



1855 E. Dublin-Granville Road, Suite 301  
Columbus, Ohio 43229  
Phone: 614-781-9651  
www.odvn.org

## **Testimony of Mary O’Doherty, Executive Director of the Ohio Domestic Violence Network (ODVN), in support of HB 3 to House Criminal Justice Committee**

May 17, 2021

Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, my name is Mary O’Doherty and I am the Executive Director of the Ohio Domestic Violence Network. I am here today representing 75 local domestic violence organizations across the state. In 2020, ODVN programs sheltered more than 7,190 DV survivors and their children and provided 111,487 survivors and children with services. Those victims needed help obtaining a protective order or support while they prosecuted their abusers. Many of them were looking for housing and other assistance as they rebuild their lives after experiencing abuse.

HB 3 is an ambitious bill that has the promise of incorporating domestic violence risk assessment tools into local communities’ responses to domestic violence. Domestic violence risk assessment tools are one of the most recent evidence-based advancements in responding to domestic violence incidents. The tools assess both an offender’s risk of re-offending and a victim’s risk of lethal assault. In short, they help authorities determine which domestic violence survivors are in the most danger. HB 3 requires law enforcement to then link these victims with our domestic violence programs for safety planning and support. Our member programs stand ready to provide whatever assistance the survivors think is best for their family.

Critically, the bill requires law enforcement to receive training on lethality assessment as well as referring to our agencies. An appropriation is also made to support Ohio Peace Officer Training Academy in providing this training. In the past five years, 23 children were killed by domestic violence abusers, and seven law enforcement officers died responding to domestic violence incidents. Domestic violence fatalities in Ohio were up by 35% from July 2019 through June 2020, and preliminary [data](#) shows that domestic violence homicides are on the rise in some U.S. cities. Improving training on assessing these situations will hopefully save lives of domestic violence victims as well as the brave men and women in uniform.

HB 3 also recognizes the lethality of strangulation by separately defining the offense of strangulation in the criminal code. It requires police officers to inform strangulation victims at the scene of the danger of strangulation so that life-saving medical treatment can be timely received by those who need it. This is critically important because many victims experience strangulation multiple times within a relationship. And research shows that individuals who have experienced non-fatal strangulation are 700% more likely to be killed by an intimate partner than other victims. Perpetrators of domestic violence who strangle their victims are also particularly dangerous for police officers.

Many of Ohio’s domestic violence programs are responding to a spike in the number of families seeking help. The number of calls to hotlines nearly tripled at some programs in the last year, and the average crisis

call took more than twice as long to handle, according to a survey conducted in January 2021.<sup>1</sup> Programs reported an increase in the severity and lethality of the abuse described by survivors seeking help, including an alarming increase in strangulation reports.

Immediately following a violent incident, survivors need safety and time to weigh their options. Survivors also need information to develop safety plans and choose their next steps. HB 3 creates emergency protection orders that serve as a short-term bridge, up to 4 days, to give the victim some time to seek advocacy, information, safety planning, and legal services for a longer term protection order remedy.

ODVN advocates for ALL survivors of domestic violence. We are their advocates when they are victims of crime AND when their victimization puts them on the wrong side of the law. The bill makes some domestic violence homicides aggravated murder. Incarcerated women have high rates of victimization in their histories, and this is especially true for many battered women who commit homicides against their abusers. ODVN has been advocating for more than two dozen women in Ohio prisons who are serving time for this crime. ODVN sincerely appreciates the efforts made by Reps. Boyd and Carruthers to further address this concern and HB 3 now requires a prior *felony* offense of domestic violence resulting in serious physical harm to be considered for the enhanced charge and sentencing.

On behalf of the Ohio Domestic Violence Network and its 75 member programs, I would like to thank Rep. Janine Boyd and Rep. Sara Carruthers for their leadership on this issue. I believe strongly that the dialogue they have started around the state about lethality assessments and strangulation response have already moved our state forward; pilot projects in select counties are already showing great progress in decreasing domestic violence homicide. HB 3 will move Ohio forward in its response to domestic violence and save lives.

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<sup>1</sup> The Ohio Domestic Violence Network (ODVN) surveyed its 75 member programs from January 8 to 25, 2021, about the effects of the pandemic on domestic violence prevalence. The survey also measured the effects of budget cuts in 2019 and 2020. A total of 63 programs responded, an 84% response rate.