



State of Maryland
Office of the Attorney General

Tuesday, January 28, 2020

TO: The Honorable Luke Clippinger, Chair, Judiciary Committee
FROM: Carrie J. Williams, Assistant Attorney General
RE: Attorney General's Support for HB233 with Sponsor Amendments

The Attorney General urges the Judiciary Committee to report favorably on House Bill 233. House Bill 233 makes strangulation and suffocation a modality of first degree assault. Currently, first degree assault is committed either when a person commits an assault with a firearm or when a person intentionally causes or attempts to cause serious physical injury to another. House Bill 233 would add a third modality of first degree assault—committing an assault by intentionally suffocating or strangling another.

Prosecuting strangulation under the “serious physical injury” modality of first degree assault is notoriously difficult because only half of strangulation victims have external injuries, and only 15% have injuries capable of being photographed.¹ This includes strangulation cases that result in death.² But strangulation is one of the most significant lethality indicators in domestic violence situations; women who have suffered a previous strangulation by an intimate partner are 750% more likely to be killed by that partner than women who have never been strangled.³

¹See Family Justice Center Alliance, Strangulation in Intimate Partner Violence Fact Sheet, available at <https://www.familyjusticecenter.org/wp-content/uploads/2017/11/Strangulation-Infographic-v6.24.19-B.pdf> (last visited January 25, 2020).

² *Id.*

³³ See Family Justice Center Alliance, Strangulation Media Guide, available at <https://www.familyjusticecenter.org/wp-content/uploads/2019/11/Strangulation-Media-Guide-Final-2019.pdf> (last visited January 25, 2020).

The vast majority of states specifically address suffocation and/or strangulation in their criminal codes.⁴ Enacting House Bill 233 will protect victims of domestic violence and bring Maryland in line with nearly all of our sister states. The Office of the Attorney General urges the Judiciary Committee to report favorably on House Bill 233.

cc: Members of the Judiciary Committee

⁴ See Family Justice Center Alliance, Strangulation Laws Chart, available at <https://www.familyjusticecenter.org/wp-content/uploads/2017/11/Strangulation-Laws-Chart-11.2019.pdf> (last visited January 25, 2020).