



Good afternoon, Chairman Butler, Vice-Chair Hughes, Ranking Member Boggs, and members of the committee. Thank you for inviting me to testify about the importance of H.B. 392 that will explicitly define dating violence in our state's existing domestic violence legislation. My name is Dr. Penny Smith and I am the Executive Director of Academic Services and Assistant Professor in Family and Community Medicine at Northeast Ohio Medical University.

I hope to leave you with a deeper understanding of why it is imperative for dating violence victims to be given the same protections as domestic violence victims in the state of Ohio. In particular, I will focus my remarks on Women of Color and Women on Campus.

In August of 2013, I published my first book called the Second Woman Bible Study – Healing from Intimate Partner Violence and Post Abortion Grief. I was inspired to write the book when my personal and professional life collided. In my former role I was an Assistant Provost at an HBCU in Kentucky. While in my role I was appointed to the student university court. It was here that we heard student misconduct appeals. There was one instance where the case included a freshman female and a senior football player. They were at a house party, having drinks and one thing lead to another – the unthinkable happened, he said it was consensual and she said it was acquaintance rape. I felt guilty that we didn't decide correctly on that case because we found him not responsible for committing date rape, but it dredged up memories of my own tragedy. Serendipity happened, I too was a victim of date rape. Before he date raped me, he had shoved and threatened me on multiple occasions. To add insult to injury, I married in 2004 and six months into the marriage my then husband became domestically violent. Thankfully, I escaped the marriage with my son and my life.

First let me remind you that everyone knows a survivor. This is because statistically, 1 in 3 women are assaulted by an intimate partner at some point in their lifetime. In addition to the devastating damage suffered by victims and their families, these crimes also have huge financial costs. The cost of intimate partner violence annually exceeds \$5.8 billion, including \$4.1 billion in direct health care expenses. Intimate partner violence results in more than 18.5 million mental health care visits each year.

We know nationally, that girls and young women aged 16-24 experience the highest rates of intimate partner or dating violence than any other age group. We know all about the domestic violence statistics here in Ohio where for example, in 2013

- Over 57,000 adults and children served
- 38 – DV related deaths
- Over 66,000 total DV related calls
- Over 26,000 resulting in no charges

For the record dating violence is defined as: **Physical abuse**: any intentional use of physical force with the intent to cause fear or injury, like hitting, shoving, biting, strangling, kicking or using a weapon; **Emotional abuse**: non-physical behaviors such as threats, insults, constant monitoring, humiliation, intimidation, isolation or stalking; **Sexual abuse**: any action that impacts a person's ability to control their sexual activity or the circumstances in which sexual activity occurs, including rape, coercion or restricting access to birth control; **Pattern of abusive behaviors** used to exert **power and control** such as Extreme jealousy or insecurity, Checking your cell phone or email without permission

Some ground has been covered when it comes to minors and dating violence in the state of Ohio. In 2010, the National Network to End Domestic Violence released a report card that graded each state based on their protection of teens from violence in dating relationships. Specifically, they looked at factors such as: whether minors can obtain Protection Orders (POs) and whether POs can be issued against minor abusers. At the time, Ohio's law excluded minors from accessing POs, this resulted in an automatic failing grade for Ohio.

As a result of the failing grade, there were two laws that successfully passed in 2010. **House Bill 10 – 2010** - Shynerra's Law gave access to protection orders for minors and created civil procedures for issuance of POs for certain behaviors committed by minors.

**House Bill 19 – 2010** – also known as Tina's Law requires Ohio school districts to provide education on Teen dating violence.

I commend you on these efforts for they are a great place to start but a bad place to stop.

Without consideration for HB 329, there could be significant consequences for vulnerable populations such as women of color and women on campus.

In the case of women of color - Black women have higher domestic violence and sexual assault rates than white women. In some instances, skin color can be a factor in unintended health and legal disparities. For example, nurses at the University of Cincinnati found that darker skin may reduce examiner's ability to observe physical injury during forensic examination. Skin color was also found to play a significant role in assessment of genital injury.

For Women on Campus - 1 in 5 women experience rape or attempted rape; 90% - know their attackers; One Third are first time Freshmen; and 6 in 10 acquaintance rapes occur in dating relationships.

The state of Ohio has 3 schools that are currently under investigation by the US Department of Education Office of Civil Rights for violations related to the Clery Act.



The Clery Act creates a duty for institutions to report crimes in 15 different categories and one new category that must be reported effective this year is dating violence.

There are over 60,000 students impacted by the investigations currently underway. Colleges and universities in other states where there is a dating violence law connected with the domestic violence laws have been able to streamline their Clery Act reporting. This is because they are able to report to their Clery Act report and include both dating and domestic violence in one category because they are covered under one law in that particular state. However, in Ohio, each of the over 100 public and private institutions will have the conundrum of submitting their Clery Act reports with separate documentation for dating violence and domestic violence. Without this legislative change in Ohio, you could be inadvertently making the Ohio colleges and universities' Clery Act reporting even more cumbersome.

As a victim I didn't consider his shoving and threats 'abuse'. It wasn't until he escalated his abuse to date rape that I realized I was in a violent dating relationship. We know that younger victims often do not define being shoved or even hit to be abuse. The New York Alliance against sexual assault found that only 20% of youth who had experienced physically violent behaviors as abuse.

This heinous incident left me feeling ashamed, afraid and unwanted. As a result, I ended up being in a domestically violent marriage. I believe the dating violence made me more susceptible to a domestically violent marriage later.

I implore your support for HB 1. By supporting this bill you would be extending services and legal protection to young ladies especially women of color and women on campus. And on a personal note, you will be helping people like me, you will be helping victims to become survivors.

