

April 7, 2024

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson and members of the Senate Judiciary Committee:

My name is Sarah Tucker, and I am a survivor of marital rape. I sit before you today being able to say that I escaped and am free of that marriage but am very much so caught in the continuous living hell of the ongoing trauma and damage caused by the man who promised to love me. House Bill 161 before you today is a crucial and vital step towards finally getting the justice that so many, including myself, deserve. For far too long, the State of Ohio has protected the perpetrator and not the victim, which is the exact opposite of how the justice system is supposed to work. Today, you have the opportunity to make this right, to change the loophole under current law in the state of Ohio, and protect all Ohioans, including those, who have said "I Do" at the altar of marriage.

Every little girl dreams about her wedding day and being fully loved and honored by someone so intensely, however; being physically and mentally forced to sexually gratify her spouse has never been a part of that dream, or even considered as part of the vows so solemnly taken on that special day. Regardless of one's marital status, Rape is Rape, and marital status shouldn't define one's ability to obtain justice under the order of law. Though the cornerstone of our justice system in this country is a presumption of innocence until proven guilty, a victim should not be forced to sacrifice his or her safety, security, mental, physical, and emotional health; nor should the victim lose the ability to seek protection under the law because of an archaic law that leaves the victim rendered helpless.

My ex-husband and I were married for almost 9 years before I finally dew up the courage to say enough is enough and take the critical first steps in saving not only myself but my 3 young daughters as well. The person who stood before me, our family, friends and most importantly God when we said our vows turned into an unthinkable monster. Over those almost 9 years of marriage to the one who was supposed to love and cherish me, this monster turned out to hurt me and broke me into a person I didn't recognize anymore. The forced sexual relations started early on into our marriage and continued to escalate until I finally found that courage to leave in January of 2023.

Throughout those years I was repetitively raped, abused, and striped of my independence as a woman. I no longer felt like a wife, I felt myself being only an object that was used for his sexual gratification. When I would say "no" or try to resist, I was continuously told, "its not rape because you're my wife", and if I would ever want to tell anyone what he did he would say, "it's your word against mine". This is epitome of what a marriage should not be and why this bill before us is so important.

Over the last year of the marriage, I started sleeping on the floor of my daughter's rooms or on the couch to create some separation. At times it was so bad I would lock the door of the bedroom I was in just to feel less vulnerable to his attacks. On one occasion, when our children were not in our home, he forced his way into the bedroom of where I was sleeping and proceeded to tell me, in a very forceful voice, "you're going to f\*\*\* me right now". I quickly sat up in bed and verbally refused his demand but knew in my heart that refusal wasn't enough to stop what was about to happen. I had endured this so many times before that I knew I finally needed to get proof to help save myself from him. In a quick

second I was able to open my phone and hit record. The words exchanged were documented and in that it was him clearly saying "it's your word against mine" and as the conversation escalated, I told him that he was not going to put his hands on me which his reply was "I'm about to". He then cornered me, and I was not able to leave when he pulled his pants down and masturbated in my face and ejaculated on me and all over our daughter's bedroom floor. This example is just one of many of that I could tell. This recording plus my statement was taken to my local prosecutor where I was told in person by that prosecutor that he believed me and knew in his heart this had happened but refused to take it any further because of this archaic law.

After my then husband found out I had sought out law enforcement for justice, he asked if we could have a private conversation away from our children about this. I agreed and we went to our bedroom. This was lack of judgement on my part in hindsight, but a trauma response in that moment. He sat on the edge of our bed and cried telling me I did the right thing and that this was a way to get himself the help he needed. As I went to leave the bedroom I walked to the door, which unbeknownst to me was locked, he then grabbed me, and forced me against the footboard of the bed. He had my wrists held tight behind my back. I was yelling at him to stop and tried to get myself free of his tight grasp to no avail. He attempted to pull my pants down during the struggle but was unable to, so he forced his hand down the back of my pants and inserted his fingers into my vagina. I was fighting him and begging him to stop the entire time. Finally, he snapped and let me go. I ran out of the bedroom and out of the house. This incident was also reported to law enforcement but once again I was hit with the same story that nothing could be done and he, once again was not going to be held accountable for his horrible actions towards me, his wife. Had this happened and he was only my boyfriend or fiancé not my husband he would have been convicted and prosecuted.

I had finally left and thought I would be free from him and the abuse. Unfortunately, this was not the case. He refused to leave the home, so I had to find a small apartment for myself and my children, he took all the money from our joint banking account, and when I asked for money on one occasion to purchase a trash can, a shower curtain, and other small odds and ends for my new apartment, I was told that he only had forty dollars in cash and that I would have to have sex with him in order for him to give me this money. This unfortunately, had occurred before as I was not allowed to have any access to our joint bank account. This too was documented in the court system and was backed by evidence which was copy of text messages. Once again, the same story was told that there was nothing that could be done.

Not all stories are like mine, but every story has one thing in common. That one thing being that we have been abused by the one person we should have felt the safest and most secure with. Just because someone says "I do" doesn't mean they can't seek and have the same justice as someone who isn't married. Marriage should not be a protection under the law. Nor should it be a carte blanche to a spouse. The lasting effects of this trauma are real. Going through something like this changes a person. Changes them to lose faith in the justice system, changes how they see themselves, changes how they face new relationships, it's a constant emotional roller coaster of emotions. Personally, I have had to take mental health leave from my job as a nurse, seek counseling for not only myself, but my daughters as well who were present during most of these attacks, and had to begin strong anti-depressants and anti-anxiety medications all because of the abuse of my then husband and the lack of action by law

enforcement and the judicial system who have still refused to hold him accountable. He will do this again. Perpetrators like him need to be help accountable and stop thinking they are above the law and untouchable all while victims are left with the damage and if lucky, a protection order that's as worthless as the paper it is printed on.

My story doesn't end here, in fact, it's just beginning. I realize that there are others out there who have endured similar and even worse abuse than I have. Any abuse by one's spouse is too much, and House Bill 161 is a start in helping move us in the right direction, finally getting justice, and ending marital rape and abuse. It would truly be amazing to think that the "Golden Rule" truly applied in society, however, when our laws don't even protect us, it's not hard to wonder why the "Golden Rule" isn't applied like we would all love for it to be. As elected officials, you have the ability to make changes that can truly impact the citizens of the state of Ohio like myself. The question is, do you have the courage, strength, stamina, and fortitude to be a driver of change for the betterment of society and give victims like myself justice?

Thank you all for allowing me the opportunity to come before you today to speak in support of House Bill 161, I hope that you consider the impact that this bill has for victims of marital rape and abuse like myself and so many others. Please help us!

Respectfully,

Sarah N. Tucker