

Testimony of Brian Garrett for House Bill 249

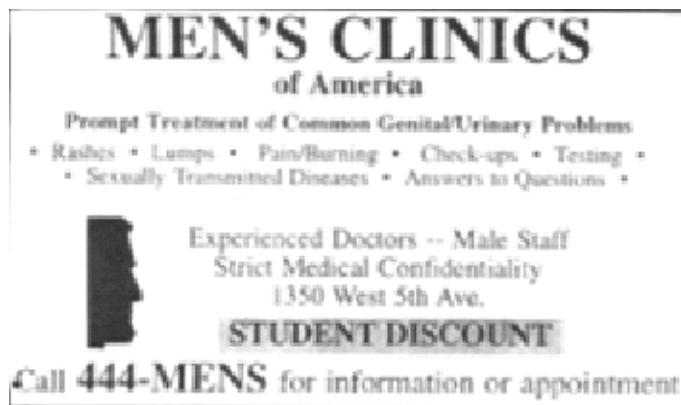
Mr. Chairman and members of the committee, my name is Brian Garrett. Thank you for allowing me to testify today regarding H.B. 249, which increases access to justice for us, the sex abuse and assault victims of Dr. Strauss and the subsequent cover up by Ohio State.

I am familiar with the Ohio Statehouse as I participated in a press conference with former Rep. Pelanda in 2015, worked with former Senator and Rep. Lynn Watchman when he was a lobbyist and have met with over 100 members of the Ohio House and Senate over the last 10 years as a representative for my professional association. But I never thought I would be here to talk about being sexually assaulted by Dr. Strauss, how Ohio State failed to act and how they do not want to take responsibility and accountability for their indifference.

Speaking of responsibility and accountability, I was raised in a farming community in Southern Ohio and taught the meaning of these two principles. While I was a student at Ohio State, I was expected to be responsible and accountable for my actions. Now, in 2019, I am standing before you and asking for your help in holding Ohio State

accountable and responsible, the same institution that expected me to act in this manner as a student. This is the most clear and concrete example of hypocrisy.

In 1996, Dr. Strauss recruited me to work in his off campus clinic while I was a student at Ohio State. He did this on the Ohio State campus at Larkin's Hall. He wanted me to work as administrative staff at his Men's Clinics of America at 1350 West 5th Avenue. There, he would treat students and athletes after hours as he told us he was already working on campus at the student health clinic and for the sports teams. He even ran ads in the student run newspaper:



Little did we know that this was all a lie. And now we know that OSU knew about his abuse and covered it up.

Ironically, he was placed on administrative leave just months prior to my sexual assault.

Per the Perkins Coie Report:

Action: After talking with Mary Daniels and Mark Ringer, Dr. Strauss was placed on indefinite administrative leave as of January 8, 1996, pending an investigation of this complaint.

And Ohio State officials knew he was starting the office campus clinic:

D. Strauss' Off-Campus Private Men's Clinic

In September 1996—within a few weeks of Strauss' removal as a University physician—Strauss opened an off-campus private “men’s clinic” in Columbus that purported to specialize in sexually transmitted diseases and urological issues. Prior to opening the clinic, in mid-July 1996, Strauss received assurances from the Associate Vice President of Health Sciences and Academic Affairs that there would be no issue with Strauss engaging in part-time private medical practice while retaining his tenured faculty position at the University. The Associate Vice President was aware, at the time he provided these assurances to Strauss, that Strauss was being investigated by Student Affairs following a complaint brought against Strauss by a student-patient.

Strauss employed OSU nursing students at the private clinic, advertised for the clinic in OSU’s student newspaper of record (*The Lantern*) with the promise of a “student discount,” and encouraged OSU student-athletes to come to his private clinic for treatment. Strauss continued to commit acts of sexual abuse on the student-patients he treated at his private clinic.

