



**Proponent testimony submitted to the
Ohio House Civil Justice Committee
House Bill 249
Camille Crary, Director of Legal Services and Policy
Ohio Alliance to End Sexual Violence
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Chair Hambley, Vice Chair Patton, Ranking Member Brown, and Members of the House Civil Justice Committee, thank you for the opportunity to provide testimony in support of House Bill 249. 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.

As this committee is aware, House Bill 249 seeks to provide an avenue for civil remedies for survivors of abuse by Dr. Richard Strauss. As Ohio's applicable civil statute of limitations would time bar any form of justice of these survivors, it is critical that the legislature pass House Bill 249. Further, lawmakers must draw from the lessons learned in hearings on this bill and create meaningful civil and criminal limitations expansions for sexual abuse survivors across the Ohio Revised Code.

Dynamics of power, control, secrecy, and ambivalence perpetuate sexual abuse. In this case, it happened in a highly funded and organized athletic system – one where students had much to lose and those with oversight power had little motivation to act. This case is representative of the many systems that allow sexual violence to happen and then fail victims when it occurs. In our work, OAESV sees many aspects of this case in abuse perpetrated in homes, K-12 school systems, youth organizations, and workplaces. Survivors come to OAESV days, months, or years after their sexual abuse when they are finally ready to report. Unfortunately, very few options are available to them. For survivors who report right away, the 25-year criminal statute of limitations allows pursuit of criminal justice system remedies. However, most survivors do not pursue civil remedies at the same time. Instead, they focus on the criminal justice system first and then pursue civil remedies after the criminal system concludes. When they do, they often find that the one-year statute of limitations for sexual battery claims has lapsed or is approaching too quickly for any lawyer to responsibly take their case and file in time.

More frequently, survivors abused by persons with power over them wait to report. They often feel they cannot say anything until the person is no longer in a position of control or influence, or wait for

other reasons. In other cases, survivors told a person with the ability to act on the disclosure, assuming they would pursue accountability for the abuser. When these survivors later pursue accountability, the results are horrific – Ohio law essentially leaves survivors with no legal recourse against their abusers after a short period. This allows abusers to continue their crimes with knowledge that, very likely, they will never be held accountable for their actions.

OAESV believes the legislature must pass House Bill 249 to provide justice for Dr. Strauss’s survivors – but we want to reiterate what this horrific situation instructs. First, our current civil limitations structure is too short for practical accountability. Second, we cannot predict the vast variety of sexual abuses that will come out over time. Third, no legislated caveat to a limitations period will cover all of these abuses. Therefore, the only way to ensure justice for all sexual abuse survivors is to extend the civil and criminal statute of limitations in a manner that allows survivors to pursue justice without a specifically legislated exception to the general rule. OAESV urges this body to remember that we do not educate our populace on the civil and criminal statutes of limitations for sexual abuse, so most are not aware of the period before they experience abuse. We also ask you to remember that sexual abuse survivors are whole persons with families, financial obligations, goals, and dreams. The abuse they suffer and their recovery from it does not erase the rest of their lives or their responsibilities during the statute of limitations periods. The statutes of limitations Ohio provides are simply not long enough for survivors to navigate their recovery and meaningfully pursue justice.

Thank you again for the opportunity to testify today. OAESV strongly encourages passage of House Bill 249. I am available to answer your questions today or by email at ccrary@oaesv.org.