

**Testimony of Mary O'Doherty, executive director of the Ohio Domestic Violence Network,
in support of HB 3**

Good morning.

My name is Mary O'Doherty and I am ED of the Ohio Domestic Violence Network. We are a coalition of the state's 72 domestic violence programs and I am here today to speak in support of HB 3.

HB 3 is an ambitious piece of legislation that requires communities to take a more thoughtful, community coordinated approach to domestic violence. The bill requires police and service providers to work together on a community-oriented approach to DV. The bill requires police departments to create high risk teams that will use evidence-based lethality assessment screening tools to determine which domestic violence survivors are in the most danger.

The bill requires that basic training for peace officers include training in using an evidence-based lethality assessment screening tool to determine the level of risk to a victim of domestic violence.

But the bill provides some flexibility. For example, the bill gives communities the freedom to choose the lethality assessment approach that works best for them, and it requires that DV service providers be part of the process. It allows two or more communities to create joint risk assessment teams, which will work best in the most rural parts of our state and in the 22 counties that do not have DV programs. In these cases, the DV program in a neighboring county provides services, so the ability to create multi-county risk assessment teams is very important. And, very important, this bill requires police to receive training on any lethality assessment that has been endorsed by the Department of Justice and our Attorney General's office.

The bill recognizes the lethality of strangulation because it requires police officers to refer any case of domestic violence that involves an allegation of strangulation to the high-risk teams. This is critically important because many victims experience strangulation multiple times within a relationship.^{1,7} And research shows that individuals who have experienced non-fatal strangulation are 700% more likely to be killed by an intimate partner than other victims. Perpetrators of domestic violence who strangle their victims are also particularly dangerous for police officers.⁸

One of the most important parts of HB 3 is that it requires that children can be part of protective orders. I have recently moved to Ohio from Kentucky where this is already part of the law.

HB 3 improves access to protective orders by requiring every court that issues domestic violence protection orders to have a judge or designated magistrate available to accept a petition for a domestic violence protection order 24 hours a day, 7 days a week. Most survivors who seek help at domestic violence programs don't want to prosecute. Most advocates will tell you that survivors who need help from our court system are much more likely to seek a protective order than prosecute. This change means survivors will be able to get help when they need it.

The bill makes domestic violence homicides eligible for the death penalty but it improves important language that allows the court makes specific findings of fact in cases where survivors are charged with killing their abusers. HB 3 includes language that gives judges the discretion to consider who was the primary physical aggressor and to consider a comprehensive history of violence against the alleged defendant.

This is critically important because incarcerated women have high rates of victimization in their histories. This is especially true for many battered women who commit homicides against their abusers. Data on incarcerated women in the United States shows that the majority of these women have endured sexual and physical violence, often across the life span from multiple perpetrators. A 2002 study of incarcerated women that “86.2% of participants reported a history of childhood sexual abuse, 56.9% reported a history of childhood physical abuse, 67.7% reported a history of sexual assault in adulthood, and 84.6% reported a history of physical abuse in adult relationships.”

ODVN would like to thank Rep. Boyd and her aide Ethan Goodman for giving us the opportunity to weigh in on HB 3, which will do much to improve the way our system addresses domestic violence.