



State Representative Jeff LaRe
State Representative Cindy Abrams
Sponsor Testimony - House Bill 93
House Civil Justice Committee
February 16, 2021

Rep. Cindy Abrams

Chairman Hillyer, Vice-Chair Grendell, Ranking Member Galonski, and members of the House Civil Justice Committee, thank you for the opportunity to provide sponsor testimony on House Bill 93. This bill is a re-introduction of House Bill 429 from the last General Assembly, which received unanimous support from of the House Civil Justice Committee, House Chamber, and Senate Local Government, Public Safety, and Veterans Affairs Committee.

This legislation seeks to improve and expand the Safe at Home Address Confidentiality Program currently administered by the Ohio Secretary of State. Created by the 131st General Assembly, the program allows victims of domestic violence, human trafficking, rape, or sexual battery the opportunity to have their state and local records become confidential. This is accomplished by assigning program participants a substitute address to use, preventing their address from becoming a public record and ensuring they cannot be found by their former perpetrator.

In the first four years of the program, participants have identified improvements that would further enhance their safety and security. For example, some participants are seeking to buy a home, however they fear they may be found because of the public records laws involved in that process. Others involved in ongoing child custody cases and court proceedings have had difficulty shielding their address within the courts. House Bill 93 seeks to address this feedback to ensure the safety of these victims as they continue on in their everyday lives.

Ohioans need this legislation now more than ever. As a result of the pandemic and stay at home orders, Ohio saw a greater increase in cases of domestic violence in 2020 compared to in the past. According to the Ohio Domestic Violence Network, "some programs are experiencing nearly triple the number of victims needing services, and a total of 58% of programs noted an increase in the severity of violence and injuries reported, including an increase in strangulation."¹

¹ Jarvis, Jade, "Ohio domestic violence programs report increase in calls for service in 2020," *News 5 Cleveland*, last modified February 6, 2021

In my own district, one of our domestic violence crisis intervention hotlines saw a 53% increase in calls during the stay-at-home order from victims seeking help.²

I will allow my colleague and joint sponsor, Representative LaRe, to explain the changes House Bill 93 makes to the Safe at Home program to keep these victims safe.

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One of the primary concerns program participants expressed is in regards to purchasing a home. Current law could cause their address and personal information to become public record during this process. Right now, government entities cannot knowingly disclose a Safe at Home participant's confidential address or phone number. However, there is no established way of communicating who those participants are. This lack of communication could put participants in danger.

This legislation would authorize the Secretary of State's office to create a real property confidentiality notice for program participants who are interested in purchasing a home. The notice would be filed with the county recorder, and require that the participant's address and information remain confidential when communicating with the county auditor, county treasurer, county engineer, and the Secretary of State's office.

Government entities, upon receiving a real property confidentiality notice, will need to update their searchable databases to reflect changes. The participant's information would not be confidential for the staff members of government entities while performing the duties of their respective office. Nor is there any requirement to redact any original records. Rather, should someone request a program participant's information, like with all other public records requests, these government entities only have to redact confidential information on copies given to members of the public.

Furthermore, this legislation would allow the Secretary of State's office to disclose confidential information on behalf of the participant to entities such as the United States Postal Service, the BMV, a judge or magistrate, schools, public assistance, and food pantry administrators. This would only be done with the participant's permission, in order to confirm their enrollment in the Safe at Home program and verify their residency.

Lastly, this legislation would expand the program to apply to ongoing child custody cases, as participants are often involved in these court proceedings with their former abuser. The program participant's information will remain confidential on court documents, until another party in the proceeding, or the court of its own accord, requests the disclosure of the information. The requestor then has the burden of proof to show that the disclosure of the

<https://www.news5cleveland.com/news/continuing-coverage/coronavirus/ohio-domestic-violence-programs-report-increase-in-calls-for-service-in-2020>

² Terry DeMio, Anne Saker, and Comeron Knight, "Pandemic side effect: Domestic violence spikes, grows more deadly," *Cincinnati Enquirer*, last modified July 30, 2020,

<https://www.cincinnati.com/story/news/2020/07/30/covid-19-side-effect-domestic-violence-spikes-and-becomes-more-deadly/5543862002/>

confidential information is necessary for the proceeding and that it does not pose a risk to the safety of the program participant.

The Safe at Home Address Confidentiality Program is currently shielding hundreds of victims in Ohio from their perpetrators. House Bill 93 would make much needed improvements to the program to ensure they remain safe. Thank you again for the opportunity to provide testimony on House Bill 93. We are happy to answer any questions the Committee may have at this time.