



Kristin Boggs

State Representative
18th House District

Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde, and members of the Government Accountability and Oversight Committee. Thank you for the opportunity to come and testify in support of HB 20.

Ohioans expect that our laws will hold people fully accountable if they victimize a child or willfully endanger a child. Under Ohio law, a child rapist can be criminally penalized, but there is virtually no criminal action that can be taken against other adults that are simply complicit in allowing the most horrific crime against a child to occur. For the victims, and their families, there is little distinguishment between the adult who committed the crime, and the adults that looked other way while it happened.

But in Ohio, our laws actuality shield those who look away from being held fully accountable. The law, as applied by the Supreme Court in the Jessica Simpkins decision, protected the rapist, the employers who gave him unfettered access to children knowing his history of sexual abuse, and the organization whose leaders made the a decision that is was better to allow the sexual abuse of children to continue than exposing an employee as a rapist.

Unfortunately, this is not an uncommon story. But what is uncommon is having a state law circumvent the full measure of justice for a child victim of rape and her family. The jury was in the best position to determine the culpability of the adults who could have prevented Jessica's' rape. They determined after hearing evidence that the employer's leaders openly discussed the importance of prioritizing "protecting their brother" over the safety children congregants, that Jessica's' verdict should include several million dollars for her emotional and psychological distress that she must live with for the rest of her life.

While her rapist was criminally convicted, the only recourse Jessica and her family had for seeking justice against the other adults, who essentially set the stage for her rape to occur, was to bring a civil suit. I believe there is a special place in hell for a person that would rape a child, and I also believe there is a seat next to that person for any adult who choose protect a rapists instead of choosing to protect children. But our Supreme Court couldn't even consider the culpability of these adults because Ohio's law had already made that determination by capping non-economic damages and preventing Jessica's verdict from being fully administered.

I don't believe this policy, decided by a long-ago General Assembly, ever contemplated the injustice it would be serving to victims like Jessica. I don't believe this body wants Ohio to be a state that would show leniency to the kind of people that would allow these horrific crimes to be perpetrated against children. HB 20 is a forthright plea for justice, for children like Jessica and their families, who have suffered and continue to work through the most traumatic situation imaginable. It's for those who bravely seek justice against the people that have caused insurmountable pain, only to find out that many years ago Ohio legislators already configured a dollar amount for what they have endured.

We will never know how many other child victims Jessica Simpkins saved from being raped or sexually abused. She potentially saved many, but our justice system severely failed her. I ask this body to support H.B. 20 to fix these failures and provide the justice victims, like Jessica, deserve.