



annapolis and anne arundel county

January 28, 2020

Luke H. Clippinger, Chair
Vanessa E. Atterbeary, Vice-Chair
Judiciary Committee
House Office Building, Room 101
6 Bladen Street
Annapolis, MD 21401

re: House Bill 233

Dear Chair Clippinger, Vice-Chair Atterbeary, and Committee Members:

I am writing concerning House Bill 233, Criminal Law – Assault in the First Degree – Suffocation or Strangulation. The YWCA of Annapolis and Anne Arundel County is generally supportive and appreciative of legislation to address suffocation and strangulation. As the designated local provider of intimate partner violence services in Anne Arundel County, the YWCA has helped thousands of victims over the past 25 years, many of whom have suffered suffocation or strangulation by an abusive partner. In our experience, suffocation and strangulation are often indicators that a woman will eventually be murdered by her abusive partner. Addressing this issue by making these crimes felonies is a welcome step forward.

The YWCA does, however, feel that HB 233 requires amendment. We would respectfully suggest that the Bill be amended to define both “strangulation” and “suffocation” and account for consent by stating, for example, “A person may not commit an assault by intentionally, AND WITHOUT CONSENT, suffocating, strangling, OR IMPEDING THE NORMAL BREATHING OR CIRCULATION OF BLOOD OF ANOTHER BY APPLYING PRESSURE TO THE OTHER PERSON’S THROAT OR NECK OR BY BLOCKING THE OTHER PERSON’S NOSE OR MOUTH.”

The Bill would also, in our opinion, be most effective if it added suffocation and strangulation to the definition of “abuse” in Family Law Article § 4-501 (b)(1).

I appreciate your attention to these items and would be happy to answer any questions you may have.

Very truly yours,

Nancy McCutchan Duden
YWCA Legal Services Director