

February 1, 2024

The Honorable Will Smith
Chair, Senate Judiciary Committee
Miller Senate Office Building

RE: Support - SB398 - Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation

Dear Chair Smith and Committee Members,

Nonfatal strangulation (NFS) is a serious mechanism of injury causing Marylanders to seek emergency medical care. NFS is compression of the neck that results in decreased or complete blockage of blood flow to/from the brain or airflow to/from the lungs that can result in traumatic brain injury, stroke, and death (Patch, et al., 2018). NFS occurs in abusive intimate partner relationships (domestic violence), sexual assault, and child abuse (Monahan, et al., 2022; Cannon, et al., 2020; Bird, et al., 1987). The State of Maryland reimburses hospitals for care provided during medical forensic examinations for individuals who have been sexually assaulted (or abused) within 15 days of the assault. People who have been strangled and not sexually assaulted face payment barriers to accessing expert forensic nursing care.

Forensic programs throughout the State of Maryland have nurses specially trained to conduct NFS examinations on patients, regardless of the co-occurrence of sexual assault. The Forensic Medical Unit at Adventist HealthCare Shady Grove Medical Center provides phone consultations to several patients per month who cite no ability to pay as the primary reason for not accessing medical care after an NFS event. Access to medical care is critical for people who have experienced NFS because the effects including cognitive difficulties, difficulty swallowing, frequent headaches, and memory loss can be debilitating and last for weeks, months, or years (Valera, et al., 2022; Smith, et al., 2001).

35% of people who have been strangled have no visible injury, sometimes because of darker skin tone (Strack, et al., 2001, Brady et al., 2023). Carotid artery dissection, soft tissue swelling resulting in airway obstruction, brain hemorrhage, thyroid complications, and stroke occur even without visible injury. Many forensic nurse examiners are trained in utilizing alternate light sources to photo document injuries that would otherwise be unobserved, especially in people with darker skin tones.

SB398 gives patients who have been strangled access to life-saving medical care, treatment, and documentation of injuries including photography by forensic nurse examiners without basing their decision to access care on their financial means to pay.

We recommend a favorable report on SB398 bill.

Respectfully,

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