

Ohio House of Representatives
Civil Justice Committee
Testimony of Julie Boak
May 24, 2022
Ohio House Bill 508

Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski and members of the House Civil Justice Committee, my name is Julie Boak, and I thank you for this opportunity to provide opponent testimony on House Bill 508.

As an adult, my mother Bridget Mahoney, had a right to leave her abusive marriage to my father, Sam Boak, when I was a year old. As a child, adolescent, and even young adult, I was not afforded those same rights.

Over the years, I was forced by the courts in my father's hometown to visit him, no matter how much I spoke up that he was hurting me in every way possible. I faced a legal system that seemed to value a parent's right to torture offspring over a child's right to grow up unscarred.

Reading HB508 was terrifying as I realized how much more I would have suffered, how my father would have had, from the beginning of the divorce, much more time to abuse me. HB508 would legally enshrine the rights of parents who torment and abuse their children – like my father did – to be far superior to any right that I might have had to safety, security, or even the right to grow up free from abuse.

When I was growing up, I could not understand why a genetic relationship gave my father a right to do things that if it had been anyone else, like my soccer coach, would have put that person behind bars. Maybe the courts did not want to believe that because of who he was, the owner of a prominent business, a Rotary Club president, a Canfield City Councilman, that he could possibly be doing the things I was saying.

But the reality is--

Along with emotionally and physically hurting me, my father sexually abused me when I was five, or at least that is the first time I remember. That is not something one really ever gets over, no matter how many times you say it aloud. And this is the hardest thing for me to say, nothing, nothing, ever feels normal and natural again for a child who has been molested, the age of innocence ceases to exist.

Looking back, he began to groom me when I was a toddler, putting me in beauty pageants I did not want to be in, dressing me up and taking pictures that many would consider child pornography. It haunts me to know what he has done with those pictures.

No amount of disclosing the abuse, my discomfort with those pageants or the photos was enough, even under then existing law, to protect me.

It took until I was ten years old for a trusted new attorney and a visiting judge with no ties to Youngstown to finally listen to me and stop the parenting time with him.

But stopping parenting time with my father, did not stop the abuse. For the next 8 years he not only physically stalked me, he also stalked me through the courts and the courts allowed him. He had the right to use the legal system to harass me, cause me devastating emotional pain and drain our family financially- all under the guise of trying to resume time spent with me.

In the court's eyes, my father's parenting rights were the priority, not what was in my best interest. For years, he was given many opportunities through mediation, court orders, therapist recommendations, but he ignored them all and the abuse continued. Those years with *his* rights coming first and not considering what was in my best interest, equaled years of layered on trauma.

Any step taken toward my protection increased litigation and threats along with the stalking.

This meant more court proceedings, more testimony, hiring and spending more on lawyers and all the while, a fear of having to be with him looming over my head. I never told my mother this, but when I was a child, I was constantly worried about money. My father had told me often that he had a lot of money, and warned me that my mother didn't have very much.

I did not have mental peace of mind and I did not have physical peace, there was always the fear of him showing up out of the blue. And I certainly did not trust the people who would decide my fate.

None of this was "in my best interest."

In my high school years, when I should have had fun playing on my soccer team, enjoying homecoming and prom and all the other great things you get to do in high school - I was in and out of court.

But now it was not just Youngstown/Mahoning County, it was Butler County too, and sometimes there were two trials going on at once-one where I lived with my mother near Cincinnati and the other five hours away where my father lived. On top of everything else that was going on I had to get a civil protection order against him when I was 15yrs old. He fought it, so there was a lengthy trial. In an open court room, seated just feet away from him, I had to share, publicly, what he had done to me through the years. Soon after the trial was over, he violated the CPO and we were back in court for *another* trial where he was found guilty, with little to no consequence for his actions.

What happened next is still shocking to me. The domestic relations court in Youngstown was aware I had a five-year civil protection order against my father. They were aware that he was found guilty of violating it. They were aware he was *not* allowed to be within two city blocks of me. Despite all that, he was *STILL* allowed to pursue parental time. How could that be? Once again, his parenting rights came first, even *against and ignoring* an order of the law. I was shattered. Despair set in deeply.

I was only a freshman in high school. I was living a nightmare. I was terrified the courts would force me to be with my abuser. I had a new guardian ad litem in Youngstown and had to start all over in telling what he did to me, yet another in the countless number of people I kept having to tell my story to over the years.

It seemed like the guardian understood and would speak on my behalf. I also spoke with the magistrate privately and I was told later that he was very moved by our conversation. It took a year and a half to go through all the hearings and before a decision was reached. I was now going into my junior year in high school.

