



Melissa Erlbaum, MPA  
Executive Director

February 25, 2018  
House Committee on Judiciary

**Re: Support for SB 1562-A**  
**Re: Domestic Violence and Strangulation Prevention Workgroup**

Dear Chair Barker, Vice Chair Olson, Vice Chair Williamson and members of the House Committee on Judiciary:

I am the executive director of Clackamas Women's Services (CWS), a community-based non-profit agency that has supported survivors of domestic and sexual violence, stalking, trafficking and elder abuse on their path to safety and stability for over 30 years. I am writing in support of SB 1562-A.

Near/non-fatal strangulation is especially prevalent in domestic violence and sexual assault cases. Offenders do not always strangle their partners to kill them; they often strangle them to let them know they can kill them—any time they wish. Once a victim knows this truth, they live under the power and control and the daily terrorism of their abusers day in and day out. The severity of the psychological injuries caused by the crime of near/non-fatal strangulation warrants the highest degree of penalty- it must be a felony.

Victims of domestic and sexual violence often minimize the violence and injuries to protect themselves from future assault. We also know that despite the serious internal injuries caused by strangulation there are frequently no external injuries present. This is one of many reasons why it is imperative for us to recognize this crime as a felony and work diligently to ensure safety for victims and prevent recidivism of this dangerous and life threatening crime.

Near-fatal and non-fatal strangulation has serious medical effects, such as internal hemorrhage, lacerations, miscarriages, chronic pneumonia, brain injury, strokes, and delayed death. It is because of this that we must take the crime seriously and the devastating implications seriously. These injuries become worse over time and more severe with each strangulation. A victim should not have to be subject to this crime repeatedly for it to be considered a serious felony, nor should a perpetrator be allowed to commit this crime against multiple victims before it is considered a serious felony.

**Without question, strangulation is one of the most lethal forms of domestic violence.** We know that a man who strangles a woman once is 750 % more likely to later kill her. We must hold perpetrators accountable immediately if we seek to prevent further harm, or worse.

Recognizing the status of the crime as a felony is an appropriate step in the recognition of the lethality of the behavior, and will send a message to all as to the severity of the crime. Most importantly, the bill will contribute to victim safety.

*Finding a Path Forward to Safety, Justice and Healing*  
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Over the past decade there has been new research that informs us that near and non-fatal strangulation is even more detrimental than we originally understood. It is often a gendered crime and a predictive element of mass shootings, domestic violence homicides and officer involved critical incidents-- it is a crime against society.

Oregon was a leader a decade ago as one of the first states to classify strangulation as a category six felony if it occurred within the context of qualifying factors such as the presence of a child or if the victim is pregnant. Strangulation frequently causes miscarriages and was significant enough to warrant this level of felony. We know that a child witnessing their parent being taken to the brink of death over and over means the child can suffer from PTSD and be eight times more likely to become an abuser or a victim in their adult life, further supporting it as a serious crime. SB 1562-A takes the next step in our work to address this serious crime.

On behalf of the CWS staff, Board of Directors, and the survivors we serve, we ask that you support SB 1562-A and that the Committee directs the creation of a **Domestic Violence and Strangulation Prevention Workgroup**. We have an opportunity in this moment to build on the multi-disciplinary and bi-partisan effort that has underscored the importance of this issue and we earnestly encourage you to lead the next step. It is clear through the work on SB 1562-A that we all agree on three significant goals- we have a duty to ensure victim safety and we want to prevent strangulation from occurring as well as prevent recidivism. We believe the formulation of this workgroup will demonstrate these shared goals in a very real and lasting manner.

We propose the following preliminary framework for your consideration:

**Domestic Violence and Strangulation Prevention Workgroup:**

- (1) The Workgroup is established, consisting of the following members:
  - a. Department of Public Safety Standards and Training
  - b. Criminal Justice Commission
  - c. Community Corrections Directors
  - d. Law Enforcement such as OSSA-OACP
  - e. ODA Domestic Violence Prosecutor
  - f. Medical practitioner (forensic nurse, emergency room doctor)
  - g. Oregon Coalition Against Domestic and Sexual Violence
  - h. Domestic Violence Family Justice Center Director
  - i. Domestic Violence Community Based Program Director
  - j. Prosecution Based Victim Assistance Director
- (2) Develop and implement curriculum for training for prosecutors, law enforcement, community corrections, medical experts, and other identified stakeholders.
- (3) Develop medical experts in the field of strangulations.
- (4) Improve strangulation investigation and prosecution.

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- (5) Improve outcomes for perpetrators of strangulation through state supervision.
- (6) Develop data regarding prevalence and effects of domestic violence and strangulation in Oregon, recidivism rates and intervention strategies.

Sincerely,

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Executive Director