Senate, were not qualified, as none of them had the required six years of industry experience before their appointments.

The most egregious example is Commissioner **Cheri L. Hottinger,** the wife of forme State Senator **Jay Hottinger**.

Because her husband did nothing in the Senate to ease the burden of losing employer-funded healthcare, DeWine saved the day by appointing Senator Hotting wife, who had zero private experience and isn't even a lawyer, after Hottinger was termed out of the Senate.



Cheri Hottinger, the wife of former State Senator Jay Hottinger, is one of many unqualified bums on the Ohio Industrial Commission.

The law appears explicit in requiring qualified commissioner candidates to have at least six years of experience within the "field of workers' compensation."

The Industrial Commission can talk about Cheri's business acumen and government jobs as much as it wants on her bio, but she doesn't have the required industry experience.

Her term on the board is scheduled to end in 2029, so that's nice!

On Tuesday, in front of 36 other people (I counted!), the Senate Financial Institution Industry and Insurance Committee considered the reappointment of current Industi Commission chairman **Jim Hughes**, another apparent unqualified bum.



The unlikable Jim Hughes, too shamed to even look at the camera!

Hughes is a former state legislator who was not well-liked among his former Capito Square colleagues.

Multiple sources painted him as "earning" an appointment to the Industrial Commission to keep him away from Capitol Square after he lost a Franklin County judicial campaign to a Democrat in 2018.

Hughes is at least a lawyer. But working as a prosecutor is a far cry from workers' compensation. And even if the argument was that he has since become qualified through his illegally held commission seat, he still ruled on thousands of workers' compensation cases while being unfit for office.

But there was no discussion among the nine-member committee about the merits o reappointing an unqualified bum like Hughes.

John F. Burke, an industry attorney, was the only Ohioan who submitted written opposition testimony.

You can read that here:

Letter To Ic (1)
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I attempted to throw a Hail Mary and speak in person before the committee, but Chairman **Steve Wilson** (R-Wilson denied my query on account that the 24-hour deadline to submit a speaker slip passed 21 hours ago.

Afterward, I asked Senator **George Lang** (R-West Chester) about the rubber stamp reappointment given the active lawsuit that appears to have the commission dead t rights, and he gave me one of these: ¯_(ツ)_/¯.

"You know how that works," he said, alluding to the greased track for DeWine's appointments. It's budget season after all, and the Senators are exhausted from actually having to work for a couple of weeks in a row. The Republican junta can't e muster a feigned concern over injured workers possibly getting screwed by unquali bums on the industrial commission.

Chairman **Steve Wilson** (R-Mainville) gave me the slip after committee, so I'm goin to try to get him on camera today in the Statehouse.

Because there are already two lawsuits pending against the commission:

Luke Sebring Lawsuit vs. Unqualified Bums
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Luke Sebring is suing the unqualified bums on the Ohio Industrial Commission for being unqualified bums.

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Duke Lawsuit vs. Unqualified Bums
92.8KB · PDF file

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Suzane Duke's lawsuit vs. the unqualified bums on the Ohio Industrial Commission.

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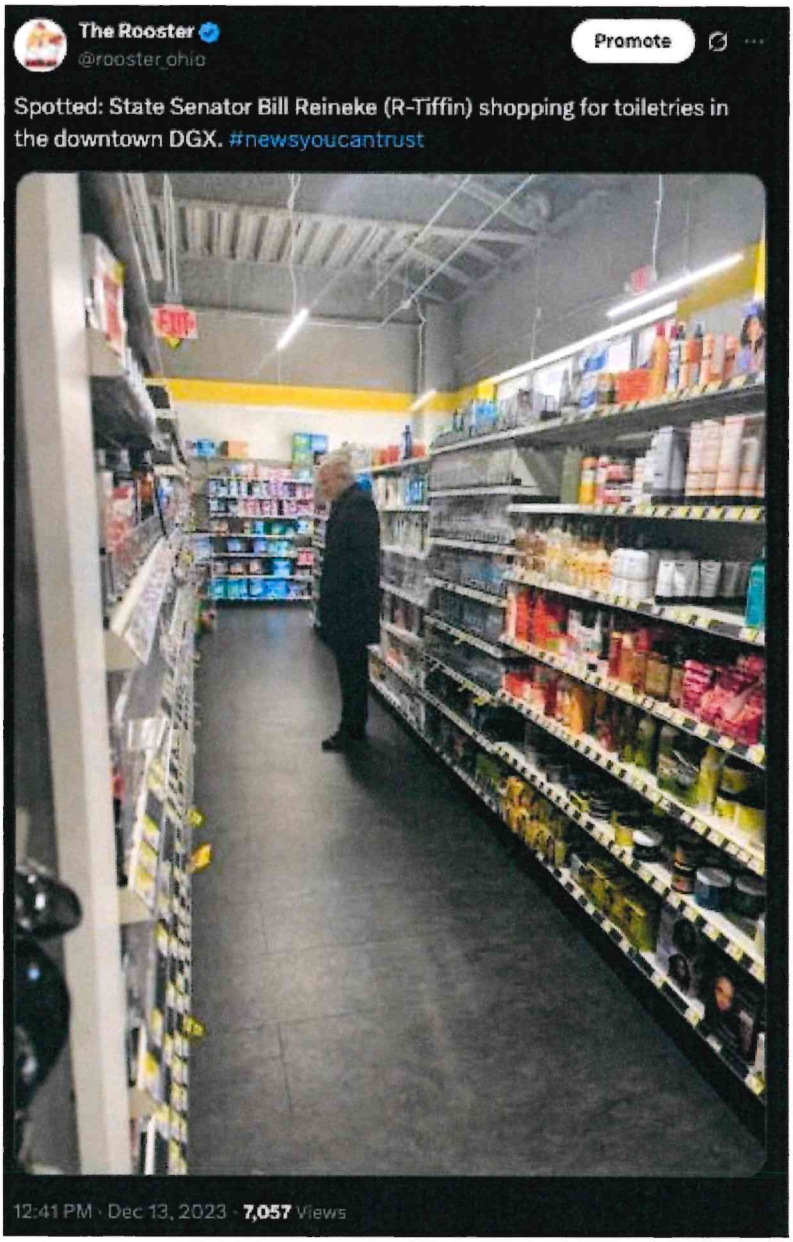
And the discovery about the governor's screening process would be a helluva thing

Who will be the next State Senate president?



Every State Senate presidential election for the past 40 years

Senator **Bill Reineke** (R-Tiffin) approached Lang and I after committee. I've never hassled Reineke, other than that time I spotted him shopping in the downtown Doll General in December 2023:



My Peabody must have gotten lost in the mail.

Reineke is a third-generation car salesman and apparent challenger to Senate Finan chairman **Jerry "Benito" Cirino** as the retirement home's next president.

A well-placed Republican told *The Rooster* over the weekend that Cirino was telling colleagues he wanted the president's race settled before the Senate passed its versi of the budget.

"He's [imprisoned former House Speaker Larry] Householder without the charm," sa one Senator.

I asked Reineke is he was going to beat Cirino for the Senate gavel, and he nodded, seemingly perplexed by having to suffer my schtick for more than 10 seconds. He didn't even deny an interest in running against Cirno.

I am sure there is no meaningful policy distinction between Reineke and Benito Ciri but I'm **#RidinWithReineke** solely for the possible entertainment of watching Benit Cirino have to eat shit for once in his life because that little Italian is too horny in public for power.

Browns looked poised to land $600 in public money one way or anything



The rancid retirement home that is the State Senate dropped its version of Ohio's $ billion two-year budget on Tuesday.

The best I can say is that the Senate would allocate $100 million more to public schools than the Ohio House's version, which would shortchange schools roughly $

to $800 million.

The Senate would also raise the House's proposed carryover cap on fiscally shrewd districts from a paltry 30 percent to a still-bad-but-better 50 percent cap. (Theoretically, any carryover above that cap would go back to local taxpayers, but ir reality will simply be spent by districts to keep that money in house).

