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To: Members of Senate Judicial Proceedings Committee

From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

Date: January 28, 2020

Subject: **SB212** – Assault in the First Degree – Suffocation or Strangulation

Position: **Support**

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Supports SB212 – Assault in the First Degree – Suffocation or Strangulation.**

These bills makes someone who intentionally and deliberately suffocates or strangles another person guilty of First Degree Assault. Currently, in most cases, they would only be guilty of a Second Degree Assault.

Maryland is one of only three states that does not have a law that considers strangulation as the equivalent of First Degree Assault.

Strangulation and suffocation generally occurs in the context of intimate partner relations. It is a hidden and widespread problem with potentially far-reaching consequences. It is unquestionably one of the most lethal forms of domestic violence and carries significant risks of medical complications and long-term consequences. This includes increased risk of stroke or artery rupture occurring after a strangulation episode. One recent study indicated that at least 3,000 women are victims of strangulation in Maryland every year. Women who have been strangled by a partner are also seven times more likely to ultimately be murdered by that man.

For the reasons stated, we **Support SB212** – Assault in the First Degree – Suffocation or Strangulation.

If you have questions about the position of the Criminal Law and Practice Section’s Legislative Committee, please feel free to address them to me at 240-606-1298 or at doyleniemann@verizon.net.

Should you have other questions, please contact The MSBA’s Legislative Office at (410)-269-6464 / (410)-685-7878 ext: 3066 or at Richard@MSBA.org and Parker@MSBA.org.