

**Ohio House of Representatives
Civil Justice Committee
Testimony of Bridget Mahoney
May 24, 2022
Ohio House Bill 508**

Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski and members of the House Civil Justice Committee, my name is Bridget Mahoney. I am the immediate past chair of the Ohio Domestic Violence Network. Thank you for this opportunity to provide opponent testimony on House Bill 508.

I am opposed to HB 508. I am deeply concerned that best interest of the child will be secondary to a parent's rights. My family's experience in family court lasted almost two decades. Even though the standard was best interest, and we had extensive supporting documentation of abuse and the support of professionals, it took a number of years for protection from the court. The trauma endured was devastating with life long effects, emotionally and physically. The financial drain was extensive, hundreds of thousands of dollars. More cases will be like ours if HB 508 becomes law.

For many years now, I have been dedicated to the prevention and education of domestic violence and child abuse. It was not the direction I planned for my life. I went to Ohio State, got my degree in journalism, went back to my hometown in Northeast Ohio -Youngstown and worked my way up the ladder to become the first female Television news anchor at the number one station. My dream job.

In my personal life, I met and married a local businessman and we had two daughters. In public he was very outgoing, charming, very philanthropic, which makes it hard for those in the outside world to believe the darkness he was capable of.

It looked like I had it all, but there was a secret I was hiding, so shameful and painful, I didn't tell anyone. At home and behind closed doors I was being abused. Like a lot of victims, I thought I could fix whatever was wrong with more love... if I only tried harder. Counseling did not work. Typical of an abuser- from his standpoint- I was the problem.

There seems to be a manual that's followed to gain power and control over an intimate partner-

- Control the finances...check
- Erode self esteem
- Isolate from family and friends
- And throw in fear and intimidation

I thought I could handle what was happening to me, I really wanted to keep my nuclear family intact. That all changed when I saw the abuse start happening to our children.

What I tell you today is only the tip of the iceberg in a story that spans over two decades. The journey began in 1989 when I filed for divorce- my children were four and one.

I thought leaving him would make it better.

It escalated the abuse-some my daughters witnessed. I was strangled, tackled, pinned to the floor, and shoved down a flight of steps with my head snapping against the floor as I landed. Even after he moved out, I would wake, terrified to see him standing and staring at me from the foot of the bed, pursuing the marital rights he thought he still had. I began sleeping with a knife under my pillow.

I was granted a civil protection order. But it did not really make me feel safe.

He eerily reminded me how cheap it was to get someone murdered in Youngstown, once called a working-class mob town. As someone who worked in the news, I knew the truth to that.

And even though I appeared with a cast on my arm while I was anchoring the news, no one knew what was really going on in my private life. I was silent. We all were. Domestic violence was deep in the shadows.

On the day of the divorce, my ex-husband made several threats including ruining me financially. The court system was his battleground. Litigation his weapon. He achieved his goal. The barrage of legal actions was costly. Hundreds of thousands of dollars in legal fees, medical bills, lost wages, college savings were wiped out, loans were taken out, credit card debt soared. We faced constant, extensive, and exhaustive legal court preparations. It was overwhelming, debilitating, and traumatic. The financial costs were staggering, but the physical and emotional tolls were devastating.

What the court system needs to learn is that when an abuser can no longer directly get to his spouse, he will get to her by battering their children. The abuse that I endured, was transferred to my children and they suffered every form of abuse. Every form.

And so, I did what came naturally to me, I tried to protect them.

Despite the engagement of psychologists and other experts, the courts continued to misconstrue the abuse that was happening as “high conflict” that could be solved by increasing their father’s parenting time.

Despite years of extensive professional documentation of abuse, the legal system turned a blind eye and ignored the children’s pleas for help. *This was even under the best interest factors.* Instead of looking for and listening to the facts, it was continually judged by the courts, that what was presented was simply two parents who did not get along- maintaining and fueling the belief they chose, that this was simply, annoyingly, he said she said situation. 1

My children were failed by the very system set up to protect them. Instead, the court lengthened the amount of exposure the girls had with their father increasing the layers of emotional and physical trauma and deepening the devastating effects still trying to be healed today.

Doctors described my youngest daughter Julie’s childhood as being a soldier on the front lines of battle for 18 years. Her frontline was a court system used as a combat zone.

For solid devastating reasons, I did not think Julie would make it out of her childhood alive.

Julie’s Testimony

The following is an excerpt from my daughter Julie Boak’s written testimony that she has submitted for HB 508. She lives out of state and could not be here in person to testify, but her words deserve a voice.

