



Ohio Prosecuting Attorneys Association

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House Bill 528
Written Proponent Testimony
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Chair Thomas, Vice-Chair Swearingen, Ranking Member Synenberg and members of the House Judiciary Committee, I appreciate the opportunity to provide written proponent testimony on House Bill 528 that provides a 7-year mandatory minimum sentence for rape under R.C. 2907.02(A)(2).

Next to aggravated murder, murder, and the attempt to commit those offenses, rape is one of the next most serious criminal offenses in the Revised Code. This is reflected in the penalties that are currently in place for rape when the offender is a sexually violent predator that carry the possibility of a life sentence, the penalties for rape of a child under 13 that carry the possibility of a life sentence, and the mandatory 5-year minimum sentence for committing rape after administering a controlled substance. No other offense outside of homicide is as violative of an individual's personal autonomy. Rape has long lasting implications for victims. In addition to the physical harm it causes, it can have a damaging impact on the mental and emotional health of victims. Many victims experience depression, panic attacks, and post-traumatic stress. Many develop eating disorders or substance abuse problems. Still others engage in self-harm and/or end up having suicidal thoughts.

Because of the seriousness of this offense, the lifelong impacts on victims, and the need to deter offenders from committing this crime in the first place our Association supports increasing the mandatory minimum penalty for the offense like House Bill 528 does. We would also support higher mandatory minimums for all cases of rape and would support and encourage the legislature to consider increasing the maximum penalty for rape as well in cases that do not already carry the possibility of a life sentence. There is a large sentencing discrepancy between the rape of child under the age of 13 that carries a sentence of at least 10 years to Life and the rape of a child who is 13 or older that may carry a sentence of only 3 to 11 years. We think there should be higher minimums and higher possible maximums for this crime, regardless of the age of the victim.

House Bill 528 is a step in the right direction to providing more appropriate penalties for this violent crime and to improving accountability and deterrence for something that has lifetime implications for victims as well as broader public safety implications. We support the legislation and encourage the committee's favorable consideration.