



**Ohio Senate Judiciary Committee
Testimony for House Bill 161
Rebecca Peckinpaugh, Day One Director
Crime Victim Services
April 17, 2024**

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson and members of the Senate Judiciary Committee:

Today, April 17, 2024, I stand before you to ask that you support House Bill 161 and eliminate the Spousal Rape Exception from the Ohio Revised Code. My name is Rebecca Peckinpaugh, a licensed social worker and Day One Director for Crime Victim Services of Allen and Putnam Counties. I also serve as the Northwest Ohio Regional Director through the Ohio Alliance to End Sexual Violence. Working in the advocacy field, addressing sexual violence isn't just a job. It's a helping hand, a voice to the voiceless, and a way to connect with our essential humanness. To bear witness to someone's story of trauma is an honor. In providing advocacy, a large part of the process is in offering choices to survivors and letting them have self-determination in their healing journey. There can be many obstacles in the path of justice for survivors of sexual violence but to not even have the option of justice is negligent and retraumatizing for Ohio survivors.

Marital rape has been researched in the United States since the 1980s. Numbers are always a little bit skewed because we know the problems are likely to be larger than what is reported. We could spend time discussing why that is, but I'm going to concentrate on the numbers we do know. Through the National Intimate Partner and Sexual Violence Survey, we know that 1 in 5 women and 1 in 13 men reported contact sexual violence (rape, made to penetrate, sexual coercion, and unwanted sexual contact) by an intimate partner. Through a recent analysis by Raquel Kennedy Bergen, on an array of marital rape research specific to female survivors, much of the research performed has found that most women felt they had to give into sex because of their marriage status. Bergen also states that there was research to show most women who were raped by partners were raped 20 or more times. I can specifically think of one case our office served in the past year where sexual violence occurred first and nothing was done due to the law. Had House Bill 161 been in place, there would have been early help. However, continued and worsening domestic violence took place before this family received any assistance through the criminal justice system.

How much longer will we allow women, and all spouses, to carry this load alone? For far too long, "family" problems have been seen as individual issues. Violence is everyone's issue, no matter what context it hides under. The longer we allow the current law to exist as it stands, we continue to say to survivors "you don't matter and your situation isn't our problem". Marriage is a license to spend a lifetime with someone you love and who loves you back. It should not be

allowed to exist as a license for power and control over another person. I invite this committee to shine a light where there has been darkness and support House Bill 161 to eliminate the Spousal Rape Exception to continue Ohio's path into ending sexual violence for all. Thank you for your time and allowing this opportunity to testify in support of this legislation.

I have my contact information available should there be any questions.

Sources:

Bergen, R. K. (2023). The Intersection of Sexual and Physical Violence: Understanding Women's Experiences of Sexual Violence by Their Male Intimate Partners. *Family & Intimate Partner Violence Quarterly*, 16(1), 35–47.

Leemis R.W., Friar N., Khatiwada S., Chen M.S., Kresnow M., Smith S.G., Caslin, S., & Basile, K.C. (2022). The National Intimate Partner and Sexual Violence Survey: 2016/2017 Report on Intimate Partner Violence. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.