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Chair Lang, Vice Chair Plummer, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for the opportunity to provide sponsor testimony on HB 279. Today, we stand before you to ask that you eliminate the statute of limitations on rape and marital exemption under Ohio law. We will start with ending the statute of limitation on rape.

Too often victims of rape do not speak up about their assault for years. Their reasons can range from trauma to battling legal hurdles to the cost and delay of testing rape kits. Across the nation thousands of women are standing together and coming forward about rape crimes experienced years before. This is not a new topic, new cases are announced every day. Anyone can turn on the television and hear that another woman has come forward about sexual assault or rape.

However, in Ohio, individuals who come forward about rape cases, some of which they reported at the time, which occurred over 25 years ago are unable to be heard. Justice should not expire, especially in an age when DNA testing and technology have made advances which can detect evidence from decades ago. Every individual which has been affected by rape, despite the amount of time gone by, deserves to be heard. It already takes an enormous amount of bravery to speak up and it may take years for someone to be able to come forward. Therefore, victims of rape should not be deterred by time and Ohio should not have a statute of limitations on cases of rape. Currently, Kentucky, Maryland, North Carolina, South Carolina, Virginia, West Virginia, and Wyoming have eliminated the statute of limitations for all felony sex crimes. It is time for Ohio to follow suite.

HB 279 eliminates all exceptions to the following sex offenses that currently apply if the person subjected to the prohibited conduct is the offender's spouse: Rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, and sexual imposition.

Statistically it is reported that up to 10% of sexual assaults occur within the confines of marriage, and if there is domestic violence present the number can go as high as 70%. Tragically, many of the victims don't realize that they have been assaulted until they find recordings of the rape on their spouse's phone or worse in the public realm or on social media. In 2013, the wife of a Utah police officer discovered recordings on her husband's phone of him raping her after he had drugged her. The day after she accused him, he killed her, their children, her mother and finally himself. Another recent case occurred in Indiana where a woman discovered her husband had been giving her either Ambien or Xanax. It wasn't until later that she found the recordings on his phone of him raping her. He was convicted but only received house arrest, which he later violated and only then was he sentenced to 5 years in prison. If either of these cases had



happened in Ohio these rapists would not have been prosecuted because they had occurred within the confines of marriage and did not include the use of force or the threat of force.

By including the phrase, "not the spouse of the offender" in our current code, we are confirming the ancient belief that women are property of their husbands and at the words, "I do", a woman gives up ownership of her own body and forfeits the protections of justice and the law. The goal of our bill is to eliminate those words, "not the spouse of the offender," so that married victims have the same protections from sexual assault as unmarried ones. This legislature should not continue to turn its back on Ohio's sexual assault victims. HB 561 allows Ohio to catch up with the vast majority of states that find no distinction between married and unmarried victims and provides the opportunity to update this archaic portion of our code. Rape is rape. A wedding ring should not be part of the definition.

Thank you for listening to our testimony, we are happy to answer any question you may have.