

 Rob Veale Ltd

Family Violence Workshop Series
(March 2020)



Strangulation in the context of Intimate Partner Violence
- A Public Health Issue

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My Background

- Over 30 years in NZ Police, last 16 years as an Inspector (Violence Reduction Unit at PNHQ)
- Involved in a number of national initiatives (i.e. risk assessment frameworks, information sharing initiatives, Family Safety Teams, Police Safety Orders)
- Inaugural member of the FV Death Review Committee
- Advice to the NZ Law Commission with their recommendations for the Family & Whanau Violence Bill relating to non-fatal strangulation
- Conducted over 60 community workshops relating to non-fatal strangulation and other related topics in past 3 years.

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In Memory of Casondra Stewart and Tamara Smith




References: Training Institute on Strangulation Prevention: strangulationtraininginstitute.com

Based on Materials developed by:

- George E. McClane, M.D., Emergency Physician
- Gaeil B. Strack, JD, Assistant City Attorney

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Minister considers 'attempted strangulation' charge

4:36 PM Sunday Jul 13, 2014

An 'attempted strangulation' charge may be introduced by Justice Minister Judith Collins in a bid to tackle domestic violence.

The act of attempted strangulation is often a precursor to murder in domestic violence situations, the minister said, and it needed to be treated more seriously.

"One of the suggestions from the family violence group that's been looking at it, is that we bring in a new law around attempted strangulation," she told TV One's Q+A programme.

"So when we've got people who are being strangled and partly strangled in their home, that is an indicator that the person who's doing it is actually going to go on and kill them. And we need to treat that much more seriously than we do."

Most domestic violence penalties were tough enough to deal with the crime, Ms Collins said, with perpetrators being treated "as anybody else" on charges such as murder or grievous bodily harm. But a charge of male assaults female may not be reflective of the seriousness of the crime.



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Why new law?

Findings from the FVDR Committee.

- Some **14% (9)** of 63 IPV deaths involved an act of **strangulation as part of the death event**.
- Multiple instances of non-fatal strangulation in the regional reviews were **prosecuted as Male Assaults Female** rather than a more serious offence
- **All 29 assaults involved a male abuser.**
- In 7 of 12 reviews, **the predominant aggressor had a reported history of strangulation against the current or former partner**. In the other 5 reviews, a history of strangulation by the abuser or the victim were later disclosed.

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Family Violence (Amendments) Act 2018

189A Strangulation or suffocation

Everyone is liable to imprisonment for a term not exceeding 7 years who intentionally or recklessly **impedes** another person's normal breathing, blood circulation, or both, by doing (manually, or using any aid) all or any of the following:

- (a) blocking that other person's nose, mouth, or both;
- (b) applying pressure on, or to, that other person's throat, neck, or both.

194A Assault on person in family relationship

Everyone is liable to imprisonment for a term not exceeding 2 years who—

- (a) assaults another person; and
- (b) is, or has been, in a family relationship with that other person.

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Hands off: police making five strangulation arrests a day, victim relives 'terrifying' ordeal

28 Feb, 2019 5:08am © 9 minutes to read



Police have charged more than 400 people under new strangulation and suffocation laws that were introduced on December 3. Photo / L23RF

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Power & Control

The act of strangulation could be considered as a powerful act of power and control that is arguably motivated **not by the desire to hurt the victim** but rather the need to assert dominance over her, and tends to have a **profound psychological impact on her because of the experience of terror, violation and extreme vulnerability** that is imposed on her.

California District Attorneys Guidelines 2000



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Why Didn't Someone Tell Me

Health Consequences of Strangulation Assaults for Survivors

"Why didn't someone tell me?" she said with tears running down her face. We were in Longview, Washington, providing a four hour training to police, prosecutors, Medical professionals and advocates. As we broke for lunch, an unidentified woman came up to me and said, "You need to hear my story". I (Casey) said, "tell me your story."

As she spoke she was angry and deeply troubled. She said she was 52 years old and in a healthy, happy 30 year relationship. But she said when she was 19 she became involved with an abusive boyfriend. She said she had been strangled nine times to unconsciousness, but she always recovered. She said that after two years she left him and never looked back.

Casey Gwinn, Gael Strack & Dr Dean Hawley

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Why Didn't Someone Tell Me

Health Consequences of Strangulation Assaults for Survivors

"Four years ago, I had my first cryptogenic stroke. Two weeks ago, I had my third cryptogenic stroke. I survived, but my neurologist told me that if I have one more brain bleed, he thinks it will kill me." Now, she was crying and shaking. "He is going to kill me 30 years after he abused me!"

