

COURT OF COMMON PLEAS



JUVENILE DIVISION

Linda Tucci Teodosio
Judge

Civil Protection Orders offer an opportunity to stop contact and reduce conflict between parties to prevent additional violence before it occurs, rather than waiting for the conflict to escalate to threats, stalking, physical injury, sexual offenses, or even death. They provide a proactive solution, rather than reacting to criminal conduct with charges after it occurs. Domestic violence statutes have been updated to close loopholes through the years, but one still remains, the problem of dating violence between adults.

In 2010, R.C. 2151.34 (the Shynerra Grant Law) was enacted to authorize juvenile courts to issue civil protection orders against juvenile respondents. This law does not require that the parties be family or household members, therefore, victims of teen dating violence can obtain a civil protection order against the perpetrator. R.C. 3113.31, the civil domestic violence statute, offers no such protection to adult victims of dating violence.

The Violence Against Women Act (VAWA) defines dating violence as violence committed by a person against another with whom the person has a social relationship of a romantic or intimate nature. This definition does not require that the parties are family or household members, as is currently required by R.C. 3113.31 to obtain a domestic violence civil protection order. This creates a gap in the protections available to adult victims who are in violent dating relationships in Ohio.

Acts of dating violence are often substantially the same acts that are covered under the definition of domestic violence as defined by R.C. 3113.31. However, because the romantic or intimate partners have not ever lived together or had a child together, these victims are left without the ability to obtain a domestic violence civil protection order. By passing Senate bill 177, which was signed into law by Governor Kasich in December of 2014, the Ohio legislature has already chosen to authorize the protection of companion animals in domestic violence protection orders. It is time to afford the same protection to adult victims of dating violence in Ohio.

Sincerely,

 6-12-17
Magistrate Ron Cable

