



Proponent Testimony on House Bill 447
House Judiciary Committee
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October 29, 2025

Chair Thomas, Vice Chair Swearingen, Ranking Member Synenberg, and Members of the House Judiciary Committee, thank you for the opportunity to provide testimony in support of House Bill 447. As Ohio's statewide coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence.

I am here today to express our strong support for HB 447, which if enacted would increase the caps on noneconomic damages in civil actions,¹ as well as provide for annual adjustments based on the consumer price index. It has long been OAESV's position that arbitrary limits on noneconomic damages are a moral and psychological injustice. Capping noneconomic damages targets the very nature of the injury sexual violence causes. It artificially limits recognition of the most profound aspect of harm while leaving financial loss largely untouched. It's like saying, *"We'll pay for your broken bones, but not for your broken spirit and shattered sense of safety."* OAESV believes House Bill 447 is a step toward progress for victims in Ohio, ensuring that civil justice keeps pace with both economic realities and the matrix of harm endured by survivors of sexual violence.

Ohio's current caps on noneconomic damages were set nearly two decades ago and have not kept pace with inflation or economic reality. As a result:

- Survivors are routinely prevented from receiving fair compensation.
- Current caps can be seen as merely "the cost of doing business" in Ohio, enabling rather than deterring negligent or harmful conduct.
- The absence of inflation indexing means the value of compensation decreases every year, diminishing the rights of Ohioans over time.

¹ Specifically, House Bill 447 proposes raising the amount of compensatory damages for noneconomic losses in tort actions to the greater of **\$415,000 or three times the economic loss** (as determined by the court), with a **maximum of \$580,000 per plaintiff or \$830,000 per occurrence**.

Sexual violence inflicts wounds that don't always show up on hospital bills or pay stubs. The damage is both *economic and deeply human*. Survivors carry invisible scars: sleepless nights, panic attacks, and the loss of safety in their own bodies and in their personal relationships. Like people who suffer a catastrophic injury, survivors also endure profound and lifelong trauma — PTSD, depression, chronic health impacts, disruption of education and careers, strained relationships, and reduced quality of life. Current caps on noneconomic damages disproportionately limit their access to justice by artificially undervaluing their suffering. Civil justice is a crucial part of accountability to hold offenders accountable.

The current caps on noneconomic damages tell survivors that there is a limit to what their suffering is worth. But how can we measure the cost of reliving trauma, the loss of trust, or the fear that never fades? By raising noneconomic damage caps, we affirm a simple truth: a survivor's dignity cannot be capped. Justice should reflect the reality of their experience instead of outdated limits set decades ago.

The Ohio Alliance to End Sexual Violence urges you to support this important legislation. By passing House Bill 447, you will help Ohio's legal system more accurately reflect both the economic realities and the profound emotional toll experienced by survivors of violence, while ensuring that the law remains responsive in the years ahead. OAESV extends our gratitude to Representative Stewart for his sponsorship of this bill. I am available to answer questions at this time, or at egemar@oaesv.org.