

Marsy's Law (House Bill 343) Legislation Testimony- Revisions to Ohio Revised Code.

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

My name is Brianna Schultz, and I am here today to talk about my journey throughout the criminal justice system and how it has shaped my viewpoint regarding Marsy's Law.

Thank you for your time and consideration in this matter.

If someone told me when I was a child that I would be here today sharing my story, I would have never believed them. I grew up in an amazing family, tight knit and free from all types of abuse. Yet, during my adolescent years, I found myself stuck in a four-year on-going abusive relationship at the age of 16. The abuse, like with most toxic relationships, started with manipulation, isolation, name calling, and breaking up every couple weeks. As a teenager, I lived for the quotes I saw on social media and I genuinely believed that if two people continued to come back to each other, that it was meant to be. That belief was the reason I held on for so long and the reason I almost lost my life at the hands of my abuser. The first time he ever put his hands on me was in my senior year of high school. We were arguing and he shoved me over a stack of weights he had in his bedroom. I ran out of the house crying, got into my car, and began driving home, when I got a call from his mother. She was apologizing for whatever happened between us and said that he was crying and shaken up and begged me to come back. So, I did. That was the first time I allowed his abusive behavior. By coming back, I implied to him that what he did to me was okay and that if we were together, I would care more about him than I did about myself.

That night was the start of a vicious cycle that continuously spiraled downhill. The constant arguing, pushing, hair pulling, getting in fights with my friends and family, and calling me names. I remember him dragging me through a thorn bush, spitting on me, breaking my windshield, and him driving like a maniac on the highway saying he was going to crash the car and kill us. When I got the courage to call the police and reach out for help, it turned into him threatening to kill me, kill my family, and kill himself. Throughout those years, I felt lost and confused. Every time I swore that I was done, he came back crying and saying how sorry he was. He knew my heart and he knew that I would trust him. He told me that I knew the real him and that he “just loses his temper sometimes”. He swore he would get counseling and work on himself, and this would never happen again. However, it always did, and it was always much worse than the time before.

I, like many victims in my situation, thought that things would get easier once I went to the police, but unfortunately that wasn't the case. For me, it got more confusing, more upsetting, and much more draining. I obtained a civil protection order back in 2016, which was granted for the maximum of 5 years. It seemed like a huge deal at the time, however to my ex-boyfriend, it was just a piece a paper that he continuously violated. It is very hard to imagine how much courage it takes to stand next to your abuser and speak the truth, until you go through it yourself. I remember counting down the days until the next court hearing, dreading the day so much that I was sick to my stomach, driving to court in silence with my parents, just for another continuance to be granted. In between those hearings, he attempted to guilt trip me into dropping the charges against him, telling me to imagine him sitting in jail

and how miserable he would be. He asked how I could do that to him, how I could make him miss a family holiday like that, when I knew how depressed he already was. So many thoughts and worries went through my mind daily, and I felt like I was always letting someone else down.

I remember walking into the courthouse and since there weren't separate waiting rooms in the courthouse, I had to walk right past him and in doing so, I felt an incredible sense of guilt for us both being there. While there was guilt, there was also fear about what would happen to me when he got out. Would he follow through with his words? I remember asking my advocate if it was possible to drop the charges against him, while I lied to her and told her things had been better. By the end of the hearing, I was crying in the back of the court room, because things had not gotten better. In fact, a week before the hearing was when he choked me up against my car and told me he would kill me right there. I will never forget what my advocate told me that day, she said "We don't call it choking in the court system, we call it strangulation, and if someone strangles you, the chances of them killing you are 75% higher." That was something that always replayed in my head and still does to this day. I use that line all the time while I am talking to victims on the phone, to help those who were just like me realize the seriousness of their situation.

While it had been a long road, I was very lucky, as I had two incredible advocates that I worked with through those years, and I also had amazing law enforcement officers who gave me hope for a better tomorrow. However, at the time, neither Marsy's Law nor this legislation were passed in Ohio and looking back now, things would have been so much different for me

if it had been. I would have known that I had a right to confer with the prosecutor and requested that right. I would have told the different prosecutors that there were multiple other jurisdictions where violations had occurred, as that could have potentially changed their minds on offering my abuser a plea deal. I would have understood the importance of being heard at the hearings and while no victim has a veto, they have a voice that can change a lot. I would have asked at the arraignment hearing for higher bond requirements to be put in place.

One of the most significant things I would have done differently is I would have given a Victim Impact Statement. I spent countless hours after hearings feeling like I never received closure, having so many things left unsaid, and never having a chance to explain what his actions did to me. I will be honest, and say that not having closure, was one of the reasons I would answer the phone when he called and sadly, why the cycle continued. I would have asked for the highest sentence to be imposed. While the judge did sentence him to the maximum jail time, I would have asked for mental health counseling, GPS monitoring, and batterer intervention programming. I would have asked for a separate waiting area so that I didn't have to see him before entering the court room. I would have also asked for restitution. While no amount of money could make up for those years of hell that he put me through, the satisfaction of knowing that he had to pay me back would have made a significant difference in my healing process.

Today, I serve as a Victims' Rights Advocate at Ohio Crime Victim Justice Center, and I work to uphold victims' rights throughout the criminal justice system. I educate victims on their rights under Marsy's Law and explain the opportunities that are out there for them

because of it. This law has paved the way for victims and has given them the opportunity to have rights for the traumatic experiences they have endured. This law ensures that no victim feels alone, silenced, or small. We cannot go back and change the outcomes for the survivors in the past, however, we can do better than we did before. There are a lot of revisions that this bill makes to the Ohio Revised Code regarding crime victims' rights and while they may seem small to some, those revisions can be life changing to someone who has gone through so much. Thank you for your time and consideration in this matter and thank you, for giving me the opportunity for my voice to be heard.