

Senate Judiciary Committee
Proponent Testimony for House Bill 161
Shirley Hellenthal, Survivor
April 17th 2024

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

I appreciate the opportunity to provide written testimony in hopes of changing O.R.C 2907.02 (Rape) I am requesting the support from the committee today to support the elimination of the spousal rape exemption from the Ohio Revised Code.

My name is Shirley Hellenthal, and I am a survivor of Elder Abuse, Sexual Violence, Financial Exploitation, and Domestic Violence. I have been left physically, emotionally and financially impaired by my ex-husband. Even though our marriage was a short time, from the abuse I sustained from him, I will forever have lasting effects from our marriage. Before being married to this monster, I was a divorcee for 35 years, totally self-sufficient, financially stable, living a happy and healthy life and was the matriarch for our family and providing service to my community. Now, I need help, instead of providing it. I have been forced to sell and have lost 3/4's of everything that I have worked so hard for. I now live in a manner that I am not used to with being barely able to provide basic necessities for myself, I am still in need of treatment to regain the full use of my body while constantly in fear of losing the rest of what I have while he faces no consequences for the sexual and physical abuse. I would like to paint a picture for you of what it was like to be under his tyrannical reign during our marriage and why I am so compelled to provide this testimony to eliminate the spousal loophole here in Ohio.

When he told me on April of 2020 that he wanted a divorce due to never being attracted to me, I was devastated. This man I had given so much to was not being the reason I had nothing to my name. By the end of May 2020 from the extreme stress of the marriage, I was under medical supervision for chronic hypertension, severe anxiety, and depression. I was getting up at the very early hours of the morning to do house duties and then being made to support and help him run his business. I would be awakened at 2 or 3 in the morning to fulfill his physical needs against my will, and by doing this, I was stripped of everything including my self-worth. By September of 2020, I had a complete physical and mental breakdown with severe tremors. I weighed 98 pounds and stood at barely 5 feet. I had lost my strength and ability to balance and was using a seated walker to just be able to move throughout my house. Many times, I had fallen and was yanked up by him which has now created another medical complication that I have to work through. I was no match for his 6 foot, 206 pound stature towering over me.

By November 2020, I was served divorce papers by him stating gross neglect of duty and extreme cruelty, as well as an attached restraining order that prevented me from changing any of my finances to obtain a suitable standard of living. After him giving me this, he came into my room and stripped off his clothing while telling me "I can't help but to think I need to comfort

you.” And with those words, I knew what was about to transpire. I screamed for him to get out of my room by my words were just noise to him at that point. He then proceeded to rape me. Due to the now compromised health state that I was in from the stress of the marriage, I was unable to fight him off of me. Multiple times during him raping me I told him to stop. By the end though, my spirit had left my body, and I was completely numb. He then stated after cleaning himself up, “this changes nothing”.

In September of 2021, I was removed from my home after calling my physician and expressing that I was afraid for my life. He knew he would never have to face the consequences for what he did to me. I took my story to my local prosecutor after reporting to authorities on what he did, and I was met with a lack of justice due to this loophole. My Ex-Husband needs to be held accountable for his actions and the damaged he caused me and my family.

I thank God every day that I am still alive and that I didn't die in that house, which I believe was his ultimate motive. I will soon celebrate my 75th birthday and look forward to watching my great granddaughter grow up.

Through the hours of research for assistance and a means to obtain justice for myself, I have discovered disturbing facts about our laws and this loophole. With this loophole Ohio is saying it is okay for a husband to rape his wife. This is not the state I want my daughters, granddaughters or great granddaughter to marry in, if that is the case. Statistics show 1 in 9 of our country's elders are abused by a family member, and a large majority do not survive. Due to this mans sexual assaults perpetrated onto me, and I am no longer the person my family can count on daily. I respectfully request your consideration in closing this loophole to allow justice to be served in ALL cases of rape, so no other Ohio family must suffer any damage from how this law stands. Rape is rape. I sincerely thank you for your time and welcome your contact to answer any questions. Thank you!

Sincerely,

Shirley Hellenthal, Survivor!