

### **Senate President resists being deposed in the EdChoice voucher lawsuit**

The Ohio Attorney General has filed a Motion to Quash a subpoena issued to the Senate President by the plaintiffs in the EdChoice voucher lawsuit. The AG argues that Article II, Section 12 of the Ohio Constitution would exempt the Senator from being deposed in this matter. Article II, Section 12, like its predecessor in the 1802 Ohio Constitution (Article I, Section 13) and Article I, Section 6 of the U.S. Constitution, prohibits the use of arrest to disrupt the legislative process. It also guarantees legislators the right of free speech that is vital to the legislative process.

It is a long stretch for the Attorney General to use this constitutional provision to shield the Senate President from sitting for a deposition in the EdChoice voucher case. The subpoena would not result in disrupting the legislative process, nor would it in any way limit the Senate President's right to speak during Senate sessions or obstruct Senate business, neither does the subpoena call for his arrest.