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Judicial Proceedings Committee

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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

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Senate Judicial Proceedings Committee

**Senate Bill 212 – Criminal Law – Assault in the First Degree – Suffocation or Strangulation**

SB 212 designates suffocation and strangulation as felony Assault in the First Degree with a maximum penalty of 25 years. First degree assault is the appropriate classification for a crime that is a leading indicator of femicide. Under current law, suffocation and strangulation is classified as Assault in the Second Degree which puts such offenses in the same legal category as a slap or spitting. Even throwing household items at someone can be considered felony assault with a weapon, but wrapping your hands around another in a process that if unimpeded leads to death does not currently trigger felony assault, because there is not weapon and no serious bodily injury that involves organ failure.

Strangulation can result in a range of symptoms, from physical problems like difficulty speaking to mental health issues like depression to long-term issues that may not be apparent in the immediate aftermath of an attack, like in the case of pregnant victims, miscarriage. New technologies can help detect instances of strangulation, where the naked eye might not catch the damage, but the crime is not taken as seriously as it would be if classified as a felony. With this classification, we hope to not only prevent the behavior, but protect the victims from further and escalated abuse.

Strangulation is not only a serious offense in isolation, non-fatal strangulation is one of the strongest risk factors for interpersonal homicide, particularly femicide. A study led by researchers at Johns Hopkins and published in the *Journal of Emergency Medicine* found that prior non-fatal strangulation committed by one partner against another is associated with a six-fold increases in the chances of attempted homicide against the victim.

To put it simply: strangulation is more serious than a slap. This measure recognizes that suffocation and strangulation, which are heinous crimes in their own right and a red-flag for future and more extreme violence, particularly violence against women, should be treated as felony assault.

For these reasons, we respectfully request a favorable report on SB 212.