The Senate also proposed looting $1.2 billion of the $4.1 billion in the unclaimed property fund to create a state "Sports and Culture Facility Fund."

Half that fund would go to the semi-professional Cleveland Browns for a new suburban boondoggle of the stadium, while $600 million remained for Ohio's other mediocre professional sports teams.

From Jeremy Pelzer of cleveland.com:

> COLUMBUS, Ohio—Ohio Senate Republicans are rejecting plans to issue $600 million in state bonds to help pay for a new Cleveland Browns stadium in suburb Brook Park.
>
> Instead, the Senate GOP's initial state budget plan, unveiled Tuesday, would get money from a very different source: raiding the state's $4.8 billion unclaimed property fund.
>
> Under the plan, which is still a long way from becoming law, $1.7 billion would b taken from the fund to create a state Sports and Culture Facility Fund, according Senate Finance Committee Chair Jerry Cirino, a Lake County Republican.

Between the Senate and the House's incessant desire to spend public money on private billionaire profits, it feels like I'm being asked to die in a car crash or by carb dioxide poisoning.

But I'd take the car crash offered by the Senate over the 30-year, billion-dollar drip that the House proposes through a bond package that the Browns won't be able to repay in full.

As a longtime personal friend and advisor to Governor **Mike DeWine**, I would wage he likes the Senate plan better, since it's cash on the table rather than lending our state's impeccable credit rating to a borderline criminal organization like the Brown

It will still be a tragedy when it happens. We could have given that $1.2 billion to schools—or hell, even an equitable rebate to every taxpayer. Sadly, in Ohio, we have look out for the billionaires who have also donated tens of thousands of dollars to legislative leaders.

Every legislator who treats this highway robbery as legitimate should lose their next election, though I won't be betting on that happening.

In the meantime, it sure would be funny if Ohioans claimed our funds en masse and looted those coffers before our beautiful legislature could transfer that wealth to a ruling class pervert (redundant, I know).

You can start that process by **searching your name in the database**. Amazon apparently owes me between $50-80 from some incident in 2014. And please believe I'll be hunting down the documents to get that money to prevent it from seeing the inside of Haslam's pockets.

Let's get ready to rumble!!!!!!!!!!



The Rooster reported on State Rep. **Josh Williams** (R-Sylvania) taking meetings with the Republican National Campaign Committee in Washington D.C. back in March.

According to multiple sources, Williams will run for Ohio's Ninth Congressional Dist a seat currently held by Congresswoman **Marcy Kaptur** (D-Toledo). The public declaration is expected around mid-June.

As it's been described to me... the NRCC "doesn't love Williams," because they "kno he has baggage," but that he successfully "bulled his way through the recruitment process."

Though Williams denied it on camera two weeks ago, multiple unrelated Republican legislative sources said the NRCC told Williams to stop giving floor speeches and tweeting every fleeting thought like he's a low-rent blogger.

The beauty of Williams is that his "baggage" could be anything from being a Black Republican candidate to any sordid story from his past. You could tell me any genre story about Williams, and I wouldn't find it untrue at face value. And it's not outlanc

to think that Williams' former colleague**, Derek Merrin**, knows where those bodies buried.

It should be a hilariously brutal primary between two egotistical megalomaniacs in their pursuit of raw, naked power. My body tingles just thinking about those two or debate stage, which might make me the biggest pervert of them all.



Alea Nadeem, Republican Congressional candidate in Ohio's Ninth District

Alea Nadeem, a lieutenant colonel in the Air National Guard who spent large swath of her childhood in Iraq, is the only officially declared candidate. Somewhat surprisingly, Kaptur has never faced a female Republican challenger throughout her career.

The Republicans are coming after Kaptur and **Emilia Sykes** (D-Akron) in redistricting the summer. But no matter what that ninth district looks like, the Republicans will st have to spend millions of dollars against Kaptur to finally force the babushka off he stoop.

Having to spend that money in a district even further designed in favor of a Republican is a win in and of itself. And Kaptur could still have one last trick up her sleeve.

The beatings will continue until Rob Portman revitalized



From HuffPost senior politics reporter Igor Bobic on Twitter

If the Republicans were to draw their ideal opposition leader against Trump, they would probably conjure someone who acted a lot like Senate Minority Leader **Chuc Schumer** (D-New York).

Your political party has a problem if a washed-up weasel like Portman "fits better" within your ranks. I know this because yesterday, Portman was *at least* actively looki to attend a GOP lunch meeting where his fellow cocaine-soaked jackals were undoubtedly carving the federal government up like the microwaved meat they lov eat.

Portman wanted it both ways. As the Ukraine Committee chairman, Portman wante have "objections" to Trump's crudest neurorses, but he never objected to the Trump agenda in any meaningful way.

Portman quit the Senate like a dog and saw his endorsement of **Jane Timken** in the 2022 Republican Senate primary mean as much as mine would have. (Timken finish fifth in Portman's home turf of Hamilton County. She currently serves in the State Senate via appointment.)

Portman sucked shit then, and he clearly sucks shit now. Schumer should have told him the clown convention was down the hall and to the right. But to do that, he'd h to see Portman as a hostile actor instead of a well-intentioned friend.



THOSE WMDs. A bizarre treatment for PTSD seemed too good to be true... The creepy, surprisingly routine business of animal cloning... He's a cretin, but we'll manage him... Is the killer behind the 1982 Tylenol poisonings still on the loose? Exclusive revelations by investigators yield the first authoritative account of what happened and who likely did it... Do patients with terminal illness have a right to di

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Write a comment...



Rachelle Jun 5, 2025

Whoa, I had no idea about the unclaimed funds database! I searched my parents' names and fou few things! Thanks for the heads up!

LIKE REPLY



Muad'dib Muad'dib Jun 4, 2025 *Edited*

https://www.dispatch.com/story/news/politics/2014/04/20/capitol-insider-ethics-concern-slows/24098096007/

When you fill State Agency boards with unqualified sycophants they'll even rewrite agency rules can hire even more unqualified and uneducated toadies to RUN the State agencies for them. Thi from 2014, Collins doesn't even have a degree and didn't even interview for the jib, but not a thi ever was done about it by the legislature.

LIKE REPLY

2 more comments...

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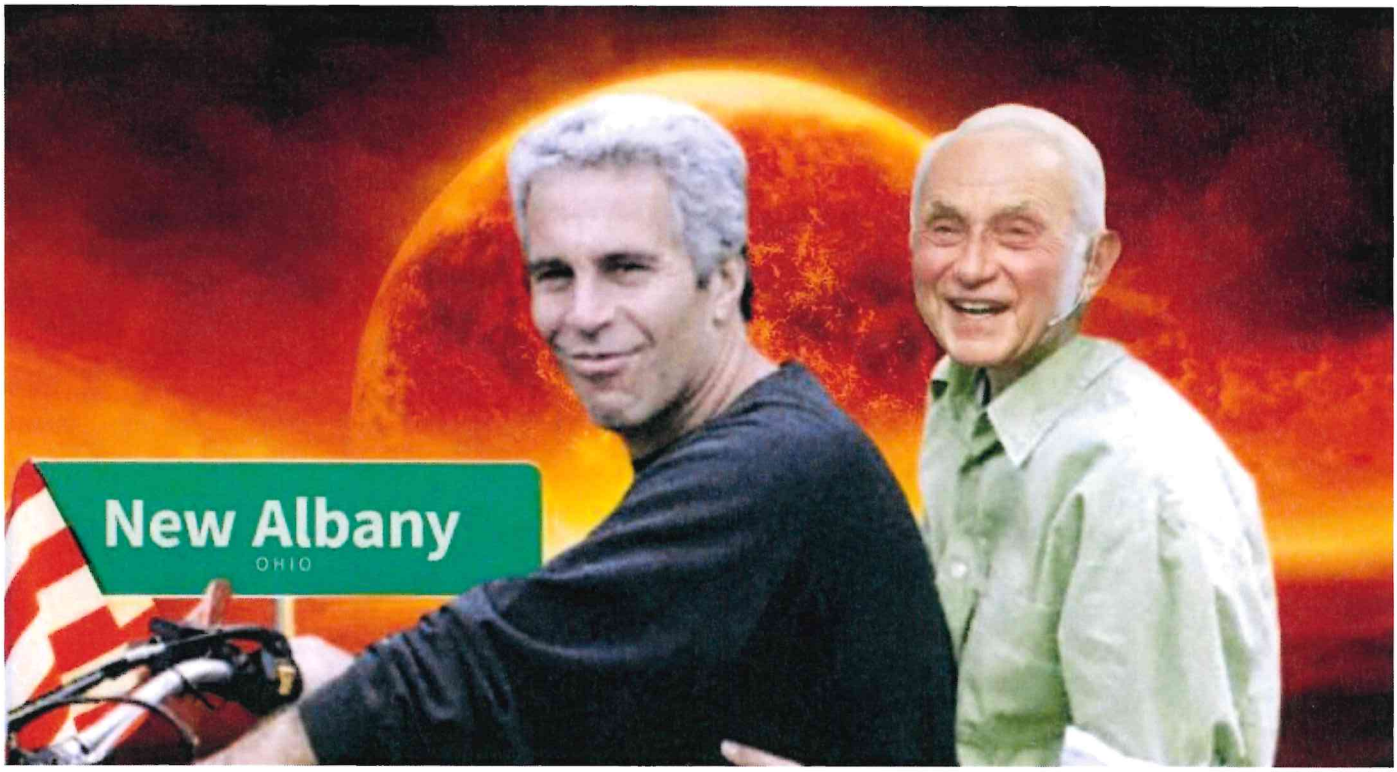
Why is Jeff Epstein's best friend still calling shots in Columbus?