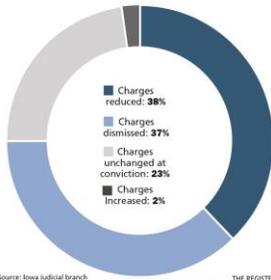
And then she looked straight at me and said, "Why didn't someone tell me? I deserved to know and now I am going to die." All I could muster was, "We are sorry." And I hugged her. She was right though. She deserved to know the potential consequences of being strangled. All victims deserve to know, but very few professionals are telling them.

Casey Gwinn, Gael Strack & Dr Dean Hawley

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Domestic strangulation charges in Iowa

A Des Moines Register review found that nearly 3,958 felony or aggravated misdemeanor domestic abuse-strangulation charges have been filed in Iowa since July 1, 2012. More than one-third of the charges, or 1,438, were dismissed.



Overall in some US states, 75% of strangulation charges are withdrawn or reduced.

Source: Iowa Judicial Branch THE REGISTER

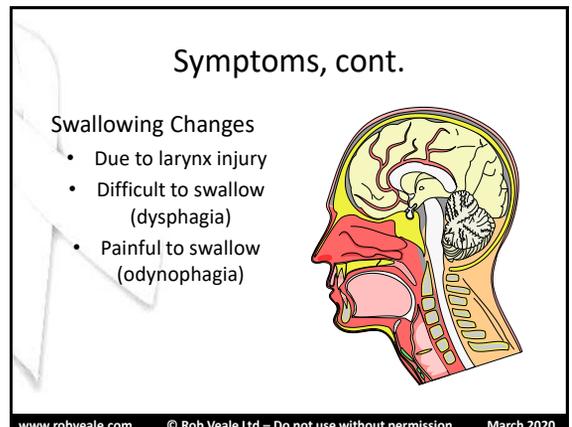
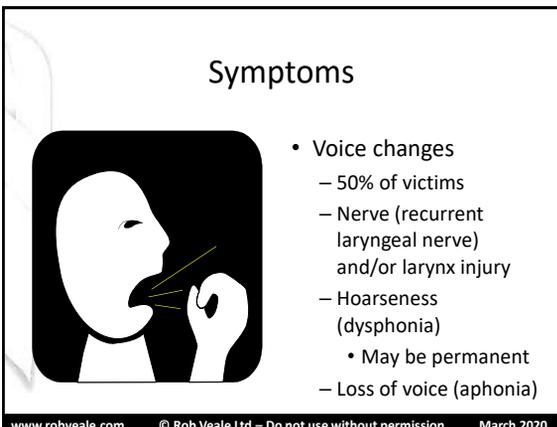
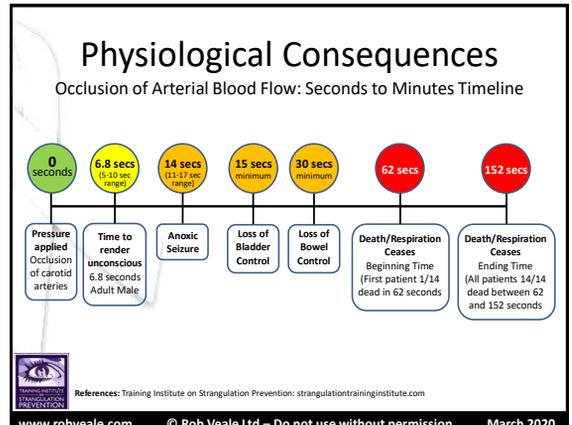
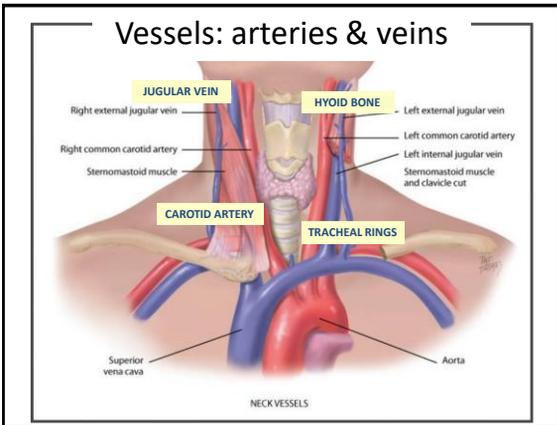
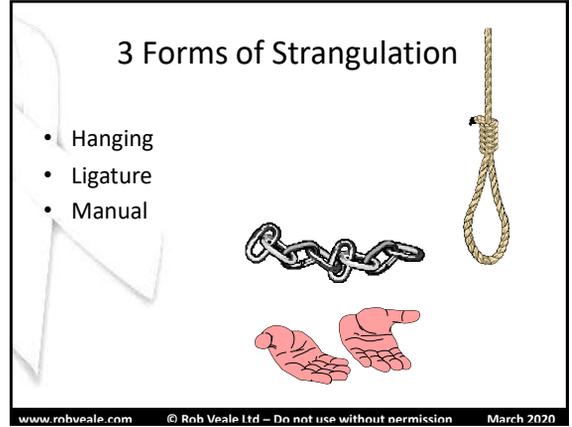
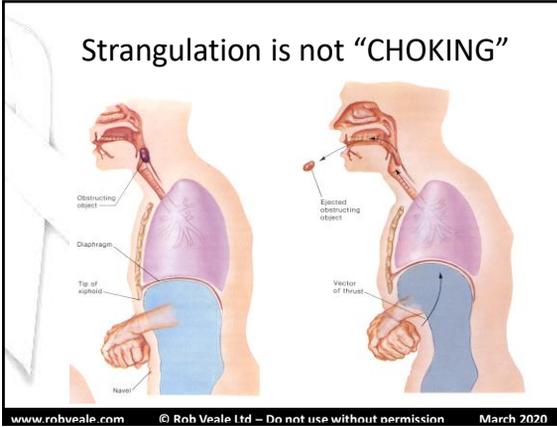
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Definition

