

**H.B. 35 Proponent Testimony to the Ohio House Civil Justice Committee**  
**By Eric L. Palmer, Esq.**  
**February 28, 2023**

Chairman Hillyer and members of the Committee, thank you for allowing me the opportunity to testify before you. An additional thanks to the members of the Committee from my current home, the Greater Cincinnati area: Vice Chairman Mathews, Representative Schmidt, and in particular Representative Seitz for his co-sponsorship of H.B. 35, on which I offer proponent testimony.

My name is Eric Palmer. I'm an Ohio native, born and raised in our State's first capital, Chillicothe. Much of my family still lives in Chillicothe, including my mom, who worked 40 years for Mead Paper Company before retiring; my dad, who was a small businessman and worked until he retired at age 80; and my sister, a retired Chillicothe police officer, current City Council member, and candidate for Mayor.

I'm both a proud Bobcat and a proud Bearcat, having graduated from University of Cincinnati College of Law in 1999. I now practice law in Cincinnati, have taught Labor Law at my alma mater, and more recently combined another passion of mine—craft beer and brewing—by teaching the Legal Issues for Brewers class as part of Cincinnati State's Brewing Science program.

Although I was raised in a happy and loving middle class family, and have achieved some success in my family life, my education, and my career, it's not all as it appears on the surface.

Several years ago, as part of my slow, difficult journey to enjoy life more by owning less stuff, I came across a quote by a writer named Emily McDermott. As the father of three school-age kids, trust me, I'm failing at having less stuff. McDermott wrote: "If it no longer serves you, let it go. If it reminds you of a you that isn't you anymore, let it go. If it makes you feel like you're not enough, let it go. Even if it takes up little physical space, if it is charged with negative emotions, let it go. Enjoy the freedom found in letting go."

Oddly, when reading the quote, the first thing that instantly popped into my mind was a Boy Scout uniform from the early 80s (not the 1880s—as my kids might claim when they say how old I am—but the 1980s). The Scout uniform was in a box in my basement collecting dust, and had been for decades. The next thing that quickly came to my mind was the painful realization of just how right McDermott was. Because even though the Scout uniform took up little physical space, and I rarely saw it, it was constantly active in—and weighed heavily on—my mind, and it had for decades.

You see, when I was 12 years old, I was sexually abused by a Boy Scout leader at Chief Logan Reservation in Ray, Ohio. The fact that I hung onto this Scout uniform for over 30 years, that every time I would see it, or think about it, it would cause pain, was evidence of the power that the memory held over me.

Over 30 years.

Shame. Guilt. Self-blame. Confusion. Anger. Depression. Name any negative emotion, I've probably felt it in that time when thinking about my Boy Scout abuse experience. Among the worst of these is probably guilt: I learned over the past several years that this Scout leader victimized kids after me, and kids before me. In 2020, he even confessed to the abuse he inflicted through a public social media post. The guilt from thinking that, had I told someone at the time what happened, it could have prevented these other abuses was at times gut wrenching and life halting.

Three quarters of my life.

The tentacles of a child sexual abuser don't just strangle the emotions of the kid who they prey upon. They have lifelong effects. They affect friendships and trust, relationships and intimacy. They impair the ability to be an affectionate and compassionate parent. Sometimes they end marriages. They caused me to be less than fully open and honest in many of my relationships: with my wife up until the past several years; with my parents, who I feared would blame themselves, or take angry, even aggressive action against the Scout leader who did it. They caused me to leave the Boy Scouts soon after the abuse, and to forbid my 9-year-old son from joining Scouts, despite his numerous requests to get involved.

For me, the emotions and negativity get particularly stirred up any time I hear about yet another case where child sexual abuse was covered up. But in particular, it was the 2010 lawsuit against the Boy Scouts. That case (*Lewis v. Boy Scouts of America*) uncovered thousands of cases of child sex abuse that was actively concealed by the Boy Scouts of America, and resulted in a \$19.9 million jury verdict against the Scouts (which included the largest punitive damages awarded to a single plaintiff in a child abuse case in the U.S. history). It elicited enough outrage in me that I finally started talking about my experience to a very small number of close family and friends, getting counseling, and contemplating what steps I might be able to take to bring to light the harm that the Scout leader in my case caused over the years. This, being here today, is one culmination of the steps I chose to take—to register a valid claim as part of the Boy Scouts' bankruptcy case and to advocate for a law that lifts the civil statute of limitations for me and fellow survivors in Ohio.

So now, my Boy Scout uniform has made its way to the garbage can: An item that took up little physical space but was charged with over 30 years of negative emotions—one that I finally let go.

Today, Ohio is presented with an uncommon opportunity. It's an opportunity that the Boy Scouts organization, its key insurers, and most of the local Charter Organizations nationwide have signed onto: to allow states a window to lift or extend the civil statute of limitations for the registered survivors of sexual abuse in the Boy Scouts.

As you can see here today, we survivors of sexual abuse in the Boy Scouts are forming a new brotherhood in place of the one that the Boy Scouts knowingly took from us as kids. It's a brotherhood of which we didn't ask to be a part, but was forced upon us in a very real, physical, and violent sense. Those here today are just the tip of the iceberg. In Ohio alone, it's a brotherhood of thousands. We are united in our call for justice, and for our just dues from the BSA settlement. And we are united in watching and waiting for the Ohio legislature, and Governor DeWine, to do the right thing and pass HB 35 with the urgency it deserves.

Chairman Hillyer, members of the Committee, thank you again for allowing me the opportunity to speak to you today. I'm happy to answer any questions you might have.