



Melissa Erlbaum, MPA
Executive Director

February 14, 2018
Senate Committee on Judiciary
Cc Senator Taylor

Re: Support for SB 1562-16

Re: Domestic Violence and Strangulation Prevention Workgroup

Chair Prozanski and Vice-Chair Thatcher and Members of the Senate 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 1562-16.

What we have learned over the years is that near 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.

Victims of domestic and sexual violence often minimize the violence and injuries to protect themselves from future assault because they have learned that the abuser will come back for them and the abuse will get worse. 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.

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.

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.

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.

Finding a Path Forward to Safety, Justice and Healing
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Oregon was a leader a decade ago as one of the first states to classify strangulation as a category six felony if it occurred in 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 takes the next step.

On behalf of the CWS staff, Board of Directors, and the survivors we serve, we ask that you support SB 1562-16 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 codify the next step. It is clear through the work on SB 1562 that we all agree on two 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 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. ODAA 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.
- (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.

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Sincerely,

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