Certified pervert Les Wexner bragged about "the largest AI investment in the world" coming to Columbus without mentioning that he would stand to make billions of more dollars from it.



D.J. BYRNES
JUL 16, 2025 · PAID

32 11 5 Share



Despite our steady population growth, Columbus will never be a true Big City until t things happen:

- We build a mass transit system worthy of the Big City.
- We take Leslie Wexner's name off several buildings and shun him like a Hell-bound pariah until he croaks.

To City Hall's credit, we took a massive step forward on that first point last fall, wher Columbus voters approved the LinkUs transit package.

As for Wexner, he remains comfortable attending board meetings for his medical center and the local children's hospital, as he did in May.

From Samantha Hendrickson of *The Columbus Dispatch*:

> Wexner, who is chairman of the board and for whom the medical center is name said that "probably the largest AI investment in the world will happen in Columb and predicted that "100 more" medical technology companies will follow the incoming tech boom, drawn in by current economic development in the region.
>
> "Columbus is the largest city in Ohio," Wexner said. "We don't publicize that – ar know in the real estate business that I'm in, people are always shocked at how bi we are and how fast we've grown."

Talking about how Columbus is underrated is like heroin to our leaders. Which mak sense in a way, because you generally don't want civic leaders who get sexually aroused by people talking about the shittiness of your city.

But it's quite the turnaround coming from Wexner, who is responsible as anyone fo the rise and success of **Jeffrey Epstein**, the most infamous dead pedophile in worlc history.

As you might have heard, Epstein is back in the news recently.

President **Donald Trump**, usually a master at driving narratives and manipulating media, has put his stumpy pink penis into several light sockets over the past week while discussing that infamous dead pedophile, who appeared in several videos anc photographs with Trump throughout his life.



Follow *The Rooster* on Twitter.

Wexner, however, isn't the President of the United States. In my opinion, Wexner ch to reside in Central Ohio to escape the media scrutiny that would come with living i New York.

That's as true today as it was when Epstein was trafficking and raping women in Wexner's guest house, which the billionaire was also credibly accused of doing by a victim who has since died by suicide.

In Columbus, Wexner still gets treated like a business tycoon.

He gets to have his thoughts about how the city will host "the largest AI investment the world" credibly reported in the press, largely because he's a billionaire.

As it turns out, however, Wexner's bullishness on "AI investment" and "biotech hubs largely due to his significant investment in the ostensibly emerging technology.

From Jemima McEvoy of forbes.com:

> Instead, the fashion mogul has more than doubled his fortune thanks in large pa to some savvy bets in a different industry: technology. Over just the past three months, the mogul's net worth–which includes assets held in his children's and w Abigail's names–has soared to $10.1 billion from $7.9 billion, according to *Forbes* estimates.

> The biggest driver of this increase: a 4% stake in CoreWeave, one of the buzziest artificial intelligence companies around. On Monday, CoreWeave announced it is buying crypto miner Core Scientific in a roughly $9 billion all-stock deal. Coreweave's market capitalization has almost tripled since its March IPO to nearl $73 billion today, and Wexner's stake is now worth $2.8 billion.

It'd be hard to argue that the explosion in so-called "AI technology" hasn't been a boon for Wexner. But it's hard for me to believe that "the largest AI investment in th world" would benefit Central Ohio at large, especially when the company leading th charge is also investing in an environment-ravaging cryptocurrency mining compar

We're already seeing that the data center boom has led to water scarcity and highe electricity bills for everyday customers. They have also delayed the shift to green energy.

In Memphis, Twitter's AI bot, Grok, is largely responsible for poisoning a poor Black community.

Wexner's hometown, New Albany, which he transformed from a patch of farmland i a replica colonial plantation, has heavily invested in data centers from multiple corporations that now line Beech Road.

Each data center employs roughly 15 to 20 people and pays nothing close to a fair share in taxes.

Is this really something we should want to bring to Columbus? Does that benefit everyday Ohioans? Or does that just benefit people like Wexner who are heavily invested in "AI technology" that's driving this data center boom?

Wexner likes to present himself in public as a humble children's thong salesman wit philanthropic heart. However, it's clear that he's not acting out of kindness; his actic are always driven by self-interest, including his charitable endeavors, which serve to launder his reputation overall.

It's worth asking why our civic leaders and traditional media institutions are treating Wexner like he hasn't been directly linked to the world's most infamous dead pedophile for *decades*.

This isn't some rabid-eyed conspiracy theory, either. It's been documented that thei decades-long friendship went all the way back to when Wexner plucked Epstein, the creepy high school math teacher, from obscurity and put him in charge of Victoria Secret's finances over the repeated objections of company executives.

