

To Members of the Ohio Constitutional Modernization Commission

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As you deliberate regarding the recommendations for changes to the Ohio Constitution, I respectfully request that you consider the viewpoint of advocates within the domestic violence community.

On behalf of ACTION OHIO Coalition For Battered Women, I urge you to oppose the disclosure of grand jury transcripts to the defendant. Every day in this country three women are killed as the result of domestic violence. Every day they “walk on eggshells” to maintain their safety and the safety of their children while living with the abuser. When they leave, if they are able, they face even greater danger, as do their children, because the abuser’s need to control their every waking minute is an obsession that does not end when they leave.

It takes a huge amount of strength and courage for a domestic violence victim to testify in court and admit publicly information about the life that she has been living – the insults and physical assaults she has endured and the life-threatening incidents. Giving the defendant access to her testimony would be like loading his gun and signing the victim’s death certificate. It could also mean many other fatalities, as exemplified by the Kirkersville triple murder. No one who is involved in any way with the victim would be safe from becoming part of collateral damage.

I would also note that domestic violence abusers frequently are involved in a variety of criminal behaviors in the community. Consequently the testimony of domestic violence victims could be included in grand jury transcripts wherein domestic violence is not the focus of the proceedings. But the domestic violence victim may have knowledge of other criminal activity and provide important facts about a case. If transcripts are to be disclosed to defendants, domestic violence victims who could provide valuable information about an abuser’s criminal activity would never testify.

Thank you for your consideration of our viewpoint.