

- **Red Spots** on the face and/or neck due to blood vessels that may have burst from the pressure of a restraining hold (a.k.a. choke hold). These may appear as small red spots similar to freckles. The medical term for this is **petechiae (pi-tee-kee-ie)** and this can occur around the nose, mouth, ears, and throat.
- **Bloody-red eyeball(s)** due to capillary rupture in the white portion of the eyes. (Another form of **petechiae**)
- **Abrasions under the chin**
- **Rope or cord burns** or other linear injuries caused by an object used to strangle the victim
- **Neck swelling/stiff neck**
- **Raspy voice or sounding “out of breath”**— Often these sounds are indicative of a narrowing of the air tube or even a broken trachea.
- **Difficulty speaking**
- **Sore throat/trouble swallowing**
- **Involuntary defecation or urination**
- **Numbness of extremities**
- **Headache**
- **Behavioral symptoms**—restlessness, psychosis, amnesia
- **Dizziness**

It’s important to look for these signs and symptoms of strangulation because **victims may die from internal injuries from strangulation up to 72 hours after the incident has occurred. If your client exhibits symptoms of having been strangled, strongly encourage them to seek medical attention.**

Historically, strangulation has not been prosecuted as a serious offense because:

- victims minimized the level of violence;
- police have not been trained to ask about it; and
- medical personnel failed to recognize it.

Advocates can help educate victims about the dangers of strangulation, which could result in victims having a better awareness of the seriousness of the offense, as well as an understanding of the Texas statutes regarding domestic violence strangulation and suffocation.

## Collaboration and Advocacy

If the survivor wants to cooperate with prosecution, an advocate can be essential in helping the survivor collect evidence, document injuries, and communicate with the detective and/or prosecutor. It is also important for advocates to develop working relationships with detectives and prosecutors and to encourage a coordinated community response to family violence.

**If possible, keep a digital camera to photograph all injuries, but especially injuries resulting from strangulation.**

In 2009, the Texas Legislature passed a new law making Family Violence Strangulation or Suffocation a felony punishable by two to 10 years for the first offense and two to 20 years for subsequent convictions.

Texas Penal Code Section 22.01

The code states that (B)...the offense is committed by intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth.

In some instances, strangulation may still be charged as a misdemeanor or an aggravated assault, depending on the facts and circumstances of the offense.

# FAMILY VIOLENCE STRANGULATION IN TEXAS

KNOW THE LAWS AND HOW TO WORK  
WITH SURVIVORS



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## FAMILY VIOLENCE STRANGULATION

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Family violence strangulation or suffocation generally occurs as part of an ongoing pattern of escalating abuse.

### What are STRANGULATION and SUFFOCATION?

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#### Strangulation

Strangulation is impeding the normal blood flow and/or the air flow by applying external pressure to the neck or throat. **Cutting off oxygen (via the blood) to the brain causes unconsciousness in as little as 10 seconds, then permanent injury (such as difficulty in concentration and loss of short-term memory capacity). If uninterrupted, strangulation may lead to death in as little as two minutes.**

#### Types of Strangulation

Strangulation can be accomplished in various ways including: ligature, manual, and hanging.

**Ligature** is the use of an object such as a piece of rope, chain, clothing, phone cord, or other material to strangle another person. **Manual** is the use of one's body parts as weapons, such as hands or arms, to strangle another person. Manual strangulation can also be accomplished by placing the neck of the victim in the crook of an arm or leg, or by placing a foot or other body part onto the victim's neck or throat. **Hanging** is suspension by a cord wrapped around the neck.

#### Suffocation

**Suffocation** is another method of stopping the flow of air to the brain. It involves covering the mouth and/or nose and can be done with hands or with an object such as a plastic bag or pillow. Suffocation is just as potentially lethal as strangulation.

## THE FACTS:

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In family violence cases, strangulation is strongly correlated with an increased risk of lethality.

- Ten percent of violent deaths in the United States are attributable to strangulation, with six female victims to every male victim.
- Strangulation is one of the top five risk factors for family violence homicide.
- A family violence victim who has been strangled is nine times more likely to be killed than one who has not.
- Strangulation can *easily* become homicide.
- Often, there are only minor visible injuries, even if there are substantial internal injuries.

### Terminology

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Victims and law enforcement often refer to strangulation as “choking.” However, it is important for advocates to refer to the act as “strangulation.” The use of the term “strangulation” helps convey the seriousness of the offense.

If the victim states they have not been “strangled” it is important to ask if the perpetrator put his hands around the victim's throat, put pressure on her/his neck in any way or covered her/his mouth or nose so that s/he could not breathe.

Advocates can talk to and educate survivors about the correct terminology and explain that using the terms “strangulation” and “suffocation” to describe the behaviors is an important step towards creating an awareness of the dangers, increased lethality risk, and serious criminal legal consequences of this type of assault.

### Tips for Advocates

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Advocates may help survivors by discussing with them the **increased risks of serious injury or even death** if strangulation has occurred. Advocates are encouraged to talk about the issue with staff at their program and continue to seek out training and information on strangulation.

### Ways to talk to survivors about strangulation:

“Strangulation can cause serious brain damage.”

“When he puts his hands around your throat, he is cutting off oxygen and blood that your brain needs to survive.”

“Women who have been strangled by their partner are at a much higher risk of being killed by that partner later, either by strangulation or other means.”

### Family Violence Programs May Want to Incorporate Questions about Strangulation in Intakes.

#### Example questions:

Has your partner ever put his hands around your neck?

Has your partner ever put pressure on your neck?

Has your partner ever covered your mouth and/or nose in a way that prevented you from breathing?

Examples include pushed your face into a pillow, put a bag over your head, covered your mouth and nose with his hand, put a sock in your mouth, etc.

Advocates may also want to incorporate these questions into their hotline intakes.

### Signs and Symptoms

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Advocates can ask about and document the following signs and symptoms of strangulation:

- **Scratches** are sometimes inflicted by the victim's own fingernails from defensive maneuvers, but are often a combination of marks made by victim and perpetrator.
- **Bruises** may be delayed in developing. They may be less visible in victims with darker skin.
- **Redness** on the neck or throat.