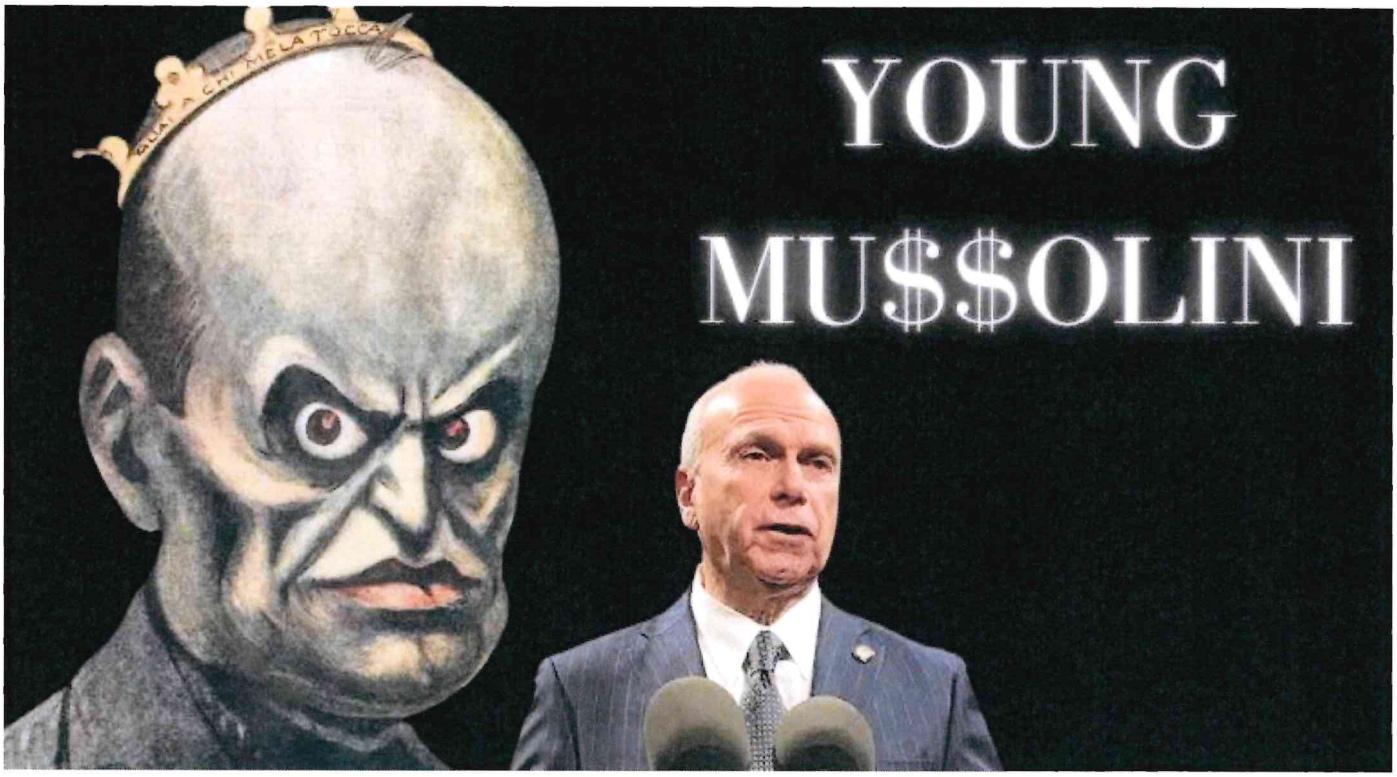
This didn't happen in some faraway land. It happened in New Albany, on property t he still owns

And now he apparently feels good enough to resurface to peddle the myth of "AI technology," which is little more than a pattern-matching machine, without having decency to admit that he's heavily invested in propagating that notion.

Wexner wouldn't get away with this in New York. He chose Columbus, back when w were little more than a mid-sized college town.

But if we're ever going to become the city he brags about us becoming—while livin in the suburbs—we must reckon with his ugly legacy and not be distracted by shiny objects like hospitals that we could have built without his charity if we had taxed hir properly in the first place.

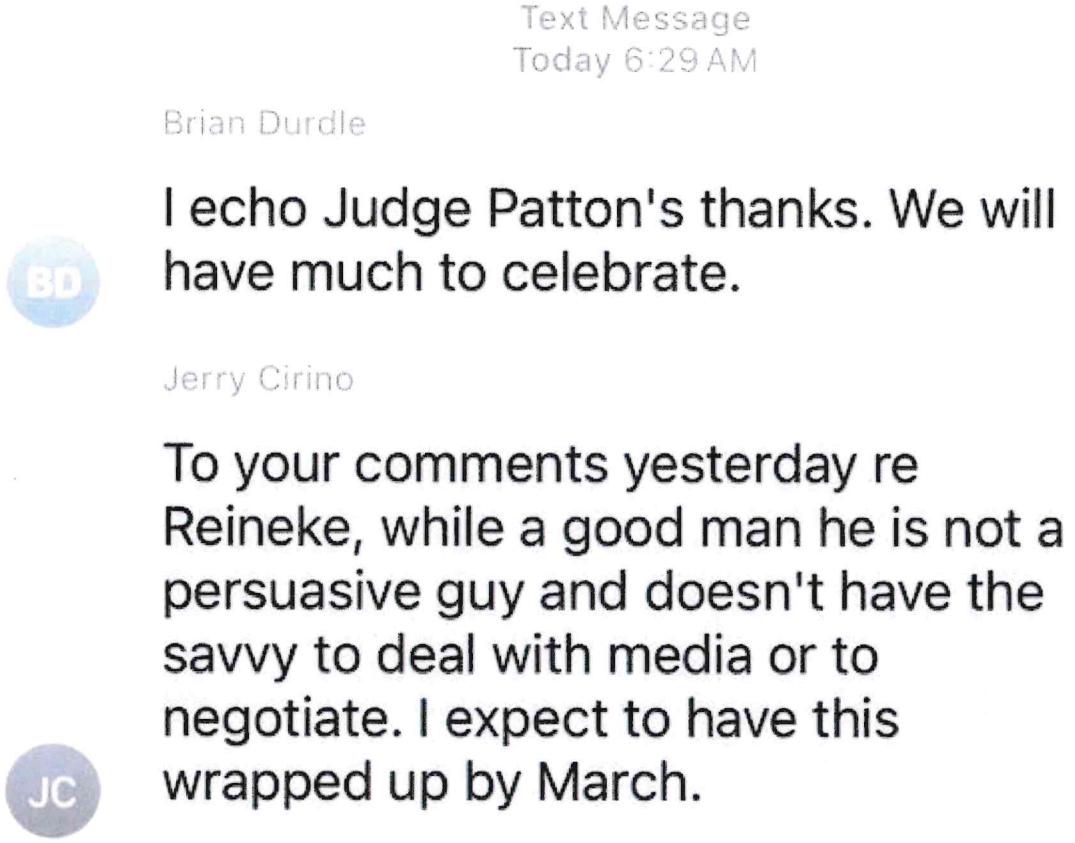
Young Mussolini is falling apart at the finish line



Earlier this year, I probably would have wagered a lot of money that Senator **Jerry Cirino** (R-Kirtland) would be the next president of the legislative retirement home.

But that was before the budget season, in which Cirino alienated several potential allies with his heavy-handed tactics as chairman of the powerful Finance Committee

On Monday night, *The Rooster* obtained a text message from Oct. 2024, in which Ci discussed his plan to have the future presidency "wrapped up" by March in a conversation with Statehouse lobbyist **Brian Durdle**:



I would be lying if I said I wasn't cackling like a jackal while posting that exchange fr my bicycle parked alongside the Olentangy Trail. A big perk of this job is knowing tl a tweet like that will be sent to "Young Mussolini" almost within seconds of it being posted.

In the message, Cirino bashed Senate Pro Tempore **Bill Reineke** (R-Tiffin) as unsavv and unpersuasive, which is further proof that a Republican calling a fellow Republic "a good man" is always a backhanded compliment.

Cirino is right about one thing. Reineke is not known for warm media relations.... bu that's not something you need as a Senate president, who only has to answer a handful of questions after legislative sessions if that's something they're interested doing.

The leaked message is the latest problem for Cirino. Everybody knew he wanted to the next president. It's another thing entirely to see his naked ambition and arrogar laid bare in a chat with an influential Statehouse lobbyist.

Cirino has also made a classic mistake in underestimating his opponent. Reineke comes to the table with two powerful backers in Senate Majority Whip **George Lan** (R-West Chester) and Senator **Mark Romenchuk** (R-Ontario).

Cirino also has the support of Senators **Tom Patton** (R-Strongsville), **Theresa Gavarone** (R-Hell), **Jane Timken** (R-Canton) and **Susan Manchester** (R-Lakeview).

To compound Cirino's problems, Senator **Al Cutrona** (R-Canfield), easily the least respected member in the Senate Caucus, has been telling associates that he'd be named to Cirino's leadership team if that came to pass.

Cirino and Cutrona held separate fundraisers with alleged restaurateur **Tony Georg** who is seen as a fading star in those circles due to an inability to raise any substanti money, in recent months.

Plus, Senate President **Rob McColley** (R-Napoleon) reneged on planned state fund for **Bobby George**'s downtown Cleveland development after the younger George g indicted on rape and attempted murder charges.

Look for Reineke to push for a caucus vote on the issue when the Legislature return from its break in September or October. Multiple sources have said Reineke has the votes to steal the presidency from Cirino, though there's a lot of ball left to play.

