

Witness Testimony by Heather McComas Harrison, survivor of marital rape.

Proponent of HB 121

Committee May 26th, 2021

Good afternoon Mr. Chairman and Committee Members,

My name is Heather McComas-Harrison, I want to thank you for the opportunity to speak with you all today. I want to also thank you for considering this piece of legislation that can protect our rights as married constituents. Please bare with me as I still struggle to publicly tell my family's truth. The story is painful and ongoing. There is no closure, there is only hope.

Marriage by a legal definition has changed over the years and does vary by state as to what privileges, rights and responsibilities it entails. However, the vows made to one another is to honor each other and the like. Perfect strangers come across each other and one rapes the other, society gasps and is appalled and wants justice for the person who was raped. Yet when two people whom have made a lifetime commitment to each other, whom have vowed to honor each other and the like, have ZERO rights to justice when raped by their lifetime partner. They have the right to request a divorce on grounds of rape, but have no victim rights, have no legal rights, have no rights for justice, have no way in Ohio to even get their spouse help through the various programs the Department of Rehabilitation and Corrections have. I'm asking this committee to move forward with HB 121 and make Marital Rape illegal in Ohio.

In my case, marital rape was common. Not every time my husband and I had a sexual encounter would I have considered it rape. We had consensual sexual acts often. Unfortunately there is no way of knowing when he would snap and demand sex or sexual acts. The cycle of abuse is simple to explain but complicated to live through. When your loved one is lavishing you with praise in front of friends, telling them how proud he is of you for making the dean's list, it's hard for you to turn around and tell your friend how every night after classes you must give your husband head and/or rub his back until he falls asleep. When your children see Daddy bring home flowers or Godiva Chocolates, they see something romantic, not that he's trying to make it up to you that you passed out again in pain after being raped on your period. Oh and when they see him finally helping out with the laundry, they think it's sweet, not the fact that he's cleaning up the crime scene again. He's literally washing away the evidence. Then a couple days later when you reach into the box of chocolates and try to escape for a moment or two... he sees you eating the candies, "he" bought for you, he tells you you don't need one or you need to start going to the gym more, etc. He starts spinning his web of abusive tactics at you all over again. You wonder how bad this cycle will be. Will I be forced to destroy someone else? Will I be forced to give up another friend? Will I be forced to leave school? Will I be forced to max my student loans out? Will I have to smile in another picture? What you begin to do is stop wondering if you will be hurt, because you know you will be hurt mentally and physically. You begin to realize how skilled he is at hurting you without leaving bruises. He's learned to withhold food, twist your arms, put a pillow over your face or hold your head by your hair to jerk you

around and even to rape you. The internal damages caused by him are not all mental, I'm literally missing body parts!

We were married April 15th, 2006. We have three children. In November 2008, we lost his mother to cancer. After that life altering time, my spouse lost touch with reality. He couldn't stop her death. We had been through a difficult pregnancy and premature birth of our son along with many other uncontrollable circumstances that year. I believe he coped with these stressors by taking control over anything and everything he possibly could, whether morally or legally right. The rules just didn't apply to him anymore. If he wanted something, he took it, he still does this. I learned the less I fought him off the quicker it was over, so I complied. Complying to your abuser is not consenting. You are in survival mode and know you have to do what they want even if they are not with you. The level of control an abuser has doesn't just happen one day, nor does it just go away one day. It changes you. Your reality, your life, is not like everyone else's. Mr. Chairman, you may have a co-worker who is currently a victim of abuse, committee members, you may even have a best friend who is going through marital rape and never even know it. As I speak here, right now, my friend Jaime Healy's memorial services has started. She was murdered by her abuser last week. I didn't know she was a victim of domestic violence, most people didn't know. Most people didn't know what our family was going through behind closed doors.