The judge ruled it would be psychologically harmful to me to spend time with my father. Incredibly, the guardian ad litem said my father had "made some mistakes," but should be given another chance.

During that year and a half in high school waiting to see if I would be forced into more abuse, I suffered terribly mentally and emotionally.

My mind would attempt to detach from what was happening to protect me from the full impact of the trauma I was experiencing. I became numb. I was prescribed antidepressants to help me cope. I felt like I was in the fight of my life, but I was not sure I wanted to live anymore. One day instead of cutting my wrist, I closed the knife drawer, grabbed a pair of scissors, and butchered my hair instead.

I wanted to escape, to be someone else. I had been in therapy to heal my wounds from the past and move forward with my life, but when he filed to reestablish visits, the past was dredged up, and I felt like I was on trial. I did not trust the legal system to protect me, and each passing month added more and more layers of agonizing hurt that I am still faced with overcoming.

My father stole my innocence. Then he used a willing court system to rob me of my childhood.

My scars run deep.

Childhood trauma takes a heavy toll. The Adverse Childhood Experiences (ACES) studies by the CDC have shown how childhood stress and trauma can impact adult health. 1.

The long-term activation of our body's fight or flight stress response weakens the immune system and the ability to fight illness and disease. I have suffered chronic upper respiratory infections, mononucleosis, Lyme disease, PTSD, severe sleep disorder, chronic fatigue, anxiety and depression, and battled cancer. I continue to suffer from having a compromised immune system, anxiety, and depression. A number of things can trigger agonizing flashbacks and feelings of being in danger putting me "on guard."

Speaking publicly, trying to help others, has provided some healing for me.

But it came at a great cost. Early in 2015, my father tried to silence me. Along with my mother and the organization she worked for, I was sued by my father, Sam Boak, and his business, Boak and Sons Inc., for defamation, for the testimony I gave to the Ohio Senate in support of the Tina Croucher Act which mandates teen dating violence education in Ohio schools. He claimed I was hurting him and his multi-million-dollar business by telling what he had done to me as a child. I had been trying to forge a normal life for myself. I graduated from The Ohio State University, worked diligently to overcome the trauma I endured and was looking forward to establishing my career.

When the defamation lawsuit was filed, I was devastated, knowing that once again I had to face my abuser in a court system I had no faith in. Old anxieties came back. My sleep was destroyed. The lingering fear that at any moment I would be tapped on the shoulder by a process server and the constant anticipation of having to relieve all the nightmares of my past became overwhelming.

The lawsuit created never-ending thoughts in my head of the times he molested me. My flashbacks were paralyzing. My mind filled with a constant loop of memories I had worked so hard to quiet and make peace with. I began to wonder-how many other times had he done this to me? Were there other instances I had buried deeply and forgotten just to survive? When those unbearable looping thoughts took hold of me, I felt jumping from the balcony of my 16th floor apartment would be the only way to silence them.

Once again, I had no control over my life. Because Ohio does not have an Anti SLAPP law, which provides defendants a way to quickly dismiss meritless lawsuits, it took almost two years and \$100,000 dollars to protect our freedom of speech.

In conclusion,

HB 508 is being touted as a way to stop litigation by just enforcing 50/50 time and custodial rights – intentionally silencing children like me and forcing us to continue to endure abuse in the unsupported belief that it is "better" for me as a child and that it would force my parents to "get along."

Under HB 508, The courts would be solely focused on the right of my father to control and physically possess me half of the time under the guise of "fairness." My voice and my experience, and my wellbeing would matter even less than it felt like it did at the time. Please remember it took 10 years under existing law to protect me, despite disclosing abuse throughout that time and having the support of professionals. It *did not* even matter that I had a civil protection order against my father.

If HB 508 passes, I fear more children will feel just as powerless as I did - as powerless as my mother was to protect me. My experience would become the norm for any protective parent and child who were fortunate enough to have the money to face all that litigation. Not many families can financially or emotionally bear the expense. In that world, whomever has the most power, and money – usually a domestic violence abuser – controls the solution.

What will Ohio's children have to survive and overcome to support the idea that parents will do the right thing if forced into 50-50 time? What will be the costs? What would have happened to me if HB 508 were in effect when I was a child? Would I have made it out alive? Not every one of Ohio's 25% of children experiencing domestic violence will overcome and *we will lose* those children – their precious lives and their potential.

I urge you to oppose HB 508 and instead strengthen the current, terribly inadequate protections for the thousands of Ohio's abused children in the family court system so that children will have the right to be safe, secure, and free from abuse.

1. Centers for Disease Control Prevention (CDC) Adverse Childhood Experiences (ACEs)
<https://www.cdc.gov/violenceprevention/aces/index.html>