Would Reineke differ from Cirino on 99 percent of policy? No. But it would be funny see a megalomaniac like Cirino eat shit at the finish line after he rammed **SB-1** through the Legislature in his never-ending feud with college professors.

Additionally, Reineke supports Amtrak expansion in Ohio, whereas Cirino is one of t strongest oppositional forces in the Senate. That's all I need to hear.

#RidinWithReineke... you're hearing it more and more!

Shannon Hardin goes to war against the villag of Brice



61 9

and **others**

sg_hardin The village of Brice is operating as little more than a speed trap. It needs to be stopped. Share this post so Columbus neighbors know what's happening and give me your take: should I put this billboard up at the city-village border?

Here's the deal. Just this year alone, this village of only 93 people issued OVER 4,680 TICKETS. That's insane. They're not enforcing safety — they're running a ticket mill to keep the lights on. They're using automated traffic cameras like slot machines — just sit back, rack up the fines, and let the money roll in.

If you don't want to pay the fine... don't speed. Or better yet, get on a bicycle.

On the other hand, I'm generally against small municipalities that use traffic enforcement as a racket, which is what the village of Brice does.

According to one City Hall source, Franklin County had to hire four additional staff members at the Municipal Court *just to process tickets from Brice*. There is no reasor for a village of 93 people to be writing 10,000 tickets a year. And if I were mayor, I would tell the city to acquiesce to being annexed or use their ill-gotten money to b their own sewer lines and power plants.

Aside from that, I assume this is a good way for Hardin to get his name in the press ahead of his planned 2027 mayoral run. You apparently don't have to go far in Columbus—especially on the East side—to find someone whom Brice has victimize

And as someone who knows how to carry a vendetta and also dreams of becoming mayor, I can respect that.

But I would like to see Hardin channel this energy onto Bexley and its refusal to bui bike lanes or full-time BRT lanes on Broad and Main Street. They need to get with tl program, especially if they're not going to send their kids to Columbus Public Scho despite using municipal utilities.

But that's a topic for another day.

Forget hot stone massage this looks a lot more relaxing



THOSE WMDs. I'm a genocide scholar; I know it when I see it... Trump is the Confederacy's revenge... The Canadians are furious... How Nazism ended centuries Catholic-Protestant enmity... What Vietnam's scarred lands reveal about modern warfare.

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Write a comment...

ButWhatDoIKnow ButWhatDoIKnow's Substack Jul 16, 2025

Once again, content that you won't see or hear elsewhere.

Just don't expect to get invited to the Victoria Secret Xmas party again this year.

LIKE (7) REPLY

Wynne Everett Jul 16, 2025

That racket you heard this morning was me yelling "PREACH" as I read this. DJ's not only laying c smartest recap of Wexner's many misdeeds, both personal and professional; not just hilariously c the guy a humble peddler of child thongs; not just asking how Wexner has escaped real scrutiny Epstein ties -- incredibly through the years and even NOW as the cult panic reaches a new fever - but taking a good stab at answering it.

LIKE (3) REPLY

9 more comments...

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When the chickens come home to roost

Columbus City Schools move to cut bussing for high schoolers, Jerry Cirino's downfall is imminent, and the Republican junta can pry Zoloft from my cold, dead hands.



D.J. BYRNES
OCT 09, 2025 · PAID

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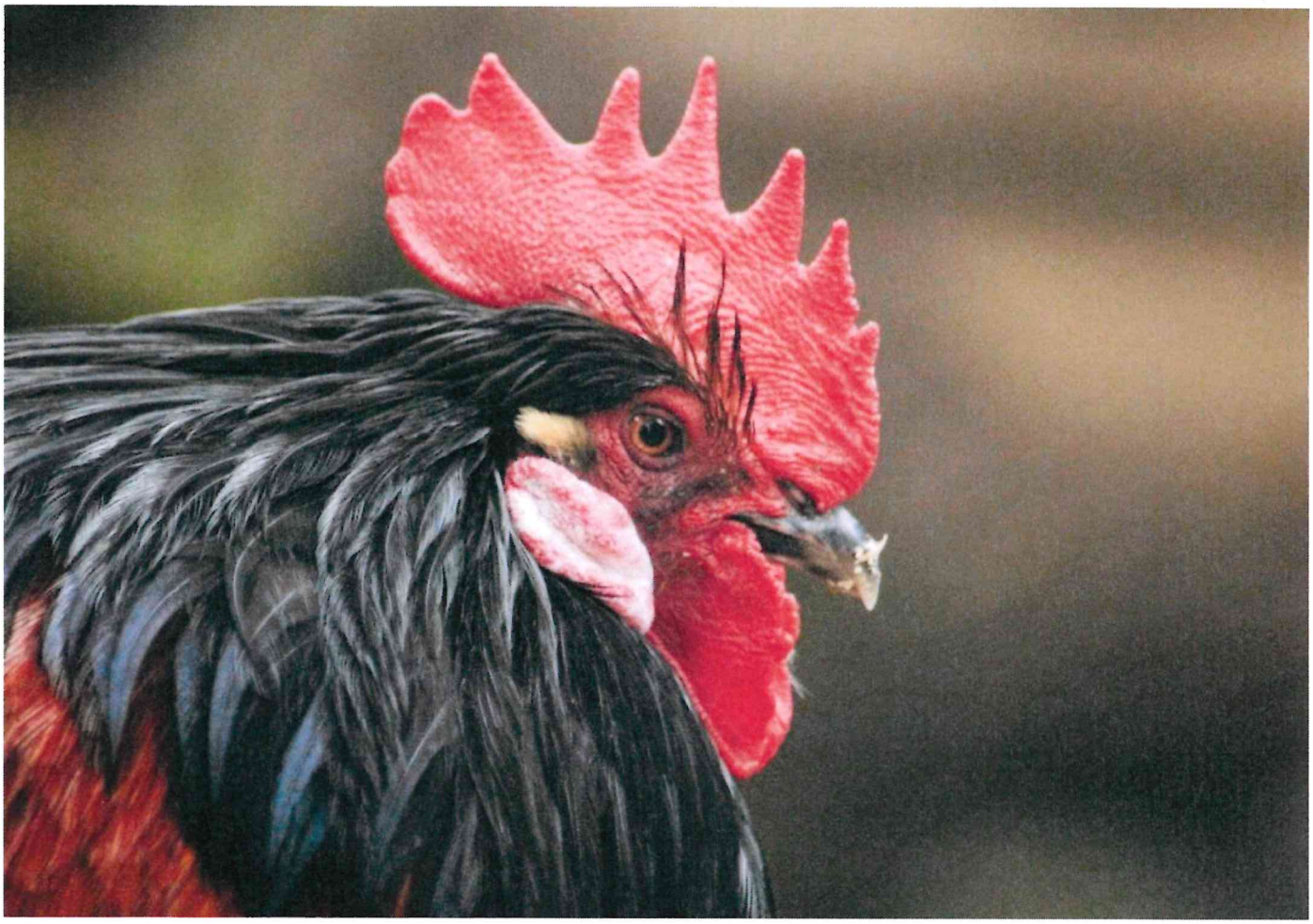


Photo by Vanessa Schulze on Unsplash

CLEVELAND — That's right, folks. This dispatch is coming to you from the City That Never Sleeps. I love everything about this city, other than its absurdly wide downtow roads.

Unfortunately, I couldn't bring my desktop computer to edit the videos that I took a the Statehouse on Wednesday.

Please forgive me, but I'll have some informative videos featuring State Reps. **David Thomas** and **Tex Fischer** in Friday's dispatch, along with an impromptu bust-up of Sunday Creek Horizon lobbyist **Jay Hottinger** outside Tip Top Bar on Gay Street.

I want to think it will be worth the wait!

This is your state with dual Republican legislative supermajorities



Photo by Robin Jonathan Deutsch on Unsplash

Back in August, I wrote about one of the biggest scams in Ohio: State law forcing public school districts to bus private and charter school students or face draconian fines.

