



## Call to Action – Statute of Limitations for Rape

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### II.    **What is the Statute of Limitations for Rape in Ohio?**

Criminal System: 25 years, with the following exceptions:

- If 25 years has lapsed, but a DNA record in a § 2907.02 investigation is found to match another DNA record, the prosecution may bring the criminal action within five years; or
- If 25 years has not lapsed, and a DNA record in a § 2907.02 investigation is found to match another DNA record, the prosecution may bring the criminal action within 25 years of the rape or 5 five years of the match, whichever is later.

Civil Damages: Adults raped as adults may file a lawsuit for up to one year following the rape. Persons raped as children may file a lawsuit for up to 12 years after they reach the age of majority.

### III.   **What are other States Statutes of Limitations?**

These tables only consider the longest statute of limitations for felony sex crimes in each state's respective statutory code for a crime against an **adult victim that is not impacted by a disability**. For example, Alaska

has no statute of limitations for Sexual Assault, First Degree or Sexual Assault, Second Degree, but does have a 10-year limit on certain cases of Sexual Assault, Third Degree.

States with no criminal statute of limitations:

Alabama
Alaska
Arizona
California
Delaware
Idaho
Indiana
Kansas
Kentucky
Louisiana
Maryland
Michigan
Mississippi
Missouri
Nebraska
New Jersey
New Mexico
New York
North Carolina
Rhode Island
South Carolina
South Dakota
Utah
Vermont
Virginia
West Virginia
Wisconsin
Wyoming
Total: 28

States with Criminal Statutes of Limitations – By Length

Arkansas	6 years
Connecticut	5 years
Arkansas	6 years
Hawaii	6 years
New Hampshire	6 years
North Dakota	7 years
Florida	8 years
Maine	8 years
Minnesota	9 years
Illinois	10 years
Iowa	10 years
Montana	10 years
Texas	10 years

Washington	10 years
Oklahoma	12 years
Oregon	12 years
Pennsylvania	12 years
D.C.	15 years
Georgia	15 years
Massachusetts	15 years
Tennessee	15 years
Colorado	20 years
Nevada	20 years
<b>Ohio</b>	<b>25 years</b>

#### **IV. Current Legislation**

- Senate Bill 162 (Senators Antonio and O'Brien) and its companion, House Bill 279 (Representatives Boggs and Galonski) would:
  - Remove the spousal exemptions from § 2907.02 Rape, § 2907.03 Sexual Battery, § 2907.04 Unlawful Sexual Conduct with a Minor, § 2907.05 Gross Sexual Imposition, § 2907.06 Sexual Imposition, and § 2907.07 Importuning.
  - Remove the statute of limitations for criminal prosecutions of ORC § 2907.02 Rape and certain related civil actions.

#### **V. The Ask – In Order of Urgency**

- (1) Ask Senator Eklund and the Senate Judiciary Committee to give Senate Bill 162 another hearing
- (2) Ask your Senator to support Senate Bill 162
- (3) Ask Representative Lang and the House Criminal Justice Committee to give HB 279 another hearing
- (4) Ask your Representative to support House Bill 279

#### **VI. Potential Impact of Additional Community Partners**

Engaging with community partners will assist lawmakers in understanding the broad range of support for removing the statute of limitations for rape. In particular, recognition from medical professionals, mental health professionals, schools, prosecutors, and law enforcement will be highly persuasive to lawmakers.

#### **VII. Engaging Community Partners**

When determining which parties to engage, think critically about who you believe will support the legislation sufficient to express their opinion to the legislature. The best way to engage support is to first meet with individuals with whom you have a positive working relationship. Meet with a small group in your team to identify possible partners, and think about local officials with whom you may be comfortable discussing Ohio's statute of limitations for rape.

Example List:

- Law Enforcement
  - Municipal
    - Know Well:
    - Are Comfortable Approaching
  - County
    - Know Well:
    - Are Comfortable Approaching
- School District
  - Middle School
    - Prevention Partnerships:
    - Other Affiliations:
  - High School
    - Prevention Partnerships:
    - Other Affiliations:
- Medical Professionals
  - SANE Nurses
    - Are they affiliated with professional association?
  - Hospital Association Leadership
- Local Government
  - City Counsel
  - Mayor
  - City Manager

As time is at a premium, we recommend focusing on community partners with whom you feel comfortable communicating this issue.

