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Testimony of Micaela Deming, policy director and staff attorney of the Ohio Domestic Violence Network (ODVN), in support of HB 3 to Senate Judiciary Committee

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Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judicial Committee, my name is Micaela Deming and I am the Policy Director and Staff Attorney of the Ohio Domestic Violence Network. I am here today representing 75 local domestic violence organizations across the state. Last year our programs served more than 82,000 survivors and their children across the state. Those victims needed shelter (9,045) or help obtaining a protective order or support while they prosecuted their abusers. Many of them were looking for housing and other assistance as they rebuild their lives after experiencing abuse.

HB 3 is an ambitious bill that has the promise of incorporating domestic violence risk assessment tools into local communities' responses to domestic violence. Domestic violence risk assessment tools are one of the most recent evidence-based advancements in responding to domestic violence incidents. The tools assess both an offender's risk of re-offending and a victim's risk of lethal assault. In short, they help authorities determine which domestic violence survivors are in the most danger. HB 3 requires law enforcement to then link these victims with our domestic violence programs for safety planning and support. Our member programs stand ready to provide whatever assistance the survivors think is best for their family.

Critically, the bill requires law enforcement to receive training on lethality assessment as well as referring to our agencies. An appropriation is also made to support Ohio Peace Officer Training Academy in providing this training. Seven law enforcement officers in the past 5 years have been killed in the line of duty responding to domestic violence calls here in Ohio. Improving training on assessing these situations will hopefully save lives of domestic violence victims as well as the brave men and women in uniform.

HB 3 also recognizes the lethality of strangulation by separately defining the offense of strangulation in the criminal code. It requires police officers to inform strangulation victims at the scene of the danger of strangulation so that life-saving medical treatment can be timely received by those who need it. This is critically important because many victims experience strangulation multiple times within a relationship. And research shows that individuals who have experienced non-fatal strangulation are 700% more likely to be killed by an intimate partner than other victims. Perpetrators of domestic violence who strangle their victims are also particularly dangerous for police officers.

Immediately following a violent incident, survivors need safety and time to weigh their options. Survivors also need information to develop safety plans and choose their next steps. HB 3 creates emergency protection orders that serve as a short-term bridge, up to 4 days, to give the victim some time to seek advocacy, information, safety planning, and legal services for a longer term protection order remedy.

ODVN advocates for ALL survivors of domestic violence. We are their advocates when they are victims of crime AND when their victimization puts them on the wrong side of the law. The bill makes some domestic violence homicides aggravated murder. Incarcerated women have high rates of victimization in their histories, and this is especially true for many battered women who commit homicides against their abusers. ODVN has been advocating for more than two dozen women in Ohio prisons who are serving time for this crime. ODVN sincerely appreciates the efforts made by Reps. Boyd and Carruthers to further amend HB 3 to narrow the applicability of the enhancement. As amended, HB 3 would require a prior *felony* offense of domestic violence resulting in serious physical harm to be considered for the enhanced charge and sentencing.

On behalf of the Ohio Domestic Violence Network and its 75 member programs, I would like to thank Rep. Janine Boyd and Rep. Sara Carruthers for their leadership on this issue. I believe strongly that the dialogue they have started around the state about lethality assessments and strangulation response have already moved our state forward; pilot projects in select counties are already showing great progress in decreasing domestic violence homicide. HB 3 will move Ohio forward in its response to domestic violence and save lives.