

**HOUSE CRIMINAL JUSTICE COMMITTEE**

**PROPONENT TESTIMONY FOR HOUSE BILL 161**

**SHIRLEY HELLENTHAL**

**JUNE 6, 2023**

**GOOD AFTERNOON; COMMITTEE CHAIR ABRAMS, VICE CHAIR WILLIAMS, RANKING MEMBER BROWN, AND ALL MEMBERS OF THE HOUSE OF CRIMINAL JUSTICE COMMITTEE:**

**I APPRECIATE THE OPPORTUNITY TO SPEAK BEFORE YOU IN HOPES OF CHANGING O.R.C. 2907.02 (RAPE). I AM REQUESTING THIS COMMITTEE IN SUPPORT OF THE ELIMINATION OF THE SPOUSAL RAPE EXCEPTION FROM THE OHIO REVISED CODE.**

**MY NAME IS SHIRLEY HELLENTHAL I AM AN ELDER SURVIVOR OF RAPE, SEXUAL ASSAULT, GROSS NEGLECT OF DUTY, EXTREME CRUELTY, AND FINANCIAL EXPLOITATION. I HAVE BEEN LEFT PHYSICALLY, EMOTIONALLY, AND FINANCIALLY, IMPAIRED BY MY HUSBAND. I HAD BEEN A DIVORCEE FOR 35 YEARS, I WAS TOTALLY SELF-SUFFICIENT AND FINANCIALLY STABLE LIVING A HAPPY, HEALTHY QUALITY OF LIFE, MATRIARCH OF MY FAMILY, PROVIDING SERVICE TO MY COMMUNITY, AND NOW I AM NEEDING HELP INSTEAD OF PROVIDING IT. I HAVE BEEN FORCED TO SELL REAL ESTATE, IN BEING REQUIRED TO SUPPORT HIM IN THE MARRIAGE AND PAY MY MEDICAL COSTS AND ATTORNEY FEES. NOW, LIVING IN AN IMPOVERISHED MANNER UNABLE TO AFFORD BASIC NECESSITIES TO MAINTAIN A SUSTAINABLE STANDARD OF LIVING. STILL IN NEED OF TREATMENT TO REGAIN THE FULL USE OF MY BODY. IN FEAR OF LOSING THE REST OF WHAT I OWN WITH NO CONSEQUENCES TO HIM. THIS IS A BRIEF OUTLINE OF WHY I FELT COMPELLED TO GIVE TESTIMONY IN SUPPORT OF HOUSE BILL 161. ON APRIL 28TH 2020, HE SAID, I LIED TO YOU, I NEVER LOVED YOU, I NEVER REALLY FOUND YOU ATTRACTIVE. I WANT A DIVORCE. I WAS DEVASTATED. I HAD GIVEN UP HALF OF MY INCOME AND MORE THAN THREE-FOURTHS OF MY PERSONAL BELONGINGS TO BE A WIFE. BY THE END OF MAY 2020 FROM THE EXTREME STRESS OF THE MARRIAGE, I WAS UNDER THE DOCTORS CARE FOR CHRONIC HYPERTENSION, SEVERE ANXIETY, AND DEPRESSION. I WAS GETTING UP AT 5 IN THE MORNING, CLEANING THE HOUSE, AND DOING LAUNDRY, WHILE HE SLEPT TILL 7:30. THEN, NOT GETTING TO BED BEFORE 11 PM. HE THEN WOULD DEMAND I HELP HIM RUN HIS BUSINESSES, PURCHASE GROCERIES, AND SUPPORT THE MARRIAGE. I WOULD BE AWAKENED AT 2 OR 3 IN THE MORNING TO FULFILL HIS PHYSICAL NEEDS AGAINST MY WILL. I WAS STRIPPED OF EVERYTHING, INCLUDING MY SELF-WORTH. BY SEPTEMBER 2020, I HAD A COMPLETE PHYSICAL AND EMOTIONAL BREAKDOWN WITH SEVERE TREMORS. I WEIGHED 98 POUNDS STANDING 4FT 9" I HAD LOST MY STRENGTH AND ABILITY TO BALANCE AND WAS USING A SEATED WALKER. MANY TIMES, I HAD FALLEN AND WAS YANKED UP BY THE ARM. I WAS NO MATCH FOR HIS 6 FOOT 206 LBS STATURE TOWERING OVER ME.**