**a. Select Action Steps, Prepare for Conversations**

Engaging in this process should be done in a manner that reflects your schedule and time constraints. Conversations can easily take place with community members you know over coffee or a meal, while other actions may require more formality. Once you have determined who you will request meetings with, we advise reviewing this packet and talking points, focusing on ways in which the funding supports important services and progress in the individual's professional area, for example:

Meeting	Example Script for Meeting Request (will vary by relationship to party)	Example Meeting Focus Areas	Tools to Bring
City Government Official	“My name is ___, I am calling to request a meeting with ____ (Mayor/City Manager/Council Member) or a member of their staff to discuss Ohio’s Statute of Limitations for Rape (Senate Bill 162 and House Bill 279). As you know, most survivors are raped by someone they know	Community Safety  Data on survivor/perpetrator relationships	Data in your community about rape prosecutions  Literature and data on the impact of trauma on the brain and retaliation after reporting

	<p>and have numerous reasons for waiting to report. Thus, the DNA extension enacted in 2015 does not apply to most rapes. We would like to talk about ways in which our city government can express support to our state representative and senator. Our meeting will focus directly on the bill's specific requirements and our experience working on this issue.</p>	<p>Role survivor autonomy and safety plays in the decision to report</p>	
Law Enforcement	<p>“My name is ___, I am calling to request a meeting with ____ (Specific Officer) to talk about _____ (Program Name) and Ohio’s Statute of Limitations for Rape (Senate Bill 162 and House Bill 279). As you know, most survivors are raped by someone they know and have numerous reasons for waiting to report. Thus, the DNA extension enacted in 2015 does not apply to most rapes. We would like to talk about ways in which our city government can express support to our state representative and senator. Our meeting will focus directly on the bill's specific requirements and our experience working on this issue.</p>	<p>Community Safety</p> <p>Reporting Rates</p> <p>Specific Experiences Shared with Law Enforcement</p> <p>Shared Goals with Law Enforcement</p> <p>Increased difficulty for law enforcement investigations and prosecutions created by delayed reports and/or working with a survivor who is not yet ready to participate in the prosecution or does not feel safe doing so</p>	<p>Data in your community about rape prosecutions</p> <p>Literature and data on the impact of trauma on the brain and retaliation after reporting.</p>
Nurses/Medical Professionals	<p>“My name is ___, I am calling to request a meeting with ____ (Specific Professional or Legislative Liaison) Ohio’s Statute of Limitations for Rape (Senate Bill 162 and House Bill 279). As you know, most survivors are raped by someone they know and have numerous reasons for waiting to report. Thus, the DNA extension enacted in 2015 does not apply to most rapes. We would like to talk about ways in which our city government can express support to our state representative and senator. Our meeting will focus directly on the bill's specific requirements and our experience working on this issue.</p>	<p>Shared experiences working with survivors who are not yet ready to report</p> <p>Shared goals in increasing survivor access to justice</p> <p>The long-term health impacts of sexual violence</p>	<p>Data in your community about rape prosecutions</p> <p>Literature and data on the impact of trauma on the brain and retaliation after reporting</p> <p>Information on medical consequences for survivors later in life</p>

### **b. Provide Support Opportunities**

The most important strategy a program can employ is making support easy for participants. For that reason, we are providing the following methods of support:

Letter Option	Should the party you are meeting with agree to provide support, provide the letter attached to the email containing this document as Appendix A. It is most useful if you fill in as much information as possible for them (their name and address), and the name/email address of the lawmaker to be receiving the information. We advise assessing their support and emailing the template letter only after they have committed to supporting in that manner.
Call Option	If the party you are meeting with is more comfortable calling your law makers to express support, please email them the script in Appendix B after your meeting, along with the name and telephone numbers of the lawmakers they will be calling.

### **VIII. Timeline**

The 133<sup>rd</sup> General Assembly will formally end on December 31, 2020. Thus, if the bill does not pass both the Senate and the House of Representatives before that date, it will have to be reintroduced – which may require securing new sponsors. Thus, support efforts should take place in earnest starting as soon as possible, ideally in mid-March 2020. Initial outreach should be directed to the Senate Judiciary Committee and House Criminal Justice Committee, the contact information for which can be found in Appendix D, and then to a program’s individual members.

### **IX. Storytelling**

Where quantitative data can help justify legislative change, personal narratives create a compelling reason for lawmakers to act. In the case of victim advocates, it is important to (1) select a narrative that aligns with the purpose of the bill (for example, a narrative about a survivor who was not ready to report until after the statute of limitations had lapsed); (2) obtain the survivor’s consent for sharing information; (3) maintain survivor privacy; and (4) avoid naming or providing any sort of identifying information<sup>1</sup> about the perpetrator. It is also appropriate to demonstrate trends by weaving together multiple narratives, as long as all survivors give consent to having the story shared.

OAESV is happy to provide technical assistance in making sure all narratives remain confidential and respect survivor privacy and autonomy.

