

TESTIMONY OF ALEXANDRIA RUDEN on SB 90

Chair Manning, Vice Chair McColley, Ranking Member Thomas, and Members of the Senate Judiciary Committee:

My name is Alexandria Ruden. I am an attorney with the Legal Aid Society of Cleveland. I have been a practicing attorney with a focus on domestic violence since the Ohio Domestic Violence Act was enacted by the Ohio General Assembly. I have represented thousands of survivors of domestic violence in divorce and protection order proceedings. I am a member of the Supreme Court's Advisory Committee on Domestic Violence and the Ohio Department of Public Safety's Family Violence Prevention Center Advisory Council. Additionally, I co-author *Ohio Domestic Violence Law* with Judge Sherrie Miday and retired Judge Ronald Adrine.

I am here to strongly offer my support for SB 90, a significant piece of legislation which, if enacted, will redefine how Ohioans view strangulation, as our outdated statute fails to comport with 21<sup>st</sup> century realities. More importantly, Ohio is one of two states without a strangulation statute. The inclusion of strangulation and suffocation to the Ohio Revised Code would indicate an understanding of the danger and increased probability of lethality. Research also bears out what victims, advocates, and legal practitioners already know-strangulation is alarmingly, quite common in the context of domestic violence. Our collective understanding about the intersection between near fatal strangulation, domestic violence and the laws have led to an ever-expanding evolution in the efforts to reduce domestic homicide. SB 90 is necessary to achieve this goal.

Over the past 20 years, there has been a growing body of research on strangulation as a lethal form of violence. Studies show that, of high-risk women, up to 68 % will experience near fatal strangulation by their partner. A victim can become unconscious after only 6-10 seconds. A victim can die within minutes. Even those victims who survive initially may die soon thereafter,

due to the numerous internal injuries that can occur.

As a power and control tactic, strangulation is tremendously effective for abusers. Victims may believe they are going to die, and, as a result, are terrified both during the incident and afterwards. This one act sends a message to the victim that the abuser holds the power of life and death.

With little effort on the part of the abuser, these life-threatening injuries often occur with no external signs of trauma. They include brain injury from a lack of blood flow to the brain, convulsions, and obstruction of the airway from swelling. Many victims suffer life-long injuries, including permanent voice changes, difficulty swallowing, vision changes and cognitive deficits. The absence of external or visible signs of injury, however, is not indicative of the level of harm or lethality.

As Casey Gwinn from the National Training Institute for Strangulation Prevention stated, the crime of strangulation is primarily about blocking blood flow to the brain. Most victims can breathe until they are dead or until the airway is collapsed. They die from a lack of blood to the brain not from the inability to breathe.

The detrimental consequences of not passing SB 90 are significant...the prevention of domestic homicide is essential to Ohioans. A visible focus on identifying and calling this crime "strangulation" will encourage more survivors to seek help. The trends of the past few years reflect an increasing response on the part of legislatures and the judiciary to do just that. It is essential that Ohio continue this progress.

Thank you for the opportunity to provide testimony.

Alexandria M. Ruden