

SB 949- Criminal Injuries Compensation Board - Vic

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Maryland
Hospital Association

March 21, 2023

To: The Honorable William C. Smith Jr., Chair, Senate Judicial Proceedings Committee

Re: Letter of Support- Senate Bill 949 - Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation

Dear Chair Smith:

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment in support of Senate Bill 949.

Across the state, hospital-based sexual assault forensic exam ([SAFE](#)) programs employ forensic nurse examiners. These registered nurses receive special training in evidence collection and are experts in delivering trauma-informed care to survivors of violence and abuse. State law ensures survivors of sexual assault have access to emergency medical treatment for their injuries and do not incur any out-of-pocket expenses.

Hospitals care for survivors of all forms of violence, but there are gaps in the state's reimbursement criteria. Health care for survivors of nonfatal strangulation that did not result from rape, sexual offense, or sexual abuse is not reimbursable. SB 949 would close this gap by allowing health care expenses related to nonfatal strangulation to be reimbursed.

Several Maryland hospitals that operate forensic medical units offered training in their communities on how to prevent and respond to victims of nonfatal strangulation. New technology can accurately document evidence of strangulation. For example, an "alternative light source" can detect fingerprints left on a victim's neck.

SB 949 would support the work hospitals are doing to serve their communities and support survivors of all forms of violence and abuse.

For these reasons, we ask for a *favorable* report on SB 949.

For more information, please contact:

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SB 949_MNADV_FAV.pdf

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BILL NO: Senate Bill 949
TITLE: Criminal Injuries Compensation Board - Victims of Nonfatal Strangulation
COMMITTEE: Judicial Proceedings
HEARING DATE: March 21, 2023
POSITION: **FAVORABLE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 949.**

Senate Bill 949 would require that non-fatal strangulation forensic examination expenses be paid for through the Criminal Injuries Compensation Board. Strangulation is an indicator of lethality in domestic violence. Survivors of strangulation are 750% more likely to become a victim of domestic violence homicide.

After a strangulation attempt there are numerous medical risks that must be evaluated by a medical provider since most are invisible injuries including damage to the interior neck anatomy, lack of oxygenation, and an increased risk for strokes that can last for months after the assault.¹ Every survivor of a strangulation should seek medical attention due to the many and possible fatal consequences. The ability to pay for that evaluation should not be a barrier to treatment and that is what SB 949 addresses.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 949.**

¹ <https://www.thehotline.org/resources/the-dangers-of-strangulation/>

Strangulation - forensic exams - senate testimony

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Working to end sexual violence in Maryland

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Testimony Supporting Senate Bill 949 with Amendments
Lisae C. Jordan, Executive Director & Counsel
March 21, 2023

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 949 with amendments.

Senate Bill 949 -- Forensic Exams – Non-Fatal Strangulation

This bill adds non-fatal strangulation to the statute authorizing and requiring reimbursement for medical forensic exams involving rape, sexual offenses, and child sexual abuse. The evidence collected through these exams is crucial for the prosecution of these very serious crimes.

Nationally, there are extensive protocols for forensic exams specific to non-fatal strangulation.

<https://www.forensicnurses.org/page/STAssessment> MCASA fully supports expanding support for forensic exams to include non-fatal strangulation, both because this will increase detection of strangulation in sexual assault cases, and also to assist victims of strangulation unrelated to sexual violence.

The act of strangulation can be horrifying for victims and cause serious injury, negative future health consequences, or death. A common occurrence in intimate partner violence, studies show that strangulation co-occurs with sexual violence in 5 to 25% of cases but the act often goes undetected in sexual assault victims.

https://www.pcar.org/sites/default/files/resourcepdfs/strangulation_and_sexual_violence_factsheet.pdf

MCASA's suggestions for amendments to SB949 are operational and unrelated to the underlying policy. Significant federal funding is specific to sexual assault forensic exams; other funding is directed towards survivors of intimate partner violence. MCASA suggests working with agency staff administering criminal injuries compensation to ensure that Maryland is leveraging federal funding and to ensure that the important policy embodied in SB949 can be effectively implemented.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 949 with Amendments**