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<sup>1</sup> Inadvertent identification, even if names are not used, can result in retaliatory litigation or other actions against the survivor, advocate, or rape crisis program.

## **X. Letters to the Editor**

Should a member of your staff be interested in writing a letter to the editor of your local newspaper to increase awareness and local support, please contact OAESV for guidance and support in messaging and connecting with impactful publications.

## Appendix A Template Letters of Support

[Agency Letterhead Here, If Applicable]

Return Address Here

Date

Representative \_\_\_\_\_

77 S High Street  
Columbus, Ohio 43215

EMAIL ADDRESS FOR RECIPIENT

Re: Support House Bill 279

Representative \_\_\_\_\_:

My name is \_\_\_\_\_, and I live in your district. I am writing to support House Bill 279, which seeks to eliminate Ohio's statute of limitations for rape. Ohio survivors deserve the autonomy to decide when they are ready to report. This extension will allow survivors to access justice no matter when they feel safe enough to report and the tools and support to engage in an investigation and prosecution.

Sincerely,

[Sender Name]

[Agency Letterhead Here, If Applicable]

Return Address Here

Date

Senator \_\_\_\_\_

1 Capitol Square

Columbus, Ohio 43215

EMAIL ADDRESS FOR RECIPIENT

Re: Support Senate Bill 162

Senator \_\_\_\_\_:

My name is \_\_\_\_\_, and I live in your district. I am writing to support House Bill 279, which seeks to eliminate Ohio's statute of limitations for rape. Ohio survivors deserve the autonomy to decide when they are ready to report. This extension will allow survivors to access justice no matter when they feel safe enough to report and the tools and support to engage in an investigation and prosecution.

Sincerely,

[Sender Name]

## **Appendix B Call Scripts**

HOUSE MEMBER:

“Hello,

My name is \_\_\_\_\_ and I am a constituent in your district. I wholeheartedly support House Bill 279, which aligns with Governor DeWine’s agenda and removes the statute of limitations for rape. Please support this bill for the survivors in our community.”

SENATE MEMBER:

“Hello,

My name is \_\_\_\_\_ and I am a constituent in your district. I wholeheartedly support House Bill 279, which aligns with Governor DeWine’s agenda and removes the statute of limitations for rape. Please support this bill for the survivors in our community.”

## **Appendix C Finding Your Lawmaker**

The Ohio Legislature provides an online tool for finding your Senator and Representative. To access this tool, please visit <https://www.legislature.ohio.gov/legislators/district-maps>. Once there, scroll past the House and Senate District Maps, and enter your information in either the “Search by Address” or “Search by Zip Code” boxes.

## Appendix D Contact Information for Senate Judiciary Committee & House Criminal Justice Committee

Before the entire Senate and House of Representatives can consider this issue, its respective bills must pass through these committees. The members below have the discretion to support the bill or vote to block from further consideration.

Senate Judiciary Committee:

- **Chair: Senator John Eklund, 614-644-7718, eklund@ohiosenate.gov**
- Vice Chair: Senator Nathan Manning, 614-644-7613, manning@ohiosenate.gov
- Ranking Member: Cecil Thomas, 614-466-5980, thomas@ohiosenate.gov
- Members:
  - Senator William P. Coley, II, 614-466-8072, coley@ohiosenate.gov
  - Senator Teresa Fedor, 614-466-5204, fedor@ohiosenate.gov
  - Senator Theresa Gavarone, 614-466-8060, gavarone@ohiosenate.gov
  - Senator Matt Huffman, 614-466-7584, mhuffman@ohio.senate.gov
  - Senator Peggy Lehner, 614-466-4538, lehner@ohiosenate.gov
  - Senator Sean O'Brien, 614-466-8150, obrien@ohiosenate.gov

House Criminal Justice Committee:

- Chair: Representative George Lang, (614) 466-8550, Rep52@ohiohouse.gov
- Vice Chair: Representative Phil Plummer, (614) 644-8051, Rep40@ohiohouse.gov
- Ranking Member: Representative David Leland, (614) 466-2473, Rep22@ohiohouse.gov
- Members:
  - Representative Jim Butler, (614) 644-6008, Rep41@ohiohouse.gov
  - Representative Jeffrey A. Crossman, (614) 466-8435, Rep15@ohiohouse.gov
  - Representative Robert Cupp, (614) 466-9624, Rep04@ohiohouse.gov
  - Representative Tavia Galonski, (614) 644-6037, Rep35@ohiohouse.gov
  - Representative Diane V. Grendell, (614) 644-5088, Rep76@ohiohouse.gov
  - Representative Don Manning, (614) 466-6107, Rep59@ohiohouse.gov
  - Representative John M. Rogers, (614) 466-7251, Rep60@ohiohouse.gov
  - Representative Bill Seitz, (614) 466-8258, Rep30@ohiohouse.gov
  - Representative J. Todd Smith, (614) 466-2960, Rep43@ohiohouse.gov
  - Representative Thomas West, (614) 644-8030, Rep49@ohiohouse.gov

