

Proponent Testimony for HB 161: Spousal Exception
Ohio House Criminal Justice Committee
Sondra Miller, *President & CEO*
Cleveland Rape Crisis Center
June 6, 2023

Chair Abrams, Vice Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee, thank you for considering testimony on House Bill 161, concerning the spousal exceptions for certain sex offenses. On behalf of the clients, staff and Board of Cleveland Rape Crisis Center, I appreciate the opportunity to voice our strong support.

My name is Sondra Miller, President and CEO of Cleveland Rape Crisis Center. One of the largest rape crisis centers in the country, our mission is to support all survivors of rape and sexual abuse, promote healing and prevention, and advocate for social change. Our vision is the elimination of sexual violence.

We provide direct services to more than 10,000 survivors of rape, sexual abuse and human trafficking in Cuyahoga, Lake, Geauga, and Ashtabula counties each year, and reach an additional 50,000 people via education, outreach and prevention programming.

Cleveland Rape Crisis Center has long been a leader in creating a climate in the state of Ohio that is supportive of the needs of survivors and service providers.

I firmly believe HB 161 will help us do just that.

Currently, Ohio maintains a Spousal Rape Exemption for a variety of sex crimes. While the use of force or threat of force is succinctly forbidden, a perpetrator of rape who weaponizes the use of drugs, alcohol or controlled substances to impair the victim and/or the victim's ability to resist is exempt from culpability if they are married to their victim.

Equally as heinous, the current law negates spousal access to basic protections afforded by our judicial systems. Specifically, offenses perpetrated by a spouse do not qualify as sexual oriented and are precluded from qualifying for a sexually oriented offense protection order.

Perpetrators leverage this dynamic, which often increases the severity, frequency, and duration of the abuse. Statistics demonstrate an estimated 33% of all rapes are committed by a current or former partner.

We must eliminate this outdated and dangerous exception in Ohio, now. A person can be a victim of a sex crime regardless of their legal marital status to the perpetrator.

Ohio needs to validate that all rape is a sexually oriented offense.

I implore you and your colleagues in the 135th General Assembly to pass House Bill 161.

By doing so, you will help create a climate in Ohio that is supportive of survivors, and holds offenders accountable.

I appreciate you taking time to receive testimony on this important bill and am happy to answer any questions by email at sondram@clevelandrcc.org.

Sincerely,

A handwritten signature in blue ink that reads "Sondra Miller". The signature is fluid and cursive, with the first name "Sondra" and last name "Miller" clearly legible.

Sondra Miller
President & CEO