So I ask “Would you, as legislators, be allowed to roam the halls of the Ohio Statehouse and run political ads in the Statehouse paper if you were on administrative leave? Would you still be able to practice politics just down the street? Would you be given an “Excellent” rating on your performance evaluation? Would you still be able to retire and be given emeritus status if you committed these heinous acts?” The answer is NO. The

members of the Ohio legislature know what to do when a person has committed acts that are heinous and against the law. You would not have let this happen. Ohio State did let it happen and was completely indifferent! This is the anatomy of their cover up!

I was sexually assaulted by Dr. Strauss in his off campus medical office. He was supposed to be examining me for heart burn. Within minutes, he pulled my pants down around my ankles. I froze as he attempted to masturbate me without gloves. When I did not get aroused, he asked “Doesn’t this thing work?” That same day while working as an administrative person in his office, he requested that I stand in and watch an exam. He masturbated the student with no gloves on. He asked me to come closer while he was doing it. Finally, when the student ejaculated, he asked me to go down the hall and get paper towels to clean him up. I was forced to witness him sexually assault another student under the guise of medical care. I left the clinic that evening and never went back.

Shortly after this, I experienced panic attacks where I would get an aura while recalling these experiences. My

face and arms would go numb and my vision blurred. I even had one panic attack while being intimate with my wife as it brought back horrible memories of his sexual assault. I was treated for this by Drs. Herwig and Bridger on Bethel Road. I even had an MRI to rule out other issues. Dr. Bridger placed me on medication for anxiety. I kept the horrific acts to myself for the next 20 years. I was afraid that Dr. Strauss would impact my ability to get into graduate school at Ohio State and keep me from getting a job there.

On Memorial Day of last year, a friend showed me a news article with his picture. I immediately became nauseated when I saw his face. For the next 3-4 months, I relived the experience, unable to sleep at night, becoming increasingly anxious, taking naps every day after work and began to develop severe trust issues. As I found out the extent of Ohio State's cover up, my anxiety, trust issues and lack of sleep worsened. I went to counseling on a frequent basis. I started avoiding social situations, began to isolate myself, stopped by MBA program, my job performance suffered, stopped

being a head coach for my kid's teams and my family dynamics suffered.

After a year of counseling, I was not getting better, mostly because of Ohio State's hypocrisy and failure to be accountable to the victims. After Ohio State blew us off at the June mediation session, I started on three medications. I now take one just to sleep through the night, one for anxiety to prevent social isolation and avoidance and one for my autoimmune disease (that I had previously controlled with diet and exercise) that was out of control and causing pain and severe fatigue. The part that is irritating is that this medication has the known side effect of cancer but is the only drug that now controls this disease due to the stress Ohio State is inflicting on me.

Ohio State is now only interested in doing PR to get headlines to deflect and distract everyone from their lack of responsibility and accountability. A major example is their scam announcement of a Task Force on Sexual Assault. They announced this "Task Force" back in May but have yet to announce any details of its members or its functions. No survivors of Dr. Strauss have been

asked to be on this “task force”. In addition, it was reported that their now disbanded sexual assault unit failed to report over 50 potential crimes to the police per media reports.

Yet, during this same time, Governor Dewine announced a task force to investigate the Ohio Medical Board, conducted a thorough investigation and released its findings. What does this say about Ohio State’s intentions? It is all just a PR scam! There is no substance behind anything that they are doing for us or any current victim of sexual assault on the OSU campus.

The only ethical and moral choice you have is to support House Bill 249 and vote it out of Committee to the House floor. Any other choice only aids the continued cover up and deflection by Ohio State. If Ohio State is able to get away with their indifference and unethical, immoral behavior, this will only open the path for other institutions to use Ohio State’s playbook. The play is that you can report sexual assault all you want (even in writing) but we just have to wait two years or more to investigate, call the police or let anyone know, then we will be absolved of all accountability and responsibility

due to the archaic laws. Please don't let them get away with this, not just for me, but for all victims of sexual assault and rape!