## Appendix E Contact Information for House and Senate Leadership

### Senate

- President: Senator Larry Obhof
  - [obhof@ohiosenate.gov](mailto:obhof@ohiosenate.gov)
  - 614-466-7505
  - 1 Capitol Square, 2<sup>nd</sup> Floor, Columbus, Ohio 43215
- President Pro Tempore: Senator Bob Peterson
  - [peterson@ohiosenate.gov](mailto:peterson@ohiosenate.gov)
  - 614-466-8156
  - 1 Capitol Square, 1<sup>st</sup> Floor, Columbus, Ohio 43215
- Majority Floor Leader: Senator Matt Huffman
  - [mhuffman@ohiosenate.gov](mailto:mhuffman@ohiosenate.gov)
  - 614-466-7584
  - 1 Capitol Square, 2<sup>nd</sup> Floor, Columbus, Ohio 43215
- Majority Whip: Senator Jay Hottinger
  - [hottinger@ohiosenate.gov](mailto:hottinger@ohiosenate.gov)
  - 614-466-5838
  - 1 Capitol Square, 1<sup>st</sup> Floor, Columbus, Ohio 43215
- Minority Leader: Senator Kenny Yuko
  - [yuko@ohiosenate.gov](mailto:yuko@ohiosenate.gov)
  - 614-466
  - 1 Capitol Square, 3<sup>rd</sup> Floor, Columbus, Ohio 43215
- Assistant Minority Leader: Senator Cecil Thomas
  - [thomas@ohiosenate.gov](mailto:thomas@ohiosenate.gov)
  - 614-466-5980
  - 1 Capitol Square, 2<sup>nd</sup> Floor, Columbus, Ohio 43215
- Minority Whip: Senator Sean J. O'Brien
  - [obrien@ohiosenate.gov](mailto:obrien@ohiosenate.gov)
  - 614-466-7182
  - 1 Capitol Square, 2<sup>nd</sup> Floor, Columbus, Ohio 43215
- Assistant Minority Whip: Senator Sandra R. Williams
  - [williams@ohiosenate.gov](mailto:williams@ohiosenate.gov)
  - 614-466-4857
  - 1 Capitol Square, Ground Floor, Columbus, Ohio 43215

### House

- Speaker of the House: Representative Larry Householder
  - [Rep72@ohiohouse.gov](mailto:Rep72@ohiohouse.gov)
  - 614-466-2500
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Speaker Pro Tempore: Representative Jim Butler
  - [Rep41@ohiohouse.gov](mailto:Rep41@ohiohouse.gov)

- 614-466-6008
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Majority Floor Leader: Representative Bill Seitz
  - [Rep30@ohiohouse.gov](mailto:Rep30@ohiohouse.gov)
  - 614-466-8258
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Assistant Majority Floor Leader: Representative Anthony DeVitis
  - [Rep36@ohiohouse.gov](mailto:Rep36@ohiohouse.gov)
  - 614-466-1790
  - 77 S High Street, 11<sup>th</sup> Floor, Columbus, Ohio 43215
- Majority Whip: Representative Jay Edwards
  - [Rep94@ohiohouse.gov](mailto:Rep94@ohiohouse.gov)
  - 614-466-2158
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Assistant Majority Whip: Representative Laura Lanese
  - [Rep23@ohiohouse.gov](mailto:Rep23@ohiohouse.gov)
  - 614-466-9690
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Minority Leader: Representative Emilia Strong Sykes
  - [Rep34@ohiohouse.gov](mailto:Rep34@ohiohouse.gov)
  - 614-466-3100
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Assistant Minority Leader: Representative Kristin Boggs
  - [Rep18@ohiohouse.gov](mailto:Rep18@ohiohouse.gov)
  - 614-466-1896
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Minority Whip: Representative Paula Hicks Hudson
  - [Rep44@ohiohouse.gov](mailto:Rep44@ohiohouse.gov)
  - 614-466-1401
  - 77 S High Street, 14<sup>th</sup> Floor, Columbus, Ohio 43215
- Assistant Minority Whip: Representative Richard D. Brown
  - [Rep20@ohiohouse.gov](mailto:Rep20@ohiohouse.gov)
  - 614-644-6002
  - 77 S High Street, 10<sup>th</sup> Floor, Columbus, Ohio 43215