

Ohio House Criminal Justice Committee
December 12, 2017
House Bill 96
Proponent Testimony

Chairman Manning, Vice Chair Rezabek, Ranking Member Celebrezze and members of the Criminal Justice Committee: My name is Phyllis Carlson-Riehm and I am representing ACTION OHIO Coalition For Battered Women, a statewide domestic violence coalition. On behalf of ACTION OHIO, I am submitting this testimony in support of the passage of House Bill 96.

House Bill 96 will:

- Increase the jail term for sexual imposition when the offender has three more previous convictions of sexual imposition or another specified sex offense,
- Require the jail term to be served consecutively to any other term,
- Provide for imposition of a reimbursement sanction upon the offender, and
- Eliminate a provision that states that a person cannot be convicted of sexual imposition based solely on the victim's testimony, absent other evidence.

Sexual imposition in Ohio law is defined as the touching of another person's erogenous area (thigh, genitals, buttocks, pubic region or female breast).

It's not often that the actions of one particular offender highlight the need for an Ohio law to change, but when Lonnie Sturdivant began to be charged with groping women in a variety of public locations in Columbus, it was clear that the punishment for groping in current law was no deterrent to his serial behavior. Lonnie became known as the Columbus Groper after being arrested for grabbing a woman's buttocks in Panera Bread in the OSU campus area. But, of course, this episode was not likely his first groping episode – it was simply the first time a victim caught him in the act and had the courage to file a charge. And in spite of subsequent charges and convictions, his groping episodes continued in a variety of locations – each providing him with unsuspecting females and opportunities to grope without being observed by witnesses.

In testimony before the House Criminal Justice Committee on 3/28/17 the 10th known victim of Lonnie Sturdivant described in great detail her personal experience, her emotional roller coaster and her resolve to file a charge and hold the offender accountable to prevent others from becoming victims.

The victim considered how she had been selected as a target, the offender's planned moves to sit near her and then the act at a time when no one would likely witness the crime. Because groping, like rape, may seldom have a witness to corroborate the act, House Bill 96 includes the provision to convict solely on the victim's testimony.

Groping a woman and making contact with her body is not a random or accidental act. And it can cause a variety of reactions for the victim – especially on-going concerns for safety and hyper-vigilance. Inasmuch as being groped by an acquaintance can be alarming, it is clear that being groped by a random stranger in a public place is likely to be much more threatening and traumatic.

It's interesting to note that the current #Me too campaign includes many references by victims to being groped (and worse!) by individuals in powerful positions. Just as the growing number of outraged #Me too victims are demanding an end to sexual harassment and related crimes of power and control (especially in the workplace), House Bill 96 is intended to force serial gropers to pay a higher price for their crimes and force changes in their behavior.

We know that Lonnie Sturdivant is not the only groper in Ohio. He just may be the most well known groper, at least to Columbus residents. Testimony by City of Columbus Chief Prosecutor Lara N Baker-Morrish on 3/28/17 included references to other lesser-known serial gropers who have been identified as a result of their crimes.

Please support passage of House Bill 96. Thank you for your consideration of these viewpoints.

Phyllis L Carlson-Riehm, Executive Director
ACTION OHIO Coalition For Battered Women
PO Box 423, Worthington OH 43085-0423
614 825-0551 / actionohio@wowway.biz