

WITNESS INFORMATION FORM

Please complete the Witness Information Form before testifying:

Date: 02/06/2020 _____

Name: Alexandria M. Ruden _____

Are you representing: Yourself _____ Organization Legal Aid Society of
Cleveland

Organization (If Applicable): Legal Aid Society of Cleveland _____

Position/Title: Senior attorney _____

Address: 1223 West 6th St. _____

City: Cleveland _____ State: Ohio _____ Zip: 44113 _____

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Do you wish to be added to the committee notice email distribution list? Yes X _____ No _____

Business before the committee

Legislation (Bill/Resolution Number): HB 3 _____

Specific Issue: lethality assessments, emergency protection orders and strangulation _____

Are you testifying as a: Proponent X _____ Opponent _____ Interested Party _____

Will you have a written statement, visual aids, or other material to distribute? Yes X _____ No _____

(If yes, please send an electronic version of the documents, if possible, to the Chair's office prior to committee. You may also submit hard copies to the Chair's staff prior to committee.)

How much time will your testimony require? 5 minutes _____

Please provide a brief statement on your position:

See attached written testimony.

Please be advised that this form and any materials (written or otherwise) submitted or presented to this committee are records that may be requested by the public and may be published online.

TESTIMONY OF ALEXANDRIA RUDEN,
ON BEHALF OF THE LEGAL AID SOCIETY OF CLEVELAND ON HB 3
TO HOUSE CRIMINAL JUSTICE COMMITTEE

Chairman Lang, Vice Chairman Plummer, Ranking Member Leland, and
Committee Members:

My name is Alexandria Ruden. I am an attorney with the Legal Aid Society of Cleveland. I have been a practicing attorney in the area of domestic violence since the Ohio Domestic Violence Act was enacted by the Ohio General Assembly. I have represented thousands of survivors of domestic violence in divorce and protection order proceedings. I am a member of the Supreme Court's Advisory Committee on Domestic Violence and the Ohio Department of Public Safety's Family Violence Prevention Center Advisory Council. Additionally, I co-author *Ohio Domestic Violence Law* with Judge Ronald Adrine.

To meet the goal of enhanced safety for an ever-increasing number of victims, it is crucial to identify the most dangerous offenders and manage the risks posed to these victims. In response, domestic violence risk assessment tools have been developed to assess a victim's risk of lethal assault. While there is no single cause or factor which leads to domestic homicide, a number of risk factors increase the likelihood of re-assault or death such as strangulation.

HB 3 is one of the most comprehensive pieces of legislation introduced to address domestic violence since the passage of Ohio's Domestic Violence Act in 1979. Our collective understanding about the dynamics of domestic violence, the

protections it affords, and the enforcement of the laws have led to an ever-expanding evolution in the efforts to reduce domestic homicide. HB 3 is designed to further that goal. By focusing on the challenges that affect domestic violence victims, this legislation will save lives.

A primary objective of Sub. HB 3 is to help first responders, such as law enforcement officers, identify high-risk victims. By using risk assessment tools, law enforcement will assist victims in developing more realistic safety plans. Additionally, these tools help the criminal justice system identify which offenders need higher bail, inform conditions of release, and craft enhanced supervision strategies. Moreover, these risk assessment tools, combined with a coordinated community response and referrals to domestic violence services agencies and supportive services are predictive of re-assault and domestic homicide.

Over the past 17 years, there has been a growing body of research on strangulation as a lethal form of violence. The studies show that, of high-risk women, up to 68 % will experience near fatal strangulation by their partner. A victim can become unconscious after only 6-10 seconds. A victim can die within minutes. Even those victims who survive initially may die within 36 hours or more due to the numerous internal injuries that can occur.

These life-threatening injuries often occur with no external signs of trauma. They include brain injury from a lack of blood flow to the brain, convulsions and

obstruction of the airway from swelling. Many victims have life-long injuries including permanent voice changes, difficulty swallowing, vision changes and cognitive deficits. The absence of external or visible signs of injury is not indicative of the level of harm or lethality. As written, the language in HB 3 addresses these concerns.

Victims can face significant challenges when accessing the criminal justice system after an abusive incident. Quick and ready access to assistance and remedies are critical to their safety. EPOs that permit the issuance of after hours, weekend and holiday protection orders fill a crucial emergency gap in Ohio's schema to enhance safety during a crucial time. The addition of emergency protection orders demonstrates Ohio's goal in reducing homicide.

The trends of the past few years reflect an increasing response on the part of legislatures and the judiciary to enhance victim safety and reduce homicides. It is essential that Ohio continue this progress.

Thank you for the opportunity to provide testimony.

Alexandria M. Ruden