Strangulation is a form of asphyxia characterized by closure of the blood vessels and air passages of the neck as a result of external pressure on the neck.

Strangulation is not an attack on the neck, strangulation is an attack on the brain.

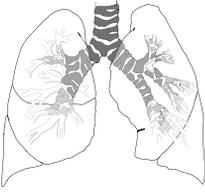
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Symptoms, cont.

Breathing Changes

- Due to laryngeal fracture or swelling
- Difficult to breathe (dyspnea)
- Inability to breathe (apnea)
- May appear mild but may kill within 36 hours



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Symptoms of Acute Anoxic Brain Injury/Damage

- Visual changes
- Auditory changes
- Memory (cannot create memories without blood flow)
- Neurological impairment

When strangulation victims appear confused, or unable to recall things in chronological order, these behaviours should be used to corroborate rather than discredit their testimony in Court.



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Hippocampus



- The hippocampus is critical for forming memory, organising and storing.
- The hippocampus is very sensitive to a lack of oxygen.
- If no blood flow, the brain is NOT working.
- No blood flow, no memory.
- No memory means damage to the hippocampus.

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Signs (objective)

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San Diego Findings



Percentage	Description
50%	no visible injury
35%	injuries too minor to photograph
15%	injuries sufficient to photograph
3%	of victims seek medical attention

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Strangulation Marks



- Impression marks
- Scrapes
- Scratches
- Claw marks

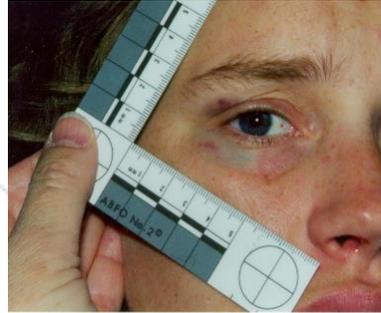
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Red marks (erythema).



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Petechiae



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Petechiae



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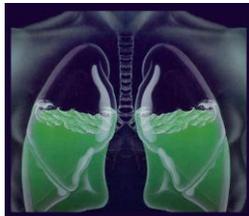
Other Marks

- Ligature marks
- Defensive injuries including :
 - Bites Marks
 - On their forearm
 - On their chest
- Scratches on the perpetrator
 - On their face
 - On their forearm, hands

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Internal/External Signs

- Coughing up blood (hemoptysis)
- Lung (pulmonary) damage
 - Pulmonary edema
 - Aspiration pneumonitis
 - Pneumonia



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Carotid Artery Dissection

- Unilateral and bilateral
- Pressure applied to the carotid arteries during strangulation and 'choke holds' results in damage (tears) within the vessel.
- Death, stroke, long-term therapy.



Clarot F et al: Fatal and non-fatal bilateral delayed carotid artery dissection after manual strangulation; Forensic Science International; 2005, 149: 143-150.

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“Survey Results of Women Who Have Been Strangled While in an Abusive Relationship”

- **Ptosis: 20%**
- **Facial palsy: 10%**
- **L or R sided weakness: 18%**

Ptosis (drooping of the eyelid)



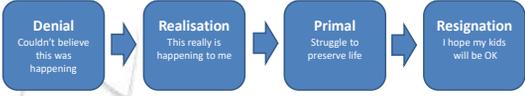
Facial drooping



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Victim Experience

Four (4) stages patients describe during the strangulation event prior to loss of consciousness (LOC)



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graph LR; A[Denial  
Couldn't believe  
this was  
happening] --> B[Realisation  
This really is  
happening to me]; B --> C[Primal  
Struggle to  
preserve life]; C --> D[Resignation  
I hope my kids  
will be OK];
```

Journal of Emergency Medicine, 2001

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