



The comprehensive resource on domestic violence

## **Proponent Testimony on HB 359 - Address Confidentiality**

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Ohio Domestic Violence Network**

Chairman Uecker, Vice Chairman Hottinger, Ranking Member Thomas and members of the State and Local Government Committee, thank you for the opportunity to testify in support of HB 359.

I am the Executive Director of the Ohio Domestic Violence Network, Ohio's statewide coalition of domestic violence service providers and other allied professionals. ODVN and its 70 member organizations provide essential services to domestic violence victims and their children including 24 hour hotlines, emergency shelter, counseling, justice systems advocacy, services to children, transitional housing and other supportive services. ODVN has a long and successful history in delivering quality trainings, and developing resources and policies that strengthen protections and services for domestic violence victims and their children.

The Ohio Domestic Violence Network would like to thank Representatives Duffy and Gonzales for introducing HB 359 and Secretary of State Husted for working to forward this initiative.

Domestic violence is not an isolated act but a pattern of acts of violence reinforced with other types of coercive control that include stalking, psychological abuse, emotional abuse, isolation, threats, intimidation and financial abuse . Stalking is similar in that it involves repeated harassing and threatening acts that place a victim in fear. Frequently, stalking occurs in the context of leaving a relationship. As advocates, we see victims who have experienced violence along a continuum and while all violence is traumatic, not all violence is lethal. A victim who may need the address confidentiality program has likely already moved in order to flee the batterer or stalker. They will need to establish a new home for the program to be effective as well as make other changes in their life including perhaps a new job, giving up visits to family and friends, and their faith community.

Leaving an abusive relationship is not as easy as the words suggest and does not stop the abuse. The most dangerous time for victims of domestic violence is when they are leaving the relationship and seeking outside intervention including the justice system. Victims are most often killed when they have expressed the intention to leave or have left. Lethality increases over 300% upon leaving the relationship.

The address confidentiality program is designed to provide victims of domestic violence, stalking, sexual assault and trafficking with a means to prevent perpetrators from using public records to locate them. This legal substitute address may be used to fulfill the address requirement of court and public records and voter registration. A confidential address can be a critical component of safety planning for victims who fear further violence or even lethal retaliation from their abuser.

I also want to talk briefly about how advocates help victims analyze the risks they may be facing. Survivors who work with domestic violence advocates engage in a process called safety planning. This is not simply a discussion of how to plan to safely leave the violent relationship, but rather a partnership between the advocates and the survivor that includes an on-going process of risk assessment and developing strategies to contain the risk. A batterer will use whatever strategies are necessary to achieve and maintain control over their partner. The safety planning process incorporates an advocate's knowledge of resources into the survivor's own knowledge of the risks posed by the batterer. Safety planning does not ensure safety, rather it seeks to craft alternatives that enhance safety and reduce risk given the barriers and realities facing each survivor.

Part of the safety planning process is very specific to lethality assessment. An advocate will ascertain if there is a pattern of stalking, whether the batterer has access to weapons or has threatened the survivor with weapons, what types of threats the batterer has made including threats of homicide and suicide, whether the batterer has a criminal history in addition to the domestic violence, whether the batterer is addicted to alcohol or other drugs, whether the physical violence has increased in frequency or severity, if there have been threats to harm the children, or if attempted strangulation has been a part of the physical abuse, if there was abuse during pregnancy or if there has been abuse to pets.

There are no conclusive studies to show which batterers will kill or inflict serious injury. The risk assessment, while scientifically validated, does not provide a fool

proof way to determine lethal versus non lethal domestic violence. Rather it is meant to give advocates and survivors an understanding of the range of risk factors that might indicate lethal situations and require enhanced advocacy. It will be this type of process that an advocate, certified by the Secretary of State's office, will engage a victim and help them consider making the difficult decision to enroll in the address confidentiality program.

The address confidentiality program is one very important tool in safety planning. We may never know if a life has been saved or a serious injury prevented, but that possibility is reason enough to move forward.

We ask your support of this critical legislation. Thank you for your time and attention, I would be happy to answer any questions.

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