



House Civil Justice Committee
Interested Party Testimony for House Bill 322
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Chair Hillyer, Vice Chair Mathews, Ranking Member Isaacsohn and members of the House Criminal Justice Committee:

Thank you for the opportunity to submit interested party testimony for House Bill 322. The Ohio Alliance to End Sexual Violence (OAESV) is Ohio's statewide sexual violence coalition. We advocate for comprehensive responses and rape crisis services for survivors and empower communities to prevent sexual violence. As you are aware, HB 322 seeks to create a new criminal penalty for the offense of grooming, and expand from two years to four the statute of limitations on criminal charges against mandatory reporters who fail to report, amongst other proposed changes to the Ohio Revised Code.

At the heart of this bill is the intent to address an epidemic plaguing our communities: child sexual abuse. Sexual abuse is likely the most prevalent health problem children face with the most serious array of consequences.¹ About one in ten children will be sexually abused before they turn 18.² This means child sexual abuse is a significant, ongoing problem nationally and in Ohio, and it is a devastating crime that we as adults are responsible for addressing and preventing.

The impact of child sexual abuse is staggering and spans a survivor's lifetime. The health and social impacts of child sexual abuse alone are often ongoing and influence a survivor's physical and mental wellbeing and their ability to seek education and employment, leading to overwhelming costs.³ Moreover, given our poor statutes of limitations in Ohio that protect serial abusers and the institutions that shield them accountability, we are often prematurely removing access to justice for survivors who deserve redress after the trauma they have endured.

¹ Townsend, C., & Rheingold, A.A., (2016). Estimating a child sexual abuse prevalence rate for practitioners: An updated review of CSA prevalence studies. Charleston, S.C., Darkness to Light. https://www.d2l.org/wp-content/uploads/2020/01/Updated-Prevalence-White-Paper-1-25-2016_2020.pdf

² Ibid.

³ Darkness to Light. The Impact of Child Sexual Abuse. <https://www.d2l.org/child-sexual-abuse/impact/#:~:text=The%20health%20and%20social%20impacts,costing%20the%20U.S.%20billions%20annually.>

Certain adults use tactics and controlling behavior often rooted in secrecy to groom children to engage in sexual activity. Most victims of child sexual abuse know their perpetrator, and the same is true for adults who groom children. They may be a caregiver for a child, an educator, a mentor, or another family or community member – they may even be well-known or highly regarded, leading to trust being placed in them.

While the behaviors that constitute grooming are serious, the term “grooming” has been misappropriated in many spaces in recent years. We must be clear that grooming is a process by which an adult coerces or manipulates a child for the purpose of sexually abusing them – not for any other purpose. In order to be truly aligned with the legislation’s intent to stop child sexual abuse before it progresses into further harm for the victim, House Bill 322 should be amended to make extremely clear that each communication with a minor to “entice, coerce, solicit, or prepare the minor to engage in sexual activity” is illegal sexual activity. Failing to do so could potentially open the doors for the language in this bill to be misconstrued to target those who do not have the purpose of sexually abusing children.

This is the first attempt to define grooming in Ohio law, and as such, we thank this Committee for the opportunity to provide testimony as the legislation takes shape. OAESV sincerely thanks the bill sponsors and advocates for championing the creation of an additional statutory protection to safeguard Ohio’s youth and seek accountability for offenders who cause harm in our communities. We look forward to working with the bill sponsors to ensure the legislation remains true to its purpose.