

Written Testimony – HB 2676 – 04-12-23
Kellee Harris - Mother of Deceased Strangulation Victim

Chair Senator Prozanski, Vice Chair Senator Thatcher and members of the Judiciary Committee:

My name is Kellee Harris and I advocate for passage of House Bill 2676 and to be the voice of our late daughter Kelsey Harris. I live in Milwaukie, Oregon and am the mother of a former 31-year old successful Lebanon High School Counselor, Varsity Girls Tennis Coach and JV Girls Soccer Coach with a master's degree in education, who was working on her second master's degree in counseling when she died.

Based on police and hospital reports, plus Facebook posts, Instagram messages and personal conversations before her death, I believe our daughter Kelsey was nearly strangled to death by her abusive boyfriend on March 20, 2021, and was so traumatized she took her life a week later on March 28, 2021. Unbeknownst to our family, Kelsey had suffered both verbal and physical abuse throughout a three-year relationship with her boyfriend, but it escalated out of control to strangulation one night over the way she had loaded wood into a woodstove – the sole source of heat in their rural Linn County cabin.

Kelsey reported the strangulation to a friend who in turn reported it to the Linn County Sheriff's office. An officer took Kelsey's statement, including that she thought she had been strangled for at least 30 seconds or more, she could not breathe, and she thought she was going to die. Her abuser was arrested and charged with strangulation Felony Class 3 and Assault in the Fourth Degree, Misdemeanor Class A. He was released to his stepfather less than 24 hours later, a man whom he had admitted to our family had abused him as a child. For the next several days Kelsey lived in fear her abuser would return to their home despite a no-contact order. Those fears were well founded - according to a spokesperson for the Institute on Strangulation Prevention in San Diego, strangulation victims are 750% more likely to be killed by the offender. As previously mentioned, our daughter took her own life a week after her strangulation. She was not alone – research shows women who have experienced domestic violence are 700% more likely to report current suicidal ideation than women without that history.

The sheriff directed Kelsey to the Samaritan Lebanon Community Hospital where she was diagnosed as an assault victim. They recorded her claims of strangulation, that she had been held against her will, and that she feared for her life. However, Kelsey's medical records show the attending Emergency Room doctor never ordered any diagnostic tests (CT Scan, MRI, or even an X-Ray), did not refer her to a social worker, therapist or counselor, and did not refer her to Sarah's Place, a regional sexual assault nurse examiner center that provides services and resources to Linn, Benton and Lincoln counties. Sarah's Place is operated by Samaritan Health Services in Albany, an affiliated organization to Samaritan Lebanon Hospital.

Instead, Kelsey was given a sedative and sent home. There is no record of any additional follow-up from the hospital or her primary care physician, nor any referral to DV services or advocacy prior to her death eight days later.

Following Kelsey's suicide, a Linn County Sheriff detective and arresting officer mentioned he thought it was unusual that Kelsey had not been referred to Sarah's Place as they had diagnostic equipment for detecting unseen damage from strangulation. He noted in his report that while he did not see immediate visible bruising on Kelsey's neck, he knew from his training and experience often strangulation injury is not readily visible, can show up days or weeks later and can be fatal.

Strangulation only became a felony in the state of Oregon in 2019, which I find shocking. I have been told by law enforcement officers that anyone angry enough to strangle someone is angry enough to kill them, yet even the Linn County District Attorney's Office told me that when it comes to strangulation, juries "like to see bruises" - I will never forget those words. I was told even if Kelsey had lived to testify against her abuser, the jury might not have believed her since she did not have highly visible bruising on her neck.

As previously stated, strangulation bruising may not show externally immediately - or at all. According to research by the International Association of Forensic Nurses, following strangulation, patients may present with potentially lethal conditions such as fractured trachea, carotid aneurysm or cerebral artery infarction, with no observable external evidence of injury even in fatal cases.

Patients who have experienced strangulation may suffer anoxic brain injury, or they may have serious internal injuries resulting in permanent impairment or death days or weeks after the strangulation event. These can include neurological impairment, traumatic brain injury and post-traumatic stress disorder (PTSD).

Through HB2676 we now can help crime victims by providing support and education to medical providers and hospitals on Strangulation Kits, a new diagnostic tool like Rape Kits developed by Clackamas County in 2020 and distributed freely statewide. Strangulation Kits can not only aid a strangulation victim with more in-depth diagnostic evaluation from trained nurses including DNA testing, lab work and scans to determine internal injury, the kits also document events before, during and after strangulation. All these elements can be used as evidence in a court of law helping prosecutors gain more convictions and protecting victims from further abuse.

Unfortunately, distribution of these kits statewide did not begin until early 2021. Therefore, the Lebanon hospital staff may not have been aware or trained in use of this new tool. However, IF THE KITS HAD BEEN AVAILABLE, that might have made all the difference for Kelsey by introducing her to a trained SANE nurse – short for Sexual Assault Nurse Examiner. I understand Sarah's Place staff are now significant users of the strangulation kits and are well-versed in the exam and connecting victims with advocacy.

It is my understanding HB2676 would allow expansion of Crime Victims' Compensation to include costs associated with strangulation exams. These exams would therefore be treated similarly to sexual assault exams. The use of the strangulation kit itself costs nothing, however hospital costs plus any tests or scans done do have a cost. The bill would not need to make the kits available, because they are already available on request from any doctor or hospital statewide. The bill would pay for the medical visit and any additional diagnostic tests. Hopefully, hospitals would be much more willing to call for strangulation kits to be collected since they would be covered by Crime Victims Compensation. A barrier for many victims is fear of taking on medical expense debt. It is heartbreaking that some victims may refuse to visit a doctor or hospital after assault for fear of not being able to afford the cost of care.

As a mother of a victim of strangulation, I urge you to take this pending HB 2676 bill seriously and give funding priorities to help survivors of domestic violence

assaults including the heinous felony crime of strangulation. While our daughter may no longer be alive, I continue to be her voice. However, I want to leave you with something she wrote about herself in a graduate school essay:

*“I am Kelsey Harris, the middle child, the adventurous extremist, the animal lover activist. The one who helps those without a voice, with a twist of passion, spontaneity and energy. **“Don’t settle for anything less than everything you deserve.”***

Our daughter Kelsey deserved better, and so do other victims of strangulation. It’s never too late to do the right thing.

Thank you,

Kellee Harris
Kelsey’s Mom

Photos Of Kelsey Harris before and after strangulation