Columbus City Schools Treasurer **Ryan Cook** revealed at the School Board meeting August that his district spent $31 million last year on fines and efforts to mitigate those fines. He then went on to reveal that the state has never disclosed where the money is spent.

Dayton, meanwhile, had public school students taking Ubers to school because thei district had ended bus service, as there are no fines for failing to provide transportation to public school students.

It would seem we have finally reached that breaking point in Columbus.

From Kierstin Lindkvist of wsyx.com:

> COLUMBUS, Ohio (WSYX) — The Columbus City School Board has voted to amer its policy on providing busing for high school students, a move that could potentially save the district over $7 million.
>
> This decision comes as the district faces significant financial challenges, with a ne to cut $50 million from its budget. State funding cuts have prompted the board t explore various budget-trimming measures.
>
> District leaders said the policy amendment does not mean an immediate end to high school busing.

The argument has always been that public districts should be required to bus privat and charter school students because "their parents pay public school taxes."

That's not how taxes work for anything else. But even if I concede that point, parent of public students pay those same taxes! And now they're getting screwed over, wh

the state cuts checks to parents of public and private school students who *don't* use public school transportation.

Columbus City Schools' solution appears to be tapping COTA for students in need c transportation. And that'd be a fine for students who only needed to take the bus down the road.

As frequent riders of COTA can attest, punctual travel gets a little more complicated when line transfers get involved.

Plus, one education source recently told *The Rooster* that school administrators don want COTA stops installed outside their buildings because they could attract transie and petty crime.

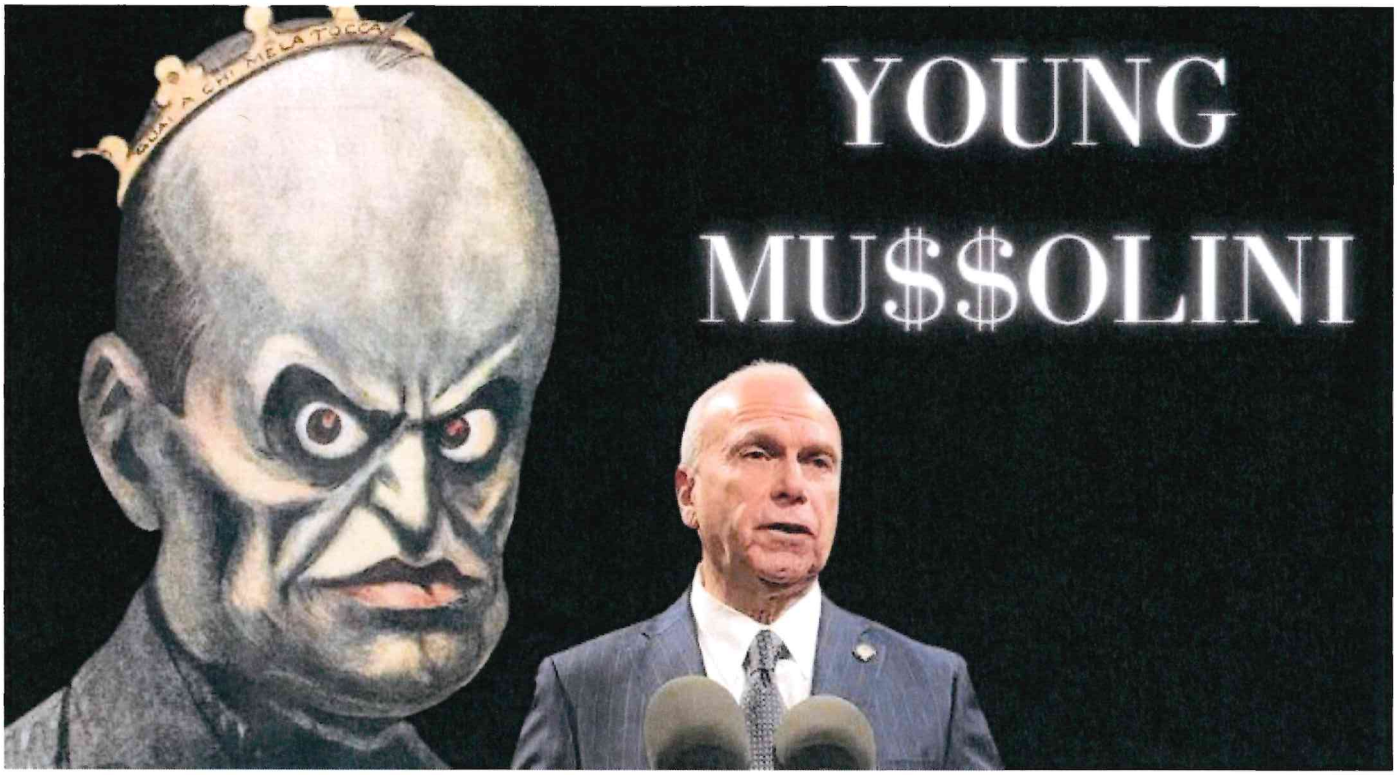
I would disagree with that notion, but I understand the caution given that one lawsu over a single incident could cripple the district's finances even further.

Ultimately, this will screw over poor students the most and further exacerbate the state's ongoing truancy crisis.

And I want to be clear: I don't blame Columbus City Schools for this predicament. These are the hard decisions forced upon them by a Republican-dominated legislat that wouldn't care if public education ended tomorrow.

In the junta's eyes, the system is working as intended. And the beatings will continu until morale improves.

It's not looking good Senator Cirino



Six months ago, Senator **Jerry Cirino** (R-Kirtland) would have been the betting favc to become the next Senate President.

However, Cirino, as Senate Finance chairman, seemed to aggravate everyone—from fellow Republicans to lobbyists—during this summer's budget process. And that cleared the way for Senator **Bill Reineke** (R-Tiffin) to mount a challenge.

As I've explained before, I'm **#RidinWithReineke** because he supports Amtrak expansion in Ohio. And because I would find it hilarious if Cirino's SB-1 megaloman led to his colleagues pulling the lever on a trap door that dropped him into a pit of alligators.

On Tuesday, a well-placed Senate source reported that Reineke held a 12-5 lead ov Cirino, with 14 being the magic number to clinch the victory.

After conversations at the Statehouse on Wednesday, the numbers could be even worse for Cirino. And while nothing is official until it's official—I would be willing to *a lot* of money (read: $75) that Reineke will be the next president whenever current

president **Rob McColley** (R-Napoleon) departs the chamber, whether that's at the e of his term or as **Vivek Ramaswamy's** lieutenant governor.

Cirino's downfall would be a small token of cosmic justice for his arrogance while ramming **SB-1** down our throats.

You can pry my Zoloft from my cold, dead hands



Photo by Daniel Dan on Unsplash

Yesterday, I was scheduled to testify in the Ohio House Health Committee in opposition to **HB-324**, the so-called Patient Protection Act.

From Susan Tebben of *Ohio Capital Journal*:

> Ohio House Bill 324 would require the director of the Ohio Department of Healtl determine if individual drugs cause "severe adverse effects in greater than 5% of drug's users," including death, hospitalization due to infection or hemorrhage, organ failure, or sepsis, according to the bill.
>
> The determination would be based on insurance claims, patient reports, and FDA data. If an over-the-counter drug is determined to have caused those adverse effects in more than 5% of users, pharmacies and other retailers would be barrec from selling it. The drug also couldn't be distributed via mail-order.
>
> The bill further requires an in-person examination of a patient and a follow-up appointment if a drug falling under the category is being prescribed by a physici

In my opinion, this is a not-so-subtle attack on the abortion pill. Anybody reading t far in today's dispatch can probably guess my views on that.

I wasn't able to testify due to a hard stop time, which was no fault of Chairwoman **"Mean Jean" Schmidt** (R-Loveland), with whom I have an amicable relationship.

But I wanted to highlight the part of the bill that would restrict access to SSRIs.

