



Call to Action Guide for 134th General Assembly *Legislative Priorities Pending Re-Introduction*

Eliminating the Statute of Limitations in Ohio

What is the Statute of Limitations?

After the commission of a crime, there is a timeframe in which the state may bring charges against a perpetrator. Criminal statutes of limitations will vary by state and by the specific type of crime.

Under Current Law:

- The **Statute of Limitations** for § 2907.02 Rape is 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.

Issue's Legislative History:

- 133rd GA: Introduced as SB 162 by Senators Antonio and O'Brien on June 10, 2019
- Not yet reintroduced in the 134th GA

Why This Issue is Important:

- **The impact of rape doesn't go away after 25 years.** Survivors deserve justice and healing, no matter how long it takes.
- **Most survivors don't report, and there's a reason for that.** Survivors must be provided with the time they need and deserve to gather the strength, courage, and support needed to report the crime and to participate fully in the criminal justice process. Additionally, any survivors cannot fully remember or articulate all the details of the crime for quite some time, due to the neurobiological impact of the trauma of rape; they may also face scrutiny or pressure that prevents them from coming forward for a time.
- **Most rapists are repeat offenders.** Eliminating the SOL will increase the chance of catching and prosecuting to the fullest extent possible criminals who have committed multiple crimes, thus promoting justice for numerous victims and making our communities safer in the process.
- **The rape kit backlog in Ohio has delayed cases from moving forward for years.** Survivors of past rapes should not have to hear that the clock has run out on prosecuting their rapists. By eliminating the statute of limitations, we can ensure that future survivors won't face this same outcome.

It is important to note that no one is suggesting that the standard for conviction should change. If a rape cannot be proven beyond a reasonable doubt – whether it's six months or twenty years after the fact – then there would not be a conviction. Just as in murder cases, evidence in rape cases can be discovered or become available over time. **Survivors of rape also deserve justice, no matter how long it takes.**

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