**BY NOVEMBER 17, 2020 I WAS SERVED DIVORCE PAPERS ON GROUNDS OF EXTREME CRUELTY AND GROSS NEGLECT OF DUTY. ATTACHED WAS A RECIPROCAL RESTRAINING ORDER PREVENTING ME FROM CHANGING ANY OF MY FINANCES TO OBTAIN A SUITABLE STANDARD OF LIVING. AS I BURST INTO TEARS, I ROLLED MYSELF TO MY ROOM, 20 MINUTES LATER HE COMES IN AND STRIPPED OFF HIS CLOTHES. WHILE STATING I CAN'T HELP BUT THINK I NEED TO COMFORT YOU... I KNEW WHAT WAS ABOUT TO HAPPEN, I SCREAMED FOR HIM TO GET OUT, BUT MY WORDS WERE NOTHING TO HIM. HE PROCEEDED TO GET INTO BED AND RAPE ME. I WAS UNABLE TO FIGHT BACK AS I WAS PHYSICALLY AND MENTALLY**

COMPROMISED BY THE EXTREME STRESS I WAS FACING IN THE MARRIAGE AND BY WHAT WAS DOCUMENTED BY MY DOCTOR. I TOLD HIM MULTIPLE TIMES TO STOP BUT BY THE END OF THE RAPE, I WAS NUMB AS IF MY SPIRIT HAD LEFT MY BODY, EMPTY OF ALL EMOTION. HE STATED," JUST SO YOU KNOW...THIS DOESN'T MEAN, OR CHANGE ANYTHING." AS IF WHAT HE DID TO ME, HE KNEW HE WOULD NEVER HAVE TO SUFFER A CONSEQUENCE FOR, DUE TO THIS LOOPHOLE. I THOUGHT THIS WOULD BE THE LAST TIME THAT HE REMOVED MY AUTONOMY FROM ME, I WAS WRONG THE LAST TIME WAS ON SEPTEMBER 19<sup>TH</sup> 2021. ON SEPTEMBER 23<sup>RD</sup> I CALLED MY DOCTOR AND STATED, "I'M AFRAID HE IS GOING TO KILL ME, HE ISN'T FEEDING ME.". I WAS REMOVED INTO SAFE HOUSING. I NOW NEED 3 SURGERIES TO REPAIR THE DAMAGE THAT HAS BEEN DONE AND MONTHS MORE THERAPY IN REGAINING THE FULL USE OF MY BODY. I TOOK MY STORY TO MY COUNTY PROSECUTOR WHERE I WAS MET WITH BEING UNABLE TO RECEIVE JUSTICE DUE TO THIS LOOPHOLE. IF THERE WASN'T THIS LOOPHOLE, MY SOON TO BE EX- HUSBAND WOULD BE HELD ACCOUNTABLE FOR THE DAMAGE HE CAUSED ME AND MY FAMILY. I THANK GOD EVERY DAY, THAT I AM STILL ALIVE, SOON TO CELEBRATE MY 74<sup>TH</sup> BIRTHDAY. I'M LOOKING FORWARD TO THE BIRTH OF MY FIRST GREAT GRANDDAUGHTER WHOM I MAY HAVE NEVER MET.

THROUGH HOURS OF RESEARCH FOR ASSISTANCE AND A MEANS TO OBTAIN JUSTICE FOR MYSELF. I HAVE DISCOVERED DISTURBING FACTS ABOUT OUR LAWS... O.R.C.2907.02 RAPE. "NO PERSON SHALL HAVE SEXUAL CONTACT WITH ANOTHER PERSON UNLESS SPOUSE ..." SO YOU ARE SAYING IT IS OKAY FOR A HUSBAND TO RAPE HIS WIFE IN OHIO? THIS IS NOT THE STATE I WANT MY DAUGHTERS OR GRANDDAUGHTERS TO GROW IN OR FEEL SAFE IN. OTHER STATISTICS SHOW 1 IN 9 OF OUR COUNTRY'S ELDERLY ARE ABUSED BY A FAMILY MEMBER, A LARGE MAJORITY DON'T SURVIVE. DUE TO THIS MAN'S RAPE AND SEXUAL ASSAULTS, I AM NO LONGER THE PERSON MY FAMILY CAN COUNT ON DAILY. I RESPECTFULLY REQUEST YOUR CONSIDERATION TO PASS HOUSE BILL 161 ALLOWING JUSTICE TO FULLY BE SERVED IN ALL CASES OF RAPE, SO NO OTHER OHIO FAMILY SUFFERS ANY DAMAGE FROM HOW THIS LAW STANDS. RAPE IS RAPE, REGARDLESS. I SINCERELY THANK YOU FOR YOUR TIME AND CONSIDERATION OF PASSING THIS LEGISLATION. I WELCOME YOUR CONTACT AND WILL BE HAPPY TO ANSWER ANY QUESTIONS. AGAIN, I THANK YOU!

SINCERELY,

  
SHIRLEY HELLENTHAL

SURVIVOR!!!!!!!!!!!!!!