



73 East Water Street
Chillicothe, OH 45601
740 773-0012
800 686-3668
740 772-6226, Fax

Chillicothe@oslsa.org
<http://www.ohiolegalservices.org>
<http://www.seols.org>

To: House Criminal Justice Committee, The Ohio House of Representatives

Chairman Manning, Vice Chairman Rezabek, Ranking Member Celebrezze, Representative Butler, Representative Conditt, Representative Cupp, Representative Kennedy Kent, Representative Lanese, Representative McColley, Representative Pelanda, Representative Rogers, and Representative Seitz.

From: Kathryn L. Cornelius-Blume, Staff Attorney, Southeastern Ohio Legal Services.

Senate Bill Number 7

Chairman Manning, Vice Chair Rezabek, Ranking Member Celebrezze, and Committee

Members:

My name is Katie Cornelius-Blume and I am a staff attorney at Southeastern Ohio Legal Services (“SEOLS”)’s Chillicothe office. SEOLS is a non-profit organization which provides individuals at or below 150% of the Federal Poverty Line free civil legal representation. The Chillicothe office represents seven counties (Fairfield, Fayette, Hocking, Jackson, Pickaway, Pike, and Ross) in rural Appalachian Ohio. About two-thirds of my time is dedicated to helping victims of domestic violence. Most of my cases involve representing victims at full Civil Protection Order (“CPO”) hearings as outlined under Ohio Revised Code § 3113.31.

In the next couple of minutes, I would like to first share with you one of my client’s stories and then explain how Senate Bill 7 would impact the lives of my clients.

Executive Director
Thomas W. Weeks

Director
James M. Daniels

Managing Attorney
Joshua M. Goodwin



Staff Attorneys
Michael Gibbons-Camp
Baylee Butler
Katie Cornelius-Blume
Andrew Hakala-Finch

Paralegal
Patrina Queen

1. Caitlin's Story:

I first met Jessica¹ while she was filing her ex parte civil protection order on behalf of her fifteen-year-old sister, Caitlin.² Caitlin had endured extensive physical and emotional abuse since the age of five by her mother. Mother learned of the ex parte order and proceeded to pick Caitlin up from school that same day. Mother threatened to harm Caitlin and mother's boyfriend stated that he would "beat the shit out of her" when they got home.

Mother decided to abandon Caitlin at a gas station several miles from their home. Fearful and unsure what to do, I told Caitlin to call the police and make a report. Caitlin called the sheriff's department and stated that there was a pending ex parte CPO. The sheriff's department contacted mother, informed her that there was an ex parte order and that she should stay away from Caitlin and not contact her. The sheriff documented notice of the ex parte order in the sheriff's report.

Mother ignored the deputy and continued to dodge service of the ex parte order. Mother repeatedly went to Jessica's home where she would try to break in and threaten to harm Caitlin and Jessica. Unfortunately, since mother had not been served with the ex parte order, we were unable to report a violation. Caitlin did not feel comfortable going to school because she was fearful that her mother would come to school and possibly harm her. Ultimately, we decided that it was safest for Caitlin not to go to school.

I contacted the sheriff's department and informed them that Mother was dodging service. I requested that they flag Jessica's address so that if something was reported they would respond in a timely manner. Thankfully, mother was unable to follow through with her threats to harm

¹ Name has been changed to protect the identity of the client.

² Name has been changed to protect the identity of the minor child.

Caitlin. However, Senate Bill 7 would have lessened the traumatic experience for Caitlin and allowed her to feel safe at her sister's home and at school.

2. Senate Bill 7's Impact on my Clients:

I can say without hesitancy that service on perpetrators is the most common issue in all my cases. Whether it be with the ex parte petition or the full protection orders, perpetrators of domestic violence consistently evade service of protection orders and it is a constant stressor for my clients. Before I began my job, I was largely unaware of the unique problems that rural Appalachians face. I know that some of you grew up or spent time in southeastern Ohio, however, I want to briefly share with you all some of these struggles that my clients experience.

Due to the smaller populations, rural areas often do not have as many deputies and/or police officers as urban areas. Given the sprawling topography and smaller-staffed sheriff's departments, it is often difficult to find and serve perpetrators due to lack of resources alone. Relating this back to Caitlin's story, when the Mother showed up at Jessica's house, it took the sheriff's department two hours to respond.

Like other small, rural communities, everyone seems to know each other and news travels fast. In smaller communities, last names carry more weight and often come with a long family history in the area. I've had various perpetrators learn about a protection order through friends or family and purposefully dodge service.

Additionally, perpetrators often have active warrants for their arrest for both related and unrelated criminal matters, therefore, there is an extra incentive to avoid service of the protection order. A different yet related problem arises since numerous perpetrators are incarcerated for the full civil protection order hearing. Many perpetrators are released before service of the full

protection order can be executed. The last known addresses for many perpetrators are the victims' homes. This results in perpetrators released, at-large, and unable to be served.

Adding to the complexity of service, every county is different. For example, in Pike County, if perpetrators are served the ex parte civil protection order, personal service of the full protection order is not necessary to fully enforce the order if there is a violation. However, in the next county over, Ross county, perpetrators must be personally served for the full order to be enforceable.

This lack of continuity from county to county creates an extra wrinkle of complexity for my clients. If we believe that service will be an issue, clients must decide whether they want to flee to a county where personal service is not required or stay in their home county and risk not getting a fully enforceable final order. It is important to remember that for many of my clients fleeing their home county isn't an option. As I already shared, SEOLS represents some of the poorest individuals in the state. Many of my clients do not have this choice due to lack of resources.

3. Conclusion:

Acquiring service in CPOs is frustrating, time consuming, and often leads my clients to drop their orders. Many of my clients are forced to seek shelter in domestic violence shelters because perpetrators harass my clients and avoid service of the ex parte order. My clients often have children and must bring their children with them into the shelter or leave them with family members they can trust. I've helped clients who have had to quit their jobs when perpetrators avoid service of the ex parte or full CPO orders and continue to follow them to work. Passage of Senate Bill 7 would help deter perpetrators from continuing their abusive behaviors and hopefully allow my clients to gain independence.

The most common question that judges, magistrates, and opposing counsel ask my clients is “why didn’t you leave if it was so bad?” Going before a court and disclosing some of the most intimate details of their lives on public record is intimidating, emotionally draining, and for many embarrassing. By the time that clients come to me for help they have found the power to go forward, tell their story, and take steps towards escaping their abusive situations. For victims to take all the necessary steps for a CPO only to not have service of a CPO is discouraging to say the least.

Senate Bill 7 would help victims of domestic violence escape their abusive relationships. By expanding the current legislation, the proposed bill would ultimately lead to better enforceability of full civil protection orders.

I appreciate this opportunity to speak with you today and I thank you for taking issues surrounding domestic violence seriously. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathryn L. Cornelius-Blume', with a stylized flourish at the end.

Kathryn L. Cornelius-Blume
Staff Attorney
Southeastern Ohio Legal Services