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32nd Ohio House District

Sponsor Testimony – House Judiciary Committee
House Bill 392
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Chairman Butler, Vice-Chairman Manning, Ranking-Member Stinziano and members of the House Judiciary Committee, I thank you for this opportunity to present sponsor testimony on House Bill 392.

The CDC defines domestic violence as “physical violence, sexual violence, stalking and psychological aggression (including coercive acts) by a current or former intimate partner... intimate partners include current or former spouses, boyfriends or girlfriends, dating partners, or sexual partners.”

Ohio’s definition contains a loophole that leaves thousands of Ohioans without recourse in the event of dating violence. Current Ohio law defines domestic violence as occurring between spouses, family members, those cohabiting, or parents. People in ongoing, substantial, intimate and romantic relationships are not included.

While the purpose of domestic violence statutes is to protect victims against abuse, many victims in violent relationships by intimate partners do not gain protection simply because they do not live together or have a child in common, although they experience the same types of potentially life-threatening violence.

According to the US Department of Justice’s Bureau of Justice Statistics, from 2003 to 2012, the most domestic violence was committed by a current or former boyfriend or girlfriend, compared to spouses, ex-spouses, and immediate family members. Our bill ensures that those victimized by a dating partner are equally protected.

Ohio is one of two states (GA) that have not modernized their domestic violence laws to include all intimate partner relationships.

One of the key benefits to adding intimate partners in our definition of Domestic Violence is the process in obtaining a civil protection order.

A civil protection order allows the court to order the respondent to: stay away from the petitioner's residence or school; vacate the petitioner's residence; provide petitioner exclusive use/possession of property; comply with a custody/visitation schedule; pay child support and spousal support; participate in a counseling or batterers' intervention program; and/or other relief within the court's discretion. Should the respondent fail to comply with the civil protection order, further legal action can be taken.

Civil protection orders are effective at stopping abuse—reports show that abuse greatly decreases or stops for almost 90% of those who receive them^[1].

A study published in the American Journal of Public Health found that women who seek a two-year protection order experience significantly lower levels of violence and harassment, than women who do not seek assistance from the justice system.

Furthermore, civil protection orders do much to improve feelings of safety among victims^[2].

Our bill will:

- Close a loophole in the current law that makes people in dating and other relationships ineligible for the protections they are entitled to and,
- Ensure equal protection for victims. We know that a cultural shift must occur before domestic violence ends for good, but in the meantime, we cannot wait to ensure legal protection for all victims. We must do everything in our power to protect victims of abuse everywhere.

We are asking for your support of HB 392 to ensure that all victims of domestic violence in Ohio are protected and to keep Ohio from being the last state in the country to modernize our laws to protect the lives and well-being of all domestic violence victims—no matter what kind of relationship they are in.

Thank you Chairman Butler, Vice-Chairman Manning, Ranking-Member Stinziano and the members of the committee for allowing us to offer sponsor testimony on House Bill 392. We would be happy to answer any questions from the committee at this time.

^[1] http://www.americanbar.org/groups/domestic_violence/resources/statistics.html

^[2] http://www.ncdsv.org/images/ReconceivingCivilPOs_Goldfarb_2008.pdf