

Ohio Senate Judiciary Committee
Wednesday, June 19, 2019
SB 146 – Proponent Testimony

My name is Phyllis Carlson-Riehm and I represent ACTION OHIO Coalition For Battered Women, a statewide domestic violence coalition based in Columbus, Ohio. Since its earliest beginnings in the 1970's, the mission of ACTION OHIO has been to promote quality services to domestic violence survivors. And since its beginnings, we have learned much from DV survivors about the reality of the dynamics of abuse.

We support the passage of Senate Bill 146, sponsored by Senators Stephanie Kunze and Nickie Antonio. This bill expands the offense of domestic violence to also prohibit knowingly impeding the normal breathing or blood circulation of a family or household member, by applying pressure to the throat or neck, or by blocking the nose or mouth of a family or household member, and provides special penalties for violation of that prohibition.

SB 146 also specifies that in a prosecution of domestic violence in violation of the above prohibition, it is not required to allege or prove that the family or household member suffered physical harm, serious physical harm, or visible injury.

In addition, SB 146 creates as an affirmative defense to a charge of domestic violence by violating the above prohibition that the act was done to the family or household member as part of a medical or other procedure undertaken for the victim's benefit.

* * *

ACTION OHIO's archives include a letter (written in 1999) from a survivor who tells her story of abuse and torture. The mother of three children suffered broken ribs, black eyes, her head split open, emotional abuse, isolation, and the denial of necessities.

She writes: *If I were ever to speak up, I was hit, strangled and humiliated. I was told by my abuser that if I ever pressed charges or he was sent to prison, I would die.*

Then she describes her strangulation experiences: *Take a deep breath. Now imagine not being able to do that. Picture struggling for air and looking up to see a loved one. You think of your children and your life, you struggle more, making it worse. It is terrifying!*

* * *

Although strangulation can be fatal, if it is not fatal, it can cause serious injuries, or delayed death – without clear signs that the victim has sustained serious injury. Consequently, law enforcement officers and medical providers may interact with an injured victim and not be any wiser. Professionals need to be aware of the frequency with which strangulation occurs in a domestic violence relationship, trained to identify the subtle signs that the victim has been strangled, and know the right questions to ask, in order to identify victims who may be suffering from serious side effects.

When an abuser resorts to the strangulation of his victim, it is a sign that the relationship is becoming more lethal. For this reason, domestic violence advocates have been urging Ohio legislators to pass legislation that recognizes that fact and that would increase the penalty for strangulation. It is time for Ohio to join the list of other states that have enacted a tougher penalty for strangulation, recognizing that this form of violence signals increased lethality and may be a precursor to homicide.

Please support passage of Senate Bill 146. The enactment of this bill will help save the lives of domestic violence victims and hold abusers accountable for their actions.

Phyllis L Carlson-Riehm, Executive Director
ACTION OHIO Coalition For Battered Women
PO Box 423, Worthington OH 43085
614 825-0551 / actionohio@wowway.biz