

Chairman Abrams, Vice-Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee, thank you for having me here today to speak in support of House Bill 161, which would eliminate the “spousal rape exception”. I am Melisa Minier - a mother to three daughters, a forensic nurse manager here in Columbus and a member of the Ohio Chapter of the International Association of Forensic Nurses (IAFN).

For those that may not be aware of the duties of a Forensic Nurses – we are registered or Advanced Practice nurses who have received ongoing and unique education and training, above our medical education in nursing, related to the provision of specialized care for patients who are experiencing acute and long-term health consequences associated with victimization or violence.

Ohio remains one of a handful of states that allow legal loopholes for spousal sexual violence. Laws with spousal rape exceptions, like Ohio’s, are based on the opinion of Sir Matthew Hale in the 1600’s that a "husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract the wife hath given up herself in this kind to her husband which she cannot retract". Spousal rape exemptions are a holdover from the time when women were considered property of their husbands and were considered unable to decline relations with them. When passed, H.B. 161 will close that loophole and recognize that this abuse cannot be allowed to continue and that ALL victims of sexual crimes should and WILL be taken seriously.

As a forensic nurse, I am familiar with the negative acute and long-term health consequences of sexual violence, and I applaud efforts to close this loophole. Victims experience negative health consequences

regardless of the relationship to the offender. The same access to medical, legal, and community support options need to be available for ALL.

It is the position of the IAFN that forensic nurses have a professional and ethical responsibility to serve, advocate for and empower patients, families, and their communities [1, 2, and 3]. We are uniquely positioned in intersecting systems such as healthcare, community and legal environments for early identification of patients at risk of victimization or perpetration of violence. We are a foot in the hospital and a foot within the legal community for the betterment of care for the victim of violence.

Sexual violence is unfortunately a commonality within our communities and its aftermath creates complex health issues requiring the dedicated efforts of professionals.<sup>1-6</sup> It is impossible to affect the patient negatively and not also affect their family members as well as the communities in which they reside. Using the art and science of nursing, forensic science and public health, forensic nurses are uniquely qualified to reduce the negative sequelae of violence through assessment, diagnosis, outcome identification, implementation of treatment plans, and evaluation of efficacy of care for ALL persons.

(LOOK AROUND!) I cannot help being within this room and consider statistics.

One in four women have experienced an attempted or completed rape in their lifetime.

Most survivors of sexual assault know their attacker;

45% of rape victims are raped by an intimate partner.

According to the National Coalition Against Domestic Violence, 10-14% of married women will experience rape by their partner.

Of those sexual abuse victims – Tragically - 18% of female marital rape survivors report their children witnessed their rape.<sup>7</sup> The Center for Disease Control understands and warns us that adverse childhood experiences -such as witnessing violence are **more** likely to have health-related, psychological, and behavioral problems throughout a person's lifetime- than even genetics as a predictor of negative health related outcomes. <sup>8</sup> That is why THIS cannot be ignored any more.

I have spoken today on my position as a forensic nurse. My most important job, however, is being a mother – a mother to three daughters - two of my daughters, and my niece, are in this room with me today. I will not shield them from the world that awaits them. I teach them the way, and although I make many mistakes – I show them Jesus and pray them through but I also **MUST** be driven to action. I am urging you to think of the victims that are left powerless – married women. Those whose bodies are left defiled as though they are property.

H.B. 161 is a bill that says **NO MORE**. If we can understand that there is violence that occurs within relationships due to methods of power and control – we can surely understand that there are those that do not allow their spouse to say no in **ANY** facet. To entertain the idea that a marriage contract would permit this treatment – and that you are powerless in protection – is vile and unfathomable. So, when I look at my girls and think of all that they could face in their lifetime - it is with my urging for you to also put a face to this and understand that every woman in this room deserves safety and we are all responsible for this great responsibility and I am **CONFIDENT** that Ohio will make the right decision.

I myself and the Ohio Chapter of the International Association of Forensic Nurses is thankful to the sponsors, Representatives Miranda and Hilyer, as well as co-sponsor Representative Williams for spearheading this effort.

Thank you for the opportunity to submit testimony in favor of passing H.B. 161.

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