



Proponent Testimony Submitted to the Ohio Senate Judiciary Committee
Sub. Senate Bill 41
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Chair Bacon, Vice Chair Dolan, Ranking Member Thomas and members of the Ohio Senate Judiciary Committee, thank you for taking into consideration my written testimony in support of Sub. Senate Bill 41. As the Director of the Rape Crisis Center of Summit and Medina Counties, I am here today to express my agency's support for this critical legislation.

Since beginning my work in this field in 2001, I have observed the essential role trust plays for survivors seeking services in the aftermath of a horrible crime. Survivors of sexual violence experience trauma in a variety of forms, ranging from physical and mental health symptoms, to employment and housing security concerns, safety needs, and education modification necessities, among others. Cutting edge data suggests that victimization of a sex crime costs survivors victimized as adults \$151,423¹ over the course of their lifetime. Survivors victimized as children face a lifetime cost of over \$241,600.² Communities also face significant costs, both cultural and financial, after sex crimes take place within their borders.

In the face of a crime they were not prepared to suffer, survivors need trained professional assistance designed to meet survivors varying immediate and long-term needs. Like professionals who treat medical conditions, provide legal assistance, provide counseling, and engage in social work, advocates make critical connections that are only as effective as the accuracy of the information received. Therefore, survivors must feel confident that they may speak freely and without fear of future disclosure. The federal government recognizes this need, as the Violence Against Women Act funding stream that supports victim of sex crimes and domestic violence service providers strictly requires

¹ Delisi, M. (2010). *Murder by numbers: Monetary costs imposed by a sample of homicide offenders*. The Journal of Forensic Psychiatry & Psychology, 21, 501-513. doi:10.1080/14789940903564388

² MacMillan, R. (2000). *Adolescent victimization and income deficits in adulthood: Rethinking the costs of criminal violence from a life-course perspective*, Criminology, 38, 553-588. doi:10.1111/j.1745-9125.2000.tb00899.x.

National Alliance to End Sexual Violence. (2010). 2010 survey of rape crisis centers. Retrieved from: http://naesv.org/?page_id=212

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confidentiality. This reflects an understanding that the most thorough and effective means of assisting survivors of these crimes is in a trustworthy environment.

The only exceptions to this federal regulation exists in the 14 states without privileged communications for advocate/survivor communications. As VAWA must defer to state privilege laws in state court proceedings, survivors in Ohio and the remaining 13 states have less confidence in services provided to them, and often find themselves at risk due to a perpetrator's attempt to subpoena advocates in custody cases, retaliatory defamation lawsuits, and other types of non-criminal proceedings.

It is unfortunate that in their first disclosure to a professional, survivors must face a notice that anything they say to their advocate can be subjected to forced disclosure. Advocates are the only professional there to serve the advocate in pursuing recovery and healing without additional obligations. For example, police officers and prosecutors also serve the state, but qualified advocates are funded by the federal government to serve as a support for crime victims. This structure is hugely beneficial for those who, through no fault of their own, are suddenly facing hugely consequential choices and confusing processes. Without an advocate who must keep all conversations confidential, survivors truly do not have a singular force to rely on.

Senate Bill 41 can fix this loophole, allowing survivors the confidentiality they are granted in 36 states and that is recommended by the federal government. I urge this committee to bring Ohio into conformity the majority of jurisdictions in giving survivors autonomy of their recovery and confidence in their systems.

Thank you for taking the time to review my testimony. I am happy to provide any additional information or answer any questions you may have. Please feel free to contact by email at CindyB@scmcbws.org, or phone at 330-374-0740, extension 403.

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