

**Joseph Cohen, Executive Director**  
**SCR 4 Public Hearing Remarks**

Good morning. My name is Joseph Cohen. I am the executive director of the ACLU of West Virginia. I rise to speak against SCR 4 and all other calls for a convention under Article V.

I've read Article V quite a few times. I think I understand what it says. To be honest, I'm not really worried about what it says. I'm worried about what it doesn't say. Nowhere in Article V does it say whether the convention calls must be identical, or whether they need to cover the same topic or any topic at all. How will we even know if 2/3 of states have called for a convention? Not from Article V.

Nowhere in Article V does it say whether the convention would be bound to the topic or topics (if any) that may be laid out in a convention call. What happens if a call predicated on exploring term limits leads to proposed amendment to end term limits for the Presidency? What if it leads to a proposed amendment to overturn *Roe v. Wade*, or create an express right to privacy, or repeal the 2<sup>nd</sup> Amendment, or clarify that the right to bear arms is a personal right, or end the electoral college, or repeal the 17<sup>th</sup> Amendment, ending the direct election of senators? What will happen if we have a runaway convention? Regardless of what it proposes, can any convention be considered a runaway convention? Article V is completely silent on these issues.

How is voting power distributed during an Article V convention? Is it one vote per state? Is it fully based on the population of the states? Or is it somewhere in the middle? And who resolves disputes during a convention? Don't look to Article V for an answer to these questions. I've read it and it is silent.

There are too many unknowns surrounding an Article V convention. Given the incredibly polarized political climate we are now in, can you imagine any scenario other than an utter and complete train wreck at an Article V convention. If you are being honest with yourself, given our current political culture, you know that an Article V convention would be a massive cauldron filled with claimed "fake news" and "witch hunts" and conspiracy theories and claims of Fascist infiltration and Communist infiltration and Q-Anon infiltration and Antifa infiltration and anti-vaxxer infiltration and foreign interference and deep state interference.

This is a bad idea. A really bad idea. Reject SCR 4 and rescind all other calls for a convention under Article V. Thank you.