



Ohio Victim Witness Association

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H. B. No. 161: Proponent Testimony

Chair Abrams, Vice Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee:

Thank you for the opportunity to provide proponent testimony in support of House Bill 161 which would eliminate the Spousal Rape Exception from the Ohio Revised Code.

As you know, most rapes are committed by someone the victim or survivor knows. A study released by the Centers for Disease Control found that more than 1 in 3 female survivors (39.3%) reported being raped by an intimate partner, while 1 in 8 male survivors were raped by an intimate partner during their lifetimes.¹ At present, O.R.C. 2907.02 defines spousal rape as a case where the perpetrator uses force or threat of force. However, the same code permits a spouse to use drugs, intoxicants, or controlled substances to impair their spousal victim. It also allows spousal rape when the victim's ability to resist is otherwise substantially impaired.

Because of the current law's exemptions, O.R.C. 2907.02-2907.07 offenses perpetrated by a spouse do not qualify as sexually oriented offenses and married victims who live with the perpetrator are therefore precluded from qualifying for a Sexually Oriented Offense Protection Order.

The definition of rape in Ohio should apply to spousal victims as it does to unmarried victims—and spousal victims deserve the same rights and protections. Thank you for the opportunity to provide proponent testimony.

Respectfully,

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¹ <https://www.cdc.gov/violenceprevention/pdf/nisvs/nisvsReportonSexualViolence.pdf>