As you might have heard, I used to be a raging alcoholic who was no stranger to marijuana or cocaine. And thankfully, I finally found the strength to attack my demc couple of years ago. Being sober is the second-best decision of my life, next to marrying **Hilltop Husband**, which would not have been possible had I not gotten sober in the first place.

But my lesser-known trick has been 50 milligrams of Zoloft per day. Hilltop Husban helped me realize that even in total sobriety, I was still an anxiety-ridden monkey th would crash out over minor inconveniences.

I fought the idea of SSRIs because I had a myopic view. I thought they would turn n into a drooling zombie and cost me the edge that has helped build this humble

business.

I was wrong. A small dose of Zoloft has done wonders for the chemical imbalance i my brain. I can now watch some westside specimens struggle with the U-Scan at Kroger without dreaming of razing the building.

I realize SSRIs don't work for everyone. But I want everyone in that situation to at le have easy access to them, since depressed people aren't known for the ability to ho through arcane bureaucratic processes.

I might never have gotten on Zoloft if the process hadn't been as easy as it was. An could still be struggling with crippling anxiety to this day.

My ultimate point was going to be that the Republican legislators have to live with in a sense. And even those that would throw me into a volcano if they could get aw with it, should at least acknowledge they'd rather have to deal with my antics on Zo rather than off it.

And that's representative in the lives of tens of thousands—if not hundreds of thousands—of everyday people throughout the state.

A Twitter follower asked if it's possible HB-324 makes it out of committee.

As any medical professional who has had the displeasure of testifying in front of the committee that's stacked with reactionary zealots can tell you: Anything is possible when it comes to the Ohio House Health Committee.

I believe Democratic members, such as **Dr. Representative Anita Somani** and the most educated member of the House, State Rep. **Rachel Baker**, should be awarded hazard pay for enduring those kinds of tribulations regularly.



THOSE WMDs. The island that humans can't conquer... How Russia recovered: Wha the Kremlin is learning from the war in Ukraine... What Britain's greatest extreme cleaner learned from 25 years on the job... From prison, a convicted rapist easily evicted tenants for decades, but that's all changing with Washington's new right-to counsel laws... He was expected to get Alzheimer's 25 years ago; why didn't he?

10 Likes

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Discussion about this post

Comments Restacks

Write a comment...

Fran B. Oct 11, 2025

When my counselor told me I would always be on Zoloft, I cried. But I wouldn't trade one day of effects (possible short term memory loss after 25 years of usage). It saved my life. Cheers!

LIKE REPLY 1



Joe Oct 9, 2025

Public transit providers cannot provide exclusive school bus transportation under 49 U.S.C. 5323(section is rarely enforced however and is commonly violated.

LIKE REPLY 1

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Outlook

FW: Harassing text message

From Jamey Fisher <jfisher@kirtlandpolice.com>
Date Fri 5/8/2026 1:58 PM
To Jake Scott <JScott@kirtlandpolice.com>

Thank you for handling this!!

Jamey Fisher | Chief
Kirtland Police Department
Phone: (440) 256-3336 ext. 131 | **Email:** jfisher@kirtlandpolice.com
9301 Chillicothe Rd., Kirtland, OH 44094

From:
Sent: Friday, May 8, 2026 1:17 PM
To: Jamey Fisher <jfisher@kirtlandpolice.com>
Subject: Harassing text message

Chief: on Wednesday, May 6th I received the attached messages tested to my cell number. Based on the reference language I believe it is from someone who has harassed me before.

Not only is the message harassing but the disgusting picture is pornographic in nature and not something I want to see on any of my devices.

I am officially filing a complaint and am asking that the Kirtland Police Department take appropriate actions since this occurred in Kirtland where I live. I would like this harassment to stop immediately and I would like charges filed against the individual.

Please call with any questions.

EXHIBIT
tabbies
B

1:10



Good to see you finally made your final humiliation public, Young Mussolini!

THE PATRIOTS CAUCUS sends its regards!!!!!!!!

I don't know who this is but I am certain you are a moron.

Delivered

It's your old friend who correctly reported you quit like a dog in December! Should have read The Rooster brother. It was curtains for you when Tom Patton declared for #RidinWithReineke!

Report Spam

1:10



Good to see you finally made your final humiliation public, Young Mussolini!

THE PATRIOTS CAUCUS sends its regards!!!!!!!!

I don't know who this is but I am certain you are a moron.

Delivered

It's your old friend who correctly reported you quit like a dog in December! Should have read The Rooster brother.

Sent from my iPhone

Filed in Willoughby Municipal Court. Case# 26CRB01160, File Date 05/28/2026 10:26 AM

Last 4 SSN: 4788
DOB: 12/10/1986

IN THE WILLOUGHBY MUNICIPAL COURT
LAKE COUNTY, OHIO

COPY

The State of Ohio/City of Kirtland) CASE NO. 26CRB01160
vs. Plaintiff)
) JUDGE: Marisa L. Cornachio
Donald J. Byrnes II)
Defendant) COMPLAINT AND SUMMONS

The undersigned complainant, being duly sworn, states that on or about May 6
20 26, within County of Lake / Kirtland Ohio, Donald J. Byrnes II
(County/City) (Defendant's Name)

did, knowingly make or cause to be made a telecommunication to another, and the caller made the telecommunication with purpose to harass, intimidate, or abuse a person at the premises to which the telecommunication is made, to wit: Donald J. Byrnes II did send an explicit image and two harassing text messages on May 6, 2026, from phone number to victim "JC" with purpose to harass JC.

In violation of section 2917.21(A)(1) of the Revised Code, Telecommunications harassment, a misdemeanor of the first degree.

Ref. KPD 2600184

The complaint is based on an investigation by the Kirtland Police Department

(Complainant's Signature)

Sworn and signed in my presence this 28 day of May, 2026

at Willoughby, Ohio.

(Clerk of Court/Deputy Clerk)

THE WILLOUGHBY MUNICIPAL COURT WILLOUGHBY, OHIO

SUMMONS

To: _____

WHEREAS, there has been filed a complaint, a copy of which is incorporated or attached hereto, stating that:

YOU ARE HEREBY COMMANDED TO SERVE THIS SUMMONS upon the above-described person in this or whatever county you shall find him, advising him that he is to appear before the Willoughby Municipal Court, 4000 Erie Street, Willoughby, Ohio on _____ at _____ _____M. to answer said charge;

AND FURTHER ADVISING HIM that he may be arrested if he fails to appear as above set forth.

Given under my hand this _____ day of _____, 20_____.

EXHIBIT tabbies C

_____
(Clerk of Court/Deputy Clerk)

WMC-CAS

Filed in Willoughby Municipal Court. Case# 26CRB01160, File Date 05/28/2026 10:26 AM

COPY

RETURN OF SUMMONS

Received this writ on the _____ day of _____, 20____ and on the ____day of _____, 20____, I made personal/residence service of it upon _____, by tendering a copy of the Summons and Complaint to the person of the Defendant/or by leaving same with_____ a person of suitable age and discretion.

_____

(Police Officer)

Fees:

Mileage	$ _____	
Service	$_____	Attending Trial
or Hearing, etc.	$ _____	

TOTAL $ _____

Filed in Willoughby Municipal Court. Case# 26CRB01160, File Date 05/28/2026 10:26 AM

WILLOUGHBY MUNICIPAL COURT

COPY

CASE NO. 26CRB01160

The State of Ohio/City of Kirtland

vs.

Donald J. Byrnes II

WARRANT

To any law enforcement officer of **The City of Kirtland/County of Lake**

(This city / this county)

WHEREAS, there has been filed with me a complaint, a copy of which is incorporated or attached hereto stating that: Donald J. Byrnes II did knowingly make or cause to be made a telecommunication to another, and the caller made the telecommunication with purpose to harass, intimidate, or abuse a person at the premises to which the telecommunication is made, to wit: Donald J. Byrnes II did send an explicit image and two harassing text messages on May 6, 2026, from phone number to victim "JC" with purpose to harass JC.

In violation of section 2917.21(A)(1) of the Revised Code, Telecommunications harassment, a misdemeanor of the first degree.

