November 13, 2018

The Honorable Kevin Bacon, Chairman

Senate Judiciary Committee

Ohio Senate

1 Capitol Square

Columbus, Ohio 43215

The Honorable Cecil Thomas, Ranking Member

Senate Judiciary Committee

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1 Capitol Square

Columbus, Ohio 43215

Dear Chairman Bacon and Ranking Member Thomas:

I am a psychiatric physician practicing in Cincinnati, Ohio. My primary work includes seeing patients in the psychiatric emergency room and outpatient settings in Cincinnati. I also complete evaluations for civil and criminal courts and lead a training program that teaches psychiatrists to perform these evaluations. My opinions today are my own and do not reflect the University of Cincinnati, UC Health, or University of Cincinnati Physicians.

In my years of evaluating and treating people, I have had the unique perspective of working both with patients that have been victims of violence and those that have been perpetrators. There is nothing more chilling and terrifying than listening to someone, usually a woman as most victims of this are, recount an experience of having been strangled in an act of violence. Many survivors of nonfatal strangulation have shared with me the immense permanent psychological scars these acts of aggression have inflicted. Some have shared the “hidden” medical problems, as are common in nonfatal strangulation survivors, like thyroid problems, musculoskeletal issues, and cognitive problems due to a temporary loss of oxygen to the brain. Unfortunately, some also tell me that they do not feel they receive appropriate support, even when they speak up about their situation. Sometimes that lack of support includes a vacancy where there should be law to help appropriately punish the perpetrator of such dangerous and traumatic acts.

As an academic forensic psychiatrist and physician with public health training, I have taken an interest in what Ohio has done to curb this large public health issue. The culmination of my research on the topic of nonfatal strangulation lead to a recent presentation at the American Academy of Psychiatry and the Law meeting in Texas on October 27, 2018. Many physicians that reviewed my poster, who are the mental health experts on issues related to violence and the law, were surprised to learn the key facts about nonfatal strangulation. For example, it is estimated that nearly 10% of violent deaths in the U.S. occur through strangulation, there is a much higher risk of being killed after a partner strangles you, and nonfatal strangulation most commonly occurs nearly 5 years into a cycle of repeated violence. The doctors were further surprised to learn that there are still a handful of states, including Ohio, where nonfatal strangulation is still not a felony charge.

It is my professional opinion that passing Monica’s Law (SB 207) would greatly improve the health of Ohio citizens. It would be nothing short of life saving. Any unintended consequences of this law, which should be few and far between, are vastly outweighed by the real, tangible benefit this will provide in terms of lives saved, injuries and costly medical treatment averted, and families healed. Further, the components of the proposed law combine the best elements of similar laws in other states. It is important that the law makes strangulation a felony offense, reflects the varying anatomical pathways of strangulation, does not require injury or intent, and allows for increased severity for repeated violent offenders and special victims. The proposed law includes these important elements. Most importantly, this law will give victims of this potential lethal abuse an improved chance to be heard and to seek safety.

I hope that you will see the benefit of this proposed legislation and move to pass it. On behalf of my patients that have gone through this experience, I thank you for your consideration. I would be happy to answer any questions you may have.

Christopher Marett, M.D., M.P.H.

260 Stetson Street Suite 3200

PO Box 670559

Cincinnati, OH 45219-0559

chrismarett@gmail.com

513-558-3134

cc: Members of the Ohio Senate Judiciary Committee