Elizabeth Russell Proponent Testimony HB 497 Senate Judiciary Committee 11.28.2018

When I found out I finally got to share my story in a way that would count, I started to think about the one point I wanted to express to you the most today. Was it going to be how horrible my poster was, was it going to be the way I was treated while filing a police report, was it how i lost my job, was it how I was now perceived by my family, friends and colleagues, was it that I had a six month period of paranoia, was it that I frequently thought about ending my own life...no, the point I want to drive home is that it did all of these things, and I was a lucky one. Some survivors have had it much worse.

My poster was my ex boyfriend, was an older, well respected and popular bartender in Cleveland., who had helped me make many connections in my career. I had given him the video he posted as a birthday gift for him, as I would be in Chicago and he would be elsewhere. I did it because he asked me to, I did it because I felt bad for being in mourning for the last month since I lost my mother. I did it because I thought I loved him.

He had been with me when my mother passed away suddenly in August 2017. By November of 2017 we were no longer together, ending our 8 month relationship.. After we split, I didn't hear a single word from him, and moved on with my life. I met someone new, and in January, I put that we were in a relationship on Facebook. My ex and I were still friends on Facebook, I didn't really feel the need to remove him, he wasn't bothering anything.

But not even 24 hours after my new relationship status I was on a porn site.

I had woken up last year on Sunday January 24 to some accusatory messages from him that I didn't even respond to, because it wasn't worth my time. When I didn't, he responded to tell me that he had posted that video, and had sent it to my boss, <u>colleagues</u>, family and friends, with a link making it downloadable on the porn site it was on. I immediately blocked him, thinking he was just trying to scare me. A few hours later, a link to the video and another threatening message was waiting for me in my email. I was shocked and afraid. I got in touch with a friend of a friend who was a lawyer to ask what I could do. I put a request in to have the video taken down, and it was...48 hours later, while the views kept climbing. I became paranoid, i checked the views incessantly. My new boyfriend didn't even know, I was so ashamed.

I went and filed a police report, and the next day went to the court to file a complaint with a prosecutor. I filed a restraining order, and by the end of the night, my ex was arrested at work. The charge was telecommunications harassment, which got him two days in jail, and a 5 month process of pre-trial after pre-trial, running in circles. All the while, beginning a new relationship, dealing with a nightmare roommate and having to move, go to therapy for PTSD which was new and raw, not only from having my naked body on the internet for everyone to see, but for the months of abuse after my mothers death, now i had to deal with all of that, being scared in my own home, unable to sleep or eat, because he knew where I lived, because a piece of paper might not stop him. It took me nearly 6 months to go out in public again. The thought of seeing someone who had seen my naked body without my consent had me completely mortified, and on top of it, my ex was still frequenting the places he know i loved to go to.

But I eventually prevailed. I went to the Cleveland Rape Crisis Center for counseling, and I eventually got better, however, my case took a hard turn. My ex had somehow gotten a video of me dancing with a friend that had been posted on snap chat. This was a consensually shared video, on a public platform, as

it was with a friend and we were having fun. He tried, and eventually succeeded in using that against me. He told the court that I had sent him the video, which was not true, per our Civil Protection Order, I had never contacted him. I even asked the court to subpoena my phone to prove I was telling the truth, the video didn't even exist on my phone. Instead of listening to me, I heard phrases like "well, if you posted that, then why isn't it okay to post the one he had" and "if you didn't send him the video, who did?" or my favorite "if you do something promiscuous like this often, why is it such a big deal that he posted you?"I couldn't believe what I was hearing from a female prosecutor. It was like asking me what consent is. The fact that only 3 people in the court room even knew what snap chat was surely didn't help my case. The people fighting for me had absolutely no idea how social media and technology works. The case ended in a no contact order for both of us, and all the charges were dropped.

I heard he still likes to show it do people at the bar many of us in the service industry frequent. When my case ended, I was upset that I didn't really get anywhere with it. He still walks around Cleveland like he won. I refuse to let that happen to anyone else, refuse to stop fighting for House Bill 497, not just for Ohio, for all the states, for the whole world, so that no one ever has to feel the way I did. From time to time I'll get a creepy message from someone who tracked me down from the video, it's not okay, it's not flattering and its embarrassing. I did something out of what i thought was love and would be private, I put my trust in someone I shouldn't have, and for that, my entire life has changed. Thank you for hearing my testimony and for your consideration of this Bill.