

Testimony in Support of HB3 To address making changes to civil and criminal law regarding domestic violence, address State Highway Patrol arrest authority, name the act Aisha's Law, and to make an appropriation
Sponsors: Representative Boyd and Representative Carruthers

Chairman LaRe, Vice Chair Swearingen, Ranking Member Leland, and members of the Criminal Justice Committee, thank you for the opportunity to testify in support of House Bill 3, legislation that would amend sections 109.744, 109.803, 2903.01, 2919.25, 2919.27, 2929.12, 2929.13, 2929.14, 2929.22, 2935.03, 2935.032, 2937.23 and 3113.31; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 2935.033 (2935.034); and to enact new section 2935.033 and section 2919.261 of the Revised Code to make changes to civil and criminal law regarding domestic violence, to address State Highway Patrol arrest authority, to name the act Aisha's Law, and to make an appropriation.

I am writing to you as a volunteer court advocate and as an Ohio citizen. In my 13 years of volunteering, I have followed numerous cases of sexual and domestic violence in the courts. Sadly, some of these cases resulted in murders due to the deadly force applied to the necks of the victims. Having watched some of these trials, I had the opportunity to hear expert witnesses such as Dr. Dean Hawley explain how little force it takes to cut off the breathing and blood flow of a strangulation victim. Having also attended trainings featuring experts such as Dr. Bill Smock about the dangers of non-fatal strangulation, I have heard about the frequency in which assailants will use this form of force or coercion to control their victims. Perpetrators who use strangulation tactics are 700% more likely to kill their partners.

For those who are "lucky" enough to survive these brutal attacks, victims of non-fatal strangulation can suffer from long-term brain damage. From working with these survivors, I have seen the lasting emotional trauma they endure that even the most intense counseling may not be sufficient to provide complete healing. In addition, strangulation can cause long-term physical problems including dizziness, headaches, difficulty in concentration, vision changes, behavioral changes, amnesia and more.

In recent weeks, our nation has been watching with broken hearts about the case of Gabby Petito who lost her life due to strangulation. Many victims of non-fatal strangulation may not report their assaults to law enforcement due to fear of retaliation or a clear understanding of how close they came to death. Unfortunately, this type of violence happens in every state with more frequency than most people know. Victim advocates in Ohio struggle to understand why our state is one of the last two states to pass legislation making strangulation a felony offense that would serve as a deterrent to perpetrators of this type of violence.

Aisha Fraser was a victim of repeated domestic violence at the hands of her ex-husband Lance Mason who held the respected position of Cuyahoga County Judge. Aisha, a beloved mother and teacher, took her last tortured breath on November 17, 2018 when she was strangled for the final time while dropping off her children, traumatizing them for life. House Bill 3, which should be named Aisha's Law, would demonstrate to those who are also at risk for losing their lives due to domestic violence that there are laws to protect them from this serious form of abuse and possibly death.

<https://www.news5cleveland.com/news/state/petito-case-sparks-resurgence-in-ohio-lawmakers-push-for-vote-on-aishas-law>

Strangulation statistics provided by local and state domestic violence organizations and the Strangulation Institute:

- 1 in 4 women will experience intimate partner violence in their lifetime. Of women at high risk, up to 68% will experience near-fatal strangulation by their partner.
- In 2020, 58% of Ohio's domestic violence programs noted an increase in the severity of violence and injuries reported, including an alarming increase in strangulation.
- 43% of women murdered in domestic assaults and 45% of victims of attempted murder had been strangled by their partner in the previous year.
- 38% of victims report losing consciousness.
- 35% who are strangled also experience sexual assault.
- 70% of strangled women believe they were going to die.
- Strangulation timeline
 - 7 seconds for unconsciousness to occur
 - 14 seconds for an anoxic seizure
 - 15 seconds for loss of bladder control
 - 30 seconds for loss of bowel control
 - 62-152 seconds for death

October is Domestic Violence Awareness Month. *Please act now to pass Aisha's Law!*

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