



Ohio Prosecuting Attorneys Association

Louis Tobin
Executive Director
House Bill 3
Proponent Testimony
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Chairman LaRe, Vice-Chair Swearingen, Ranking Member Leland and members of the House Criminal Justice Committee, thank you for the opportunity to provide proponent testimony on House Bill 3, otherwise known as Aisha's Law. While we are supportive of the bill overall, my testimony today is focused on two aspects of the bill that are of particular importance to our Association: (1) the enactment of a felony strangulation law and (2) the expansion of aggravated murder.

Ohio is now one of only two states without a felony strangulation law. South Carolina is the only other. Because of this, prosecutors here are forced in strangulation cases to try to prosecute strangulation as a felonious assault – which is difficult to prove due to the nature of the harm caused by strangulation – or alternatively to prosecute it as any other misdemeanor domestic violence – something that we feel demeans the seriousness of the crime given the level of violence and danger that it entails.

Other states have recognized that strangulation, and stranglers, present a special set of dangers for victims and that those dangers warrant a different penalty than other domestic violence cases. A history of strangulation in a domestic relationship increases the victim's risk of being the victim of a homicide by 750%. This makes strangulation one of the best predictors of homicide for domestic violence victims. As Rep. Boyd noted in her sponsor testimony, not every person who has perpetrated strangulation has gone on to be a mass murderer but every mass shooter has a history of domestic violence and strangulation. Strangulation demonstrates a level of violence and is such a good predictor of future crime and violence that it warrants the higher penalties provided in House Bill 3.

Regarding the changes to aggravated murder, we like the addition of domestic violence circumstances to this statute because we believe that it rises to the same level of culpability as the other acts listed in the aggravated murder statute. We feel that this change also most directly addresses what happened to Aisha Fraser and will hopefully provide the greatest deterrent to future similar crimes.

Thank you for the opportunity to provide testimony and provide special thanks to Reps. Boyd and Carruthers who have put a lot of time and effort into crafting what we know feel is a very good bill. I encourage the committee to favorably report the bill and I would be happy to answer questions.