As an adult, my mother Bridget Mahoney, had a right to leave her abusive marriage to my father, Sam Boak, when I was a year old. As a child, adolescent, and even young adult, I was not afforded those same rights.

Over the years I was forced by the courts in my father’s hometown to visit him, no matter how much I spoke up that he was hurting me in every way possible. I faced a legal system that seemed to value a parent’s right to torture offspring over a child’s right to grow up unscarred.

Reading HB 508 was terrifying as I realized how much more I would have suffered, how my father would have had, from the beginning of the divorce, much more time to abuse me. HB 508 would legally enshrine the rights of parents who torment and abuse their children – like my father did – to be far superior to any right that I might have had to safety, security, or even the right to grow up free from abuse.

When I was growing up, I could not understand why a genetic relationship gave my father a right to do things that if it had been anyone else, like my soccer coach, would have put that person behind bars. Maybe the courts did not want to believe that because of who he was, the owner of a prominent business, a Rotary Club president, a Canfield City Councilman, that he could possibly be doing the things I was saying.

But the reality is--

Along with emotionally and physically hurting me, my father sexually abused me when I was five, or at least that is the first time I remember. That is not something one really ever gets over, no matter how many times you say it aloud. And this is the hardest thing for me to say nothing, nothing, ever feels normal and natural again for a child who has been molested, the age of innocence ceases to exist.

Looking back, he began to groom me when I was a toddler, putting me in beauty pageants I did not want to be in, dressing me up and taking pictures that many would consider child pornography. It haunts me to know what he has done with those pictures.

No amount of disclosing the abuse, my discomfort with those pageants or the photos was enough, even under then existing law, to protect me.

It took until I was ten years old for a trusted new attorney and a visiting judge with no ties to Youngstown to finally listen to me and stop the parenting time with him.

But stopping parenting time with my father, did not stop the abuse. For the next 8 years he not only physically stalked me, he also stalked me through the courts and the courts allowed him. He had the right to use the legal system to harass me, cause me devastating emotional pain and drain our family financially- all under the guise of trying to resume time spent with me.

In the court's eyes, my father's parenting rights were the priority, not what was in my best interest. For years he was given many opportunities, through mediation, court orders, therapist recommendations, but he ignored them all and the abuse continued. Those years with *his* rights coming first and not considering what was in my best interest, equaled years of layered on trauma.

Any step taken toward my protection increased litigation and threats along with the stalking.

This meant more court proceedings, more testimony, hiring and spending more on lawyers and all the while a threat of having to be with him hanging over my head. I never told my mother this, but when I was a child, I was constantly worried about money. My father had told me often that he had a lot of money and warned me that my mother didn't have very much.

I did not have mental peace of mind and I did not have physical peace, there was always the fear of him showing up out of the blue. And I certainly did not trust the people who would decide my fate.

None of this was "in my best interest."

In my high school years when I should have had fun playing on my soccer team, enjoying homecoming and prom and all the other great things you get to do in high school - I was in and out of court.

But now it was not just Youngstown/Mahoning County, it was Butler County too, and sometimes there were two trials going on at once-one where I lived with my mother near Cincinnati and the other five hours away where my father lived. On top of everything else that was going on I had to get a civil protection order against him when I was 15yrs old. He fought it, so there was a lengthy trial. In an open court room, seated just feet away from him, I had to share, publicly, what he had done to me through the years. Soon after as the trial was over, he violated the CPO and we were back in court for *another* trial where he was found guilty, with little to no consequence for his actions.

What happened next is still shocking to me. The domestic relations court in Youngstown was aware I had a five-year civil protection order against my father. They were aware that he was found guilty of violating it. They were aware he was *not* allowed to be within two city blocks of me. Despite all that, he was *STILL* allowed to pursue parental time. How could that be? Once again, his parenting rights came first, even *against and ignoring* an order of the law. I was shattered. Despair set in deeply.

I was only a freshman in high school. I was living a nightmare. I was terrified the courts would force me to be with my abuser. I had a new guardian ad litem in Youngstown and had to start all over in telling what he did to me, yet another in the countless number of people I kept having to tell my story to over the years.

It seemed like the guardian understood and would speak on my behalf. I also spoke with the magistrate privately and I was told later that he was very moved by our conversation. It took a year and a half to go through all the hearings and before a decision was reached. I was now going into my junior year in high school.

The judge ruled it would be psychologically harmful to me to spend time with my father. Incredibly, the guardian ad litem said my father had "made some mistakes," but should be given another chance.

