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Sponsor Testimony, H.B. 124
House Criminal Justice Committee

Chairwoman Abrams, Vice Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee, thank you for allowing us to give sponsor testimony for House Bill 124 today.

Over 4,000 cases of rape were reported in the state of Ohio in 2019¹. This does not account for the numerous cases that go unreported each year. Nationwide, only 310 of every 1,000 sexual assaults are reported to the police². There are a myriad of reasons why a survivor may choose not to report their sexual assault. Some fear retaliation from the perpetrator or want to avoid getting the perpetrator in trouble. Others believe that law enforcement will not do anything to help them, or that their assault is a personal matter that does not warrant a police report. Some may face financial and legal obstacles that make it risky to report their assaults. Other survivors may not even realize that they were sexually assaulted until months, years, even decades after the fact, and feel that it is “too late” to pursue legal action.

Ohio’s outdated laws are failing survivors of sexual violence by keeping them from pursuing the justice they deserve, and for years, state leaders have refused to act on this issue.

Every 68 seconds, an American is sexually assaulted³. That means that, on average, over 460,000 Americans experience sexual violence each year. The sad truth is that most people in this country likely know someone who is a survivor of sexual violence, whether they are aware of it or not.

Every 9 minutes, child protective services finds evidence for or substantiates a claim of child sexual abuse. According to the Centers for Disease Control and Prevention, about 1 in 4 girls and 1 in 13 boys in the United States experience child sexual abuse every year⁴.

Sexual violence can have impactful, long-term effects on survivors that are detrimental to every facet of their day-to-day lives. 30% of women who are raped experience symptoms of post-traumatic stress disorder (PTSD) after the rape, while 70% of rape or sexual assault victims experience moderate to severe distress, which is a larger percentage than for any other violent crime. Moreover, survivors of sexual violence are more likely to struggle with substance abuse—they are 6 times more likely to use cocaine, and 10 times more likely to use other major drugs⁵.

¹ <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/tables/table-8/table-8-state-cuts/ohio.xls>

² <https://rainn.org/statistics/criminal-justice-system>

³ <https://rainn.org/statistics/scope-problem>

⁴ <https://www.cdc.gov/violenceprevention/childsexualabuse/fastfact.html>

⁵ <https://rainn.org/statistics/victims-sexual-violence>

Survivors may struggle with other severe emotional health issues, including self-harm, suicidal thoughts, panic attacks, sleep disorders, and eating disorders. In some cases, sexual violence may result in an unwanted pregnancy or a sexually transmitted infection. Relationships between family, friends, and co-workers are also negatively affected, with survivors often experiencing professional, educational, mental, and personal distress. Not receiving access to justice or closure can only exacerbate these effects.

Under current Ohio law, this is the unfortunate reality for many survivors. In Ohio, prosecution against a perpetrator of rape or sexual battery must begin within 25 years after the commission of or attempt to commit the crime. This is a mere 5-year extension of the 20-year statute of limitations that was in place prior to 2015. In cases of child sexual abuse, survivors must sue their abusers within 12 years of the time that they reach adulthood. While the basis of these laws comes from the assumption that evidence will deteriorate over time, it is outdated. DNA testing technology has advanced enough to detect evidence that is decades old. Further, seven states (Kentucky, Maryland, North Carolina, South Carolina, Virginia, West Virginia, and Wyoming) have already removed the statute of limitations for all felony sex crimes.⁶

House Bill 124 seeks to correct these failures and bring Ohio in line with many other states that do a much better job providing survivors a pathway to justice. House Bill 124 eliminates both the statute of limitations for criminal and civil sex. It will also extend the window for survivors of childhood sexual abuse to sue their abusers from 12 years after they reach adulthood to 37 years and create a three-year window for survivors older than 55 to take action. Adult survivors, who as children were victims of rape, sexual battery, sexual imposition, or gross sexual imposition, will be given wider latitude to seek civil recourse against their offenders.

Sexual violence is something that far too many people have experienced. The stigma, the prevalence of rape culture, and the law has failed us. The impact and frequency of sexual assault has been proven to disproportionately affect members of marginalized communities, such as women of color, individuals with disabilities, and LGBTQ+ individuals. This problem also affects those who choose to service in the military. 7,378 military members reported experiencing sexual assault during military service in 2022⁷. This is unacceptable. Our laws need to change.

As legislators, it is our duty to make decisions that are in the best interest of Ohioans. We have a responsibility to ensure that each survivor of sexual violence in this state feels protected, and no predator is safeguarded by the law. Ohio's laws are protecting sexual predators when, instead, our laws should be protecting survivors. Last week, HB 35, the Scout's Honor Law was unanimously passed on the House Floor and was signed in law the next day. I believe this legislature is ready and willing to make these important changes to the Ohio Revised Code. These non-partisan, common-sense changes to Ohio's current Revised Code must be made in order to empower survivors of rape and other sex crimes who want to seek justice to do so comfortably, safely, and on their own terms.

⁶ <https://www.rainn.org/state-state-guide-statutes-limitations>

⁷ <https://www.cnn.com/2023/04/27/politics/military-sexual-assaults-report/index.html>

Again, to Chairwoman Abrams, Vice Chairman William, Ranking Member Brown, and members of the House Criminal Justice Committee, thank you for allowing us to provide sponsor testimony today for House Bill 124. At this time, we welcome any questions you may have.



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