

YWCA IS ON A MISSION

Chair Manning, Ranking Member Celebrezze, and members of the House Criminal Justice Committee—good afternoon and thank you for the opportunity to provide proponent testimony on House Bill 561, which would eliminate Ohio's spousal exemption for sex offenses. I am Shannon Isom, President and CEO of YWCA Dayton, as well as President of the Council of Ohio YWCA's, 14 Associations serving all of Ohio, excluding Appalachia; representing 8 urban and 7 rural geographies, 14 boards of influential women, volunteers; a host of staff, representing communities and garnering millions and millions of dollars specifically for the purposeful mission of eliminating racism, empowering women and promoting peace, justice, freedom and dignity for all people. This mission movement dates back to 1850, with the first Ohio YWCA opening its doors in Columbus in 1886. Given our track record of sustainability and our years of successfully impacting the rights of women, children, families, the marginalized and the poor, our relationship with the statehouse, our representatives and our partners-has been equally as tenured; and I am resting on our past track-record of success, in making Ohio profoundly better.

Today, I stand before you on behalf of YWCAs across this state, representing the voice of women, fathers, brothers and constituents, to ask that you eliminate the marital rape exemption under Ohio law. HB 561 would eliminate all exceptions to sex offenses that currently apply if the person subjected to the prohibited conduct, is the offender's spouse, including rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, and sexual imposition.

I have told many, that this law exists in Ohio; and we are the only state in the nation in which a law allows, under the right circumstance, a husband, the legality to rape, sexually batter and sexually impose violence upon his wife. I, as well as 100% of the men and women I have spoken to, have not believed it; then, think it is a mistake; then, realize that this is our truth and become dismayed at what this says about us, our Ohio; and how we value our constituents.

This has to be stopped today, because we know:

- That a historical legacy exists where rape and/or sexual assault within a marriage was not recognized as a form of abuse, because women were viewed as their husband's property; and therefore, consent was implied. If this law continues, we are memorializing and honoring a system that is rooted in disenfranchisement, non-agency and violence.
- That evidence indicates that marital sexual abuse garners less outrage than other forms of sexual abuse; thereby, implicitly empathizing with the abuser. Multiple studies have evidenced that the question: is it possible to rape one's wife? Unfortunately a viable question; a study of college students found: marital rape was perceived as less serious than rape perpetrated by a stranger: and just half of male students thought that it was possible for a husband to rape his wife. If this law continues, we are actively supporting these beliefs through our apathy and our inaction.
- That statistics show that marital rape is intimate partner violence; approximately 58% of women and girls who died in 2017, died at the hands of an intimate partner or a relative. If this law continues, we are denying what marital rape is—violence, which proportionally leads to death.
- That women who are involved in physically abusive relationships are especially vulnerable to rape by their partners. Marital rape is about power and control. The National Institute of Justice found that 2/3 of women who had been physically assaulted by their partner were also sexually assaulted. Women who are raped by their husbands are also likely to be raped multiple times: almost 80% of women who had experienced sexual assault in marriage also reported repeated incidents of forced sex. If this law continues, we are denying women, our constituents, regardless of the relationship, a state that believes in safety and health and dignity and peace.
- That the myth that the absence of physical injuries or resistance on the part of the victim indicates consent is particularly damaging, especially in the context of intimate-partner sexual assault. Victims of intimate-partner sexual violence often choose to not fight; but utilize coping or survival strategies that appease the abuser to avoid physical, emotional, or financial consequences. This is particularly prevalent in marriages where other forms of domestic violence are active, as there often does not need to be an explicit threat of force for a victim



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to feel like she cannot resist. A woman may believe resistance means: she could be hurt more severely; that resistance could prolong the assault; that appeasement could protect her children; that she should "keep the peace;" or that she is deserving of the assault. If this law continues, we are transitioning daily, this myth to truth.

I know, based on our forward thinking history, our advocacy past and our state's position for doing what we know is right for our people, our communities and our state—so goes the rest of the country, that we somehow got this one wrong. I and all of the constituents in which the 14 YWCA's represent ask for the immediate passage of House Bill 561.

Thank you for consideration and more than anything, the opportunity to speak on behalf our greater self.



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