

**Proponent Testimony Submitted to the Ohio House Criminal Justice Committee**  
**HB 121: Spousal Exemptions**  
**Sondra Miller, *President & CEO***  
**Cleveland Rape Crisis Center**  
**May 27, 2021**

Dear Chair LaRe, Vice Chair Swearingen, Ranking Member Leland and Members of the Ohio House Criminal Justice Committee:

On behalf of the clients, staff and Board of Cleveland Rape Crisis Center, I appreciate the opportunity to help inform your support of House Bill 121, which would eliminate the sex crime spousal exception in the Ohio Revised Code.

Cleveland Rape Crisis Center's mission is to support survivors of rape and sexual abuse, promote healing and prevention, and advocate for social change. In any given year, we provide services to more than 10,000 rape and sexual abuse survivors in Cuyahoga, Lake, Geauga, and Ashtabula counties and reach an additional 50,000 people via education, outreach and prevention programming.

Cleveland Rape Crisis Center has long been a leader in creating a climate in the state of Ohio that is supportive of the needs of survivors and service providers.

I firmly believe HB 121 will help us do just that.

Currently, Ohio maintains a Marital Rape Exemption for a variety of sex crimes. While the use of force is succinctly forbidden, a perpetrator of rape who weaponizes the use of drugs, alcohol or controlled substances to impair the victim and/or the victim's ability to resist is exempt from culpability if they are married to their victim.

Equally as heinous, the current law negates spousal access to basic protections afforded by our judicial systems. Specifically, offenses perpetrated by a spouse do not qualify as sexual oriented and are precluded from qualifying for a sexually oriented offense protection order. Additionally, a person is not currently permitted to testify against their spouse in the prosecution of a rape.



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Perpetrators leverage this dynamic, which often increases the severity, frequency, and duration of the abuse. Statistics demonstrate an estimated 33% of all rapes are committed by a current or former partner.

We must eliminate this outdated and dangerous exception in Ohio, now.

Last year, Cleveland Rape Crisis Center provided advocacy, counseling and case management services to more people in more places than ever before. I'll give you a minute to let that sink in. In a year when people were sheltering in place; not leaving their homes for groceries or a haircut or a trip to the dentist...we welcomed more survivors of rape and sexual abuse through our doors than ever before – a 25% increase over the prior year.

And we know, it's just the tip of the iceberg. The current climate is exacerbating the problem we already had. And the pace of referrals and requests keeps building...

A person can be a victim of a sex crime regardless of their legal marital status to the perpetrator.

Ohio needs to validate that all rape is a sexually oriented offense.

I implore you. And your colleagues in the 134<sup>th</sup> General Assembly to pass House Bill 121. By doing so, you will help create a climate in Ohio that is supportive of survivors, and holds offenders accountable.

I appreciate you taking time to receive testimony on this important bill and am happy to answer any questions. I may be reached at (216) 658-1800 or [sondram@clevelandrcc.org](mailto:sondram@clevelandrcc.org).

Sincerely,



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