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Criminal Justice Committee
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Written Proponent Testimony for HB 699

Chairman LaRe, Vice Chairwoman White, Ranking Member Leland, and House Criminal Justice Committee Members:

Thank you for the opportunity to provide written proponent testimony for HB 699. As Ohio's federally designated domestic violence coalition, the Ohio Domestic Violence Network (ODVN) advances the principle that all people have the right to an oppression and violence-free life. We recognize that multiple systems and organizations must work together to move Ohio toward equitable policies and practices to prevent the cycle of family violence.

HB 699 is an ambitious bill, and we would like to thank Representative Galonski and Representative Seitz for working closely with the Sponsors of SB 288 to mirror its language. HB 699 as amended addresses all of ODVN's concerns with the original bill. We appreciate that there will be no changes to the CPO continuance process and that violations of protection orders and offenses committed under the domestic violence statute are not eligible for sealing or expungement of records. We support the changes proposed for expunging and sealing records for nonviolent misdemeanors.

We would like to highlight that the several risk factors for domestic violence are related to economic and financial security.¹ Incarceration and the criminal justice system often have extreme negative effects on the financial security of families and communities, and these effects can be generational. Recovering from the economic impact of being involved in the criminal justice system is extremely difficult for formerly incarcerated individuals and their families. They have an average unemployment rate of over 27%.² Formerly incarcerated Black people between the ages of 35 and 44 have much higher unemployment rates (43.6% for women, 35.2% for men)^{3,4} than people who have not been incarcerated. The jobs they do have access to generally pay less than jobs available to individuals who have not been involved with the criminal justice system. SB 288's simplification of the sealing and expungement process will increase the number of individuals eligible to benefit from this process and improve their opportunities for employment and in turn, lower the risk factors for domestic violence.

The amended version of HB 699 also recognizes the lethality of strangulation by separately defining the offense of strangulation in the criminal code and adds strangulation to the definition of "offense of

¹ For a more information, please read our prevention handout titled Criminal Justice Systems Summary: [Intersecting Pandemics - Criminal Justice Systems Summary \(odvn.org\)](#)

² Ibid.

³ Prison Policy Initiative. [Ohio prison and jail incarceration rate 1978-2015 | Prison Policy Initiative](#) Accessed November 2022

⁴ The Sentencing Project. [U.S. Criminal Justice Data – The Sentencing Project](#) Accessed November 2022

violence” (ORC 2901.01). This is critically important because many victims experience strangulation multiple times within a relationship. Groundbreaking research conducted by ODVN and The Ohio State University found more than 4 out of 5 survivors interviewed were strangled, and of those nearly 1 in 10 of the survivors said it happened multiple times or too many times to count.⁵⁶ 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.³ Put simply, strangulation is one of the best predictors of homicide in domestic violence cases.

ODVN has been gathering data and reporting on domestic violence related fatalities in Ohio for the past 7 years. Our fatalities are collected each year from July 1st through June 30th. This past reporting year, there were 112 domestic violence fatalities in 72 cases.⁷ About 1 in 4 adult victims had reported previous incidents of violence to the police, and many of these incidents included strangulation.⁸

On behalf of the ODVN and its 76 member programs, we are happy to fully support the amended version of HB 699 and believe that it can reduce risk factors for domestic violence perpetration in Ohio. We believe the recognition of the severity and lethality of strangulation into the amended bill is an important first step that will move Ohio forward in its response to domestic violence. We look forward to continuing this conversation to improve the criminal justice system’s response to victims and save lives.

⁵ ODVN’s Center on Partner-Inflected Brain Trauma continues to research and develop support for survivors of intimate partner strangulation and any resultant brain trauma that can affect their lives for years following the incident. For more information, visit: <https://www.odvn.org/brain-injury/>.

⁶ Glass et al. (2008). Non-fatal strangulation is an important risk factor for homicide of women. *The Journal of Emergency Medicine*, 35(3), 329-335.

⁷ Ohio Domestic Violence Network, *Ohio Domestic Violence Fatalities July 1, 2021 – June 30, 2022*. [ODVN FatalityReport 2021-2022.pdf](#). Accessed November 2022

⁸ Ibid