During that year and a half in high school waiting to see if I would be forced into more abuse, I suffered terribly mentally and emotionally.

My mind would attempt to detach from what was happening to protect me from the full impact of the trauma I was experiencing. I became numb. I was prescribed antidepressants to help me cope. I felt like I was in the fight of my life, but I was not sure I wanted to live anymore. One day instead of cutting my wrist, I closed the knife drawer, grabbed a pair of scissors, and butchered my hair instead.

I wanted to escape, to be someone else. I had been in therapy to heal my wounds from the past and move forward with my life, but when he failed to reestablish visits, the past was dredged up, and I felt like I was on trial. I did not trust the legal system to protect me, and each passing month added more and more layers of agonizing hurt that I am still faced with overcoming.

My father stole my innocence. Then he used a willing court system to rob me of my childhood.

My scars run deep.

Childhood trauma takes a heavy toll. The Adverse Childhood Experiences (ACES) studies by the CDC have shown how childhood stress and trauma can impact adult health. ¹

The long-term activation of our body's fight or flight stress response weakens the immune system and the ability to fight illness and disease. I have suffered chronic upper respiratory infections, mononucleosis, Lyme disease, PTSD, severe sleep disorder, chronic fatigue, anxiety and depression, and battled cancer. I continue to suffer from having a compromised immune system, anxiety, and depression. A number of things can trigger agonizing flashbacks and feelings of being in danger putting me "on guard."

Defamation Lawsuit

For years now, Julie and I have shared our story publicly in the hopes of helping others.

In 2015, efforts were made to silence us. My ex-husband, Sam Boak, along with his multi-million-dollar company, Boak and Sons Inc., filed a defamation lawsuit against me, the organization I worked for, and his own daughter, Julie. I was sued for the public speech I give; Julie was sued for the testimony she gave before the Ohio Senate on behalf of the Tina Croucher Act which mandates dating violence education in Ohio schools. Because Ohio does not have an Anti SLAPP law, which provides defendants a way to quickly dismiss meritless lawsuits, it took almost two years and \$100,000 dollars to protect our freedom of speech.

Revisiting my story is very painful. Since reading HB 508, it has been horrifying to grasp how much worse, how much more destructive it would have been to us had this been law; it leaves a question gnawing at me, "Would Julie have survived..." It's incomprehensible that Ohio can be contemplating passing HB 508 knowing that the research shows more children will be forced to endure worse than what my daughter did, giving parents like her abusive father more tools, more control and more power to continue to abuse their children without effective and meaningful recourse by a protective parent, by the child or even by the courts (2,3,4).

Our case is proof positive that proving a parent's actions are detrimental is *not* an easy task. It is an extraordinarily difficult, uphill battle that will be made even more challenging and quite possibly not attainable under HB508.

How many more victims, including children will be silenced in the future. First through the coercive control of the abuser who makes threats for speaking up and now punitive provisions by the court in doing so. What if after years with no protection, Julie became too afraid to speak up.

And in a situation like ours, if I had withheld parenting time when Julie first disclosed, the court would be required by HB 508 to give primary physical custody to her father. regardless. It puts protective parents in an impossible situation – face criminal charges for *failure to protect*, removal of your child by child welfare for *not* taking protective action, or *lose custody to the abuser* in family court.

I tell my story to exemplify that the changes needing to be explored in the family court system come about only if child and youth safety and well-being is the primary concern. Ohio's children deserve that, and their future depends on it.

My final comment sends chills down my spine. If House Bill 508 were in existence when I was contemplating divorce, I would have considered staying in an abusive relationship to ensure at least *some* protection for my children.

1. Centers for Disease Control Prevention (CDC) Adverse Childhood Experiences (ACEs)

<https://www.cdc.gov/violenceprevention/aces/index.html>

2. Under HB 508, the entire cost and burden of litigation will – by design – fall squarely on the shoulders of the parent trying to protect their child. As long as the abusive parent declares that they want 50/50, they have nothing to prove to the court. The person with the most power, and money – usually a domestic violence abuser – controls the solution.

3. Under HB 508, professionals would have to be brought in as experts to prove to the court that a parent's actions were "detrimental" to their decision making AND to their parenting. I was fortunate to be able to generate the money for this level of help and expertise, but most parents I speak with who are trying to protect their children cannot afford this.

4. The premise of HB 508- that forcing 50/50 time will force parents to get along. What happened instead to my family (what will happen even more if this bill is passed) is that the abuser will have greater access to and control over his victims – the non-abusive parent and the children.