In February 2014, my spouse anally raped me until I passed out in pain. My head was shoved down into a pillow and I couldn't breathe. I woke up the next morning in pain. I laid there in agony. Once I got my bearings, I heard my husband and children outside our basement bedroom door in the family room watching TV. I asked for my husband to come in, that I needed help, he sent my daughter, I told her, I needed him. He came in and sent her out. I told him I couldn't roll over, my lower back and butt was hurting a lot and there was blood. He asked me what I wanted him to do about it and got upset. Our children returned to the door and was chatty, they wanted to see me and stuff. He realized there was no way not to tell them something, so he said I wasn't feeling good, again. Our oldest daughter came in the room and him and her helped me stand up and got me to our loveseat. The kiddos tended to my needs that day bringing me ibuprofen, water, pillows and blankets. I put on that brave smile and just pushed through another day. The kiddos asked what was wrong, what happened, but I couldn't tell them your Dad raped me in the butt so hard I can't move on my own. I said "I just woke up like this in pain", they thought it was a thrown out back. By nighttime we all realized I needed medical treatment, that it was far worse and I wasn't getting better. Once they got me back in bed, my husband told me if I had to go to the doctor, to go, but to tell them "I just woke up in pain", "I couldn't roll over". That's the story I had to stick too. I kept repeating it to the doctors and staff for months until I finally could come to terms with what actually happened and was able to say the words out loud, "**** broke my tailbone when he anally raped me". I spent two months in and out of our basement bedroom being abused, raped, threatened, controlled, starved, drugged, watched and broken down. I kept silent and kept our family secret trying to keep my family safe. It's hard to explain, but the consistency of the cycle of abuse gives you the false sense of safety. You forget what real safety is.

On April 16th, 2014 my tailbone was surgically removed. The coccyx had been broken during the February rape and the sequential rapes and abuse over that two month period. I was left in my own feces and urine. I was left with blood and cum on me and in me. I was left with no water. I was left in silence. My 5-year-old son would break into the room and bring me water and whatever food he could. The night of surgery when I returned to that filthy bed, my husband raped me vaginally. I had surgical dressings over my incision and the tape was torn and the stitches ripped. I was in even more agony. My spouse was supposed to stay with me for 24 hours after surgery, but left instead. I was there with our three children and one of our oldest daughter's friend. They came in to check on me and they reached out to some adults for help. Eventually I got some medical care, but I never got help. Over the next seven years I tried to get help from the authorities, to no avail. July 21st, 2014 was the last and final time my spouse raped me.

Nearly seven years later I'm still waiting for help. The rapes, assaults, and numerous misdemeanors and felonies have been reported to the authorities below, the places the public turns to for protection and help.

- Lancaster Police Department
- Fairfield County Sheriff's
- Fairfield County Domestic Relations Courts Magistrates and Judges
- Children's services
- The Lighthouse, a domestic violence center
- The Lancaster City and Fairfield County Prosecutor's Offices
- Various Lawyers
- The Ohio Attorney General's Office
- FBI
- The United States Department of Justice in Washington DC.
- Ohio's Domestic Violence Network
- and various other places of authority

Unfortunately there is a system-wide lack of education about marital rape. For seven years I have been trying to find out if Marital Rape is illegal or not. None of the above listed agencies could answer that question. How can our government enforce or interpret a law if they don't know if it's even written or not?

So many of the authority figures I've spoken to have been under the impression that it is "common sense" that raping anyone, including a spouse is illegal. Therefor they make an assumption that "if" it really happened then "the police" would do something about it. Based on that, since the police haven't arrested my spouse, then it must not have happened and therefor I'm lying. There is too much trust in each other's agencies within the system. Not a single person checked the Ohio Revised Code. When I did, and presented the law to them, I was taken as a vindictive ex-wife with malicious intentions, when in reality I am a survivor of Marital Rape who has been re-victimized by our broken system.

The brutally inaccurate judgements that I bare daily are unwarranted. If anyone in authority knew that the law does not exist, they should have spoken up. Instead, everyone assumed it did and still did nothing. The fact is, the law does not exist, therefore there could not be a police report or investigation, no arrest, no trial, no justice and now ultimately no belief in me by those same authorities, family, friends and even my own kiddos. Had the law existed and the case handled appropriately, then, just maybe, the next victim wouldn't have been raped. The path of destruction would have been stopped by now and the pathway to healing could have began for everyone. As of today I am still receiving medical care for the damage done to me by my former spouse. I have PTSD, multiple digestive tract issues and pain. I am handicapped and struggle with disabilities. I have had multiple other surgeries and procedures related to the long term affects of the violence and rapes. I was in heart failure but worked hard to come out of it. I have been through countless hours of mental health and physical therapies. I have advocated for others in situations similar to ours. Currently there are still victims walking through their own Hell with my former spouse. Hopefully with this law and future laws like it, they may all see justice one day. There is irreparable harm that was caused by the State of Ohio for not having passed this law sooner. Let's not allow that to happen to another family.

Thank you for your time and consideration.