

BILL NO: House Bill 233
TITLE: Criminal Law - Assault in the First Degree - Suffocation or Strangulation
COMMITTEE: Judiciary
HEARING DATE: January 28, 2020
POSITION: **SUPPORT**

House Bill 233 would reclassify strangulation and suffocation from a second degree assault to first degree assault, a more serious offense with a longer sentence possible. The Women's Law Center of Maryland (WLC) supports this bill as it would offer the recognition of the egregiousness of these acts in our criminal law. Strangulation is a common occurrence in our intimate partner violence cases, and should be addressed as a serious crime.

Under current law, suffocation and strangulation is classified as Assault in the Second Degree (Criminal Law §3-203). Effectively, the law addresses these acts the same way it addresses something as relatively minor as a slap or push. Maryland is one of only 3 states where strangulation is not a first degree felony. We are behind the times.

HB 233 would reclassify suffocation and strangulation as Assault in the First Degree (Criminal Law §3-202.) The change in the law would recognize that suffocation and strangulation, which are heinous in their own right and a red-flag of future and more extreme violence against women, are a serious form of assault. Non-fatal strangulation is one of the most significant risk factors for femicide. Studies have shown that prior non-fatal strangulation is associated with a six-fold increase in the chances of attempted homicide and a seven-fold increase in the chances of completed homicide.

Therefore, the Women's Law Center of Maryland, Inc. urges a favorable report on House Bill 233.

The Women's Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change. The Women's Law Center operates two hotlines, Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County and the Multi-Ethnic Domestic Violence Project.