

January 28, 2024

Dear Delegates,

My daughter is the light in the darkness for me. This can be both a metaphor for her and a literal phrase to describe our situation. She was born at sunrise after the winter solstice. She is everything that is good in this world. The darkness refers to her conception by rape and the nightmare that we have experienced since her birth. I am writing this story in the hopes that you will vote “yes” to the bill in front of you today. This will give us a chance to live our life in peace and safety—to let us see the light again.

I was raised in a good household, married parents, I graduated from college, had an amazing sales career, and my life ahead of me. My life turned down a very difficult path when I was living alone out of state with no family or close friends, and someone I considered only a friend came to keep me company on a holiday weekend. He raped me that weekend. I spent the rest of the weekend in a daze, unsure what to do, and definitely in shock.

When I confronted him about the rape two days later, he was apologetic at first—but then he threatened me. He told me that I better not tell anyone else, and that if I had gotten pregnant by him, he would take my child away at least half the time. I later learned that this is considered “coercive control” and is a tactic of abusers. I was hysterical at first, as it felt like a second betrayal. When he found out I really was pregnant, he wouldn’t leave me alone. He would barge into my apartment with guns and handcuffs. I felt so afraid and didn’t know how to make him leave. Pretty soon I moved back to Virginia to live with my parents because I no longer felt safe alone in a faraway state with him nearby.

Even after moving hundreds of miles away back to Virginia, I couldn’t get away from him. We both knew he was the biological father of my child, and that gave him the right to be in her life when she was born. Desperate to get rid of him, I told him I would never want any child support. He told me that if I would provide him with a notarized letter saying I would never press any criminal or civil charges against him, he would terminate any rights to the child in the future. I agreed and told him I would not contact the police. At the time, I didn’t realize he was lying, and that it was not possible for him—or me—to terminate his parental rights in Virginia.

Unfortunately, the trauma of the rape was only the beginning. I have spent the last two years going through something even more traumatizing. A month after my daughter was born, I was served with a lawsuit for a paternity test and joint custody/visitation from my rapist. Every day since then, I have felt totally helpless but am still doing my best I can to protect my daughter.

I reported the rape to police in the state where the rape occurred and where he was living. This was incredibly stressful on top of being a new single mother. I had to go through an investigation over the phone and email, as well as paternity testing and constant phone calls with my attorney. I cooperated as best as I could and turned over all the evidence I had, but he was never even charged with a crime. The investigation is inactive but still open.

At our custody/visitation hearing in Virginia, the judge followed the law. The judge could not keep my daughter from going to her biological father, as he had never been convicted or even charged for the rape that led to her conception. My lawyer shared how he had a history of domestic violence with two previous women and lost access to his other children years before. One of these women even testified to the abuse at the hearing. The judge ordered him to take a child abuse awareness class, but he was still granted shared custody. My rapist now had an excuse to be in constant contact with me and even gloated that I had been put in my place in court.

The court ordered that my daughter had to start overnight visits with him. After just 16 months of motherhood, I was no longer able to protect my daughter from him. He has no family, so I knew there would be no one looking out for my daughter when she was with him. My parents would do the drop-offs and pickups so that I didn't have to see him. So I only heard about my daughter's fear and screaming when he took her away.

He used his access to my daughter as an excuse to harass and intimidate me, sometimes daily. He kept attempting to get me to "apologize" to him and demanding that I come in person to drop off my daughter. I had to be as professional and controlled as possible, because I could not risk giving him anything to use against me in court. He had already accused me of "parental alienation" because I said he raped me.

But after just five months of overnight visits with him, my daughter came home with concerning signs that I could not ignore. No mother should ever have to experience the fear and anguish that I felt. Once again, we were pulled into expensive litigation, making it very difficult for a single mother.

I am currently a stay-at-home mom and live with my parents because of the expensive litigation that he started as soon as she was born. I am being retraumatized constantly by my rapist. I am blessed to have so many family members living close by and my friends' support throughout my pregnancy and the past couple of years.

No one should have to stay connected to a rapist. I can imagine there are many women in this same situation. I want to be a vivacious sales rep again instead of the shell I am now, and I want my daughter to be safe. No one deserves to be essentially tied with hands behind their back, gagged, and have to watch as the child they love goes to someone that they know is dangerous. No one should have to face being forced to continue to communicate for eighteen years with the man that raped her. While this is my own personal story, I believe all mothers that have conceived a child through rape and face sharing custody with their rapist have the same feeling—we are being raped, over and over.

The only path out of this is to allow mothers the opportunity to petition for the termination of the rapists' rights, clear and convincing model. It is within your power to make this change. I am pleading that you will pass this bill.

Signed,

A Virginia mother