Ref. KPD 2600184

YOU ARE COMMANDED to arrest the above-described person in this or any adjoining county you shall find him and bring him without necessary delay before this issuing Court to answer unto the charge set forth herein, or, if he be found in any other than this or any adjoining county, to arrest and take him before a court of record therein having jurisdiction of this offense, to be dealt with according to law.

Given under my hand this 28 day of May, 2026.

Probable Cause Hearing Held: 5-28-2026

Probable Cause Found – Warrant to Issue

Bond Amount: $350/10% C/S

Marisa K. Comacho

Judge / Magistrate Willoughby Municipal Court

No contact w/victim

(Clerk of Court/Deputy Clerk)

THE WILLOUGHBY MUNICIPAL COURT WILLOUGHBY, OHIO

EXHIBIT

tabbies

D

Filed in Willoughby Municipal Court. Case# 26CRB01160, File Date 05/28/2026 10:26 AM

COPY

RETURN OF WARRANT

I received this warrant _____, 20 _____, and executed it

_____, 20 _____, by _____

_____.
(defendant's name)

I CERITFY that the fees shown herein were required to do so.

FEES:

Service and return _____ $ _____
Milage_____ $ _____
_____ $ _____
(other)

TOTAL: $ _____

Date: _____ _____
(Law Enforcement Officer)

Franklin County Municipal Court Clerk Case Information - Printout

STATE OF OHIO
Plaintiff

Case No. 2026 CR B 009016

Status: CLOSED

Vs

Filed: 06/01/2026

BYRNES, DONALD JOSEPH
Defendant

Defendant Information

Full Name	BYRNES, DONALD JOSEPH	**D.O.B.**	12/10/1986
Address			
City		**State/Zip**	OH/43207
Gender	M	**Race**	WHITE
Height	6'3"	**Weight**	205
Hair	BROWN	**Eyes**	BROWN

Additional Details

Ticket Number	20260601049	**Offense Date**	06/01/2026
Vehicle State Code		**Plate Number**	
Primary Str.		**Secondary Str.**	
Officer Code	UNKNOWN, FCSO	**License Taken**	NO
Accident	NO	**Insurance Proof Shown**	YES

Parties

1 Name	BYRNES, DONALD JOSEPH	**Type**	DEFENDANT
Address			
City		**State/Zip**	OH/43207

EXHIBIT tabbies E

2 Name	UNKNOWN, FCSO	**Type**	OFFICER COMPLAINANT
Officer Agency	FRANKLIN COUNTY SHERIFFS OFFICE		
Address	FCSO @#U		

Charges

1 Action Code	HOLDER	**Degree of Offense**	M
Description	HOLD-FOREIGN JURIS		
Action Code Points	0		
Disposition Code	OTHER TERMINATION - ARRAIGNMENT	**Disposition Date**	06/02/2026
Req. Driver Ed.	NO	**Driving School**	
DUI School			

Disposition

Status	Status Date	Disposition Code	Disposition Date	Judge
CLOSED	06/01/2026	OTHER TERMINATION - ADMIN JUDGE	06/02/2026	ADMINISTRATIVE

Financial Summary

Docket Application	Amount Owed	Amount Paid	Amount Dismissed	Balance
PAYMENT	$350.00	$350.00	$0.00	$0.00
BOND	$350.00	$350.00	$0.00	$0.00
TOTAL:	$350.00	$350.00	$0.00	$0.00

Receipts

Number	Cash Book	Received From	Status	Date	Total Amount
26328191	TRAFFIC/CRIMINAL	BYRNES, DONALD JOSEPH, DEFENDANT	FINAL	06/01/2026	$350.00

Checks

Created	Payee Name	Description	Amount
06/02/2026	WILLOUGHBY MUNICIPAL COURT	Case: 2026 CR B 009016 REFUND APPEARANCE BOND COS	$35.00
06/02/2026	WILLOUGHBY MUNICIPAL COURT	Case: 2026 CR B 009016 REFUND APPEARANCE BOND DEP	$315.00

Events

Event	Date	Start	End	Judge	Ct.Rm.	Result
HOLDER ARRAIGNMENT - HOLDER	06/02/2026	09:00 AM	09:25 AM	AR4D, COURTROOM 4D	4D	BOND POSTED
ARRAIGNMENT CHANGE - ARC	06/02/2026	09:00 AM	09:25 AM	AR4C, COURTROOM 4C	4C	

Docket

Date	Text	Amount	Balance
06/02/2026	**REFUND APPEARANCE BOND COSTS** WILLOUGHBY MUNICIPAL COURT	$35.00	$0.00
06/02/2026	**REFUND APPEARANCE BOND DEPOSITS** WILLOUGHBY MUNICIPAL COURT	$315.00	$0.00
06/02/2026	**DEFENDANT RETURNED TO ORIGINATING AGENCY**		
06/02/2026	**OTHER TERMINATION** Case disposed with disposition of OTHER TERMINATION - ADMIN JUDGE on 06/02/2026.		
06/02/2026	**PER JUDGE** GWIN DEFENDANT TO BE RELEASED. DEFEDANT TO APPEAR IN WILLOGHBY MUNICIPAL COURT ON 06/04/2026 AT 8:15AM BOND TO TRANSFER		
06/02/2026	**IMAGE OF BAIL SHEET AND BOND AGREEMENT**		
06/02/2026	**IMAGE OF TICKET/COMPLAINT**		
06/02/2026	**MISCELLANEOUS FILING RECEIVED** DEFENDANT STILL IN JAIL, FCSO NOT ACCEPTING BAIL SHEET		
06/01/2026	**IMAGE OF TICKET/COMPLAINT** IMAGE OF COMPLAINT		
06/01/2026	**ARRAIGNMENT CHANGE** Event: ARRAIGNMENT CHANGE - ARC Date: 06/02/2026 Time: 9:00 am Judge: AR4C, COURTROOM 4C Location: 4C LOCATED ON THE 4TH FLOOR		
06/01/2026	**IMAGE OF BAIL SHEET AND BOND AGREEMENT**		
06/01/2026	**ARREST INFORMATION**		

	Arrest Bond Changed on Case: Action Code: HOLD-FOREIGN JURIS Arrest Date: 06/01/2026 Custody Location: JAMES A KARNES CORRECTION CENTER Arrest # Type: SLATE Number: 20260601049 Bond Status: INACTIVE Status Date: 06/01/2026 Okay to Apply: No Bond Type: C/S OR AB Bond Amount: 3500 Cash Depositor: WENNING, RACHEL		
06/01/2026	**ARREST INFORMATION** Arrest Bond Changed on Case: Action Code: HOLD-FOREIGN JURIS Arrest Date: 06/01/2026 Custody Location: JAMES A KARNES CORRECTION CENTER Arrest # Type: SLATE Number: 20260601049 Bond Status: INACTIVE Status Date: 06/01/2026 Okay to Apply: No Bond Type: C/S OR AB Bond Amount: 3500		
06/01/2026	**DEPOSIT OF APPEARANCE BOND** Receipt: 26328191 Date: 06/01/2026	$350.00	$0.00
06/01/2026	**ARREST INFORMATION** Arrest Bond Added to Case with: Action Code: HOLD-FOREIGN JURIS Arrest Date: 06/01/2026 Custody Location: JAMES A KARNES CORRECTION CENTER Arrest # Type: SLATE Number: 20260601049 Bond Status: ACTIVE Status Date: 06/01/2026 Okay to Apply: No Bond Type: C/S OR AB Bond Amount: 3500		
06/01/2026	**OUT OF COUNTY HOLDER** OUT OF COUNTY HOLDER Sent on: 06/01/2026 19:25:37.53		
06/01/2026	**HOLDER ARRAIGNMENT** Event: HOLDER ARRAIGNMENT - HOLDER Date: 06/02/2026 Time: 9:00 am Judge: AR4D, COURTROOM 4D Location: 4D LOCATED ON THE 4TH FLOOR Result: BOND POSTED		