

States with Strangulation Legislation

This list was last updated by Emma Mattingly at the Training Institute on Strangulation Prevention in November 2019. The list was originally created by the National District Attorneys Association and has subsequently been updated at various times with the help of Gael Strack, Casey Gwinn, Melissa Mack, Sarah Dawe, Sarah Sherman Julien, Fiona Wells, Elizabeth Cosentino-Vonderahe, and Katie Kirkwood. The Institute recommends checking both case law and current legislation for any updates or modifications.

States	TEXT
Alabama	<p>§ 13A-6-138. DOMESTIC VIOLENCE BY STRANGULATION OR SUFFOCATION. ENACTED AND/OR EFFECTED: 2012. UPDATED: 2019</p> <p>(a) For the purposes of this section, the following terms have the following meanings:</p> <p>1) STRANGULATION. Intentionally causing asphyxia by closure or compression of the blood vessels or air passages of the neck as a result of external pressure on the neck.</p> <p>(2) SUFFOCATION. Intentionally causing asphyxia by depriving a person of air or by preventing a person from breathing through the inhalation of toxic gases or by blocking or obstructing the airway of a person, by any means other than by strangulation.</p> <p>(b) A person commits the crime of domestic violence by strangulation or suffocation if he or she commits an assault with intent to cause physical harm or commits the crime of menacing pursuant to Section 13A-6-23, by strangulation or suffocation or attempted strangulation or suffocation and the victim is a current or former spouse, parent, step-parent, child, step-child, any person with whom the defendant has a child in common, a present household member, or a person who has or had a dating relationship. For the purpose of this section, a household member excludes non-romantic or non-intimate co-residents, and a dating relationship means a current or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party.</p> <p>(c) Domestic violence by strangulation or suffocation is a Class B felony punishable as provided by law.</p>

<p>Alaska</p>	<p>ALL ENACTED AND/OR EFFECTED: 2009</p> <p>§ 11.41.200. ASSAULT IN THE FIRST DEGREE (a) A person commits the crime of assault in the first-degree if (1) that person recklessly causes serious physical injury to another by means of a <u>dangerous instrument</u>;</p> <p>§ 11.41.210. ASSAULT IN THE SECOND DEGREE (a) A person commits the crime of assault in the second-degree if (1) with intent to cause physical injury to another person, that person causes physical injury to another person by means of a dangerous instrument;</p> <p>§ 11.41.220. ASSAULT IN THE THIRD DEGREE (a) A person commits the crime of assault in the third-degree if that person (1) recklessly places another person in fear of imminent serious physical injury by means of a dangerous instrument;</p> <p>§ 11.41.230. ASSAULT IN THE FOURTH DEGREE (a) A person commits the crime of assault in the fourth-degree if (2) with criminal negligence that person causes physical injury to another person by means of a dangerous instrument;</p> <p>ALASKA STAT. ANN. § 11.81.900. DEFINITIONS (15) “dangerous instrument” means (A) any deadly weapon or anything that, under the circumstances in which it is used, attempted to be used, or threatened to be used, is capable of causing death or serious physical injury; or (B) hands or other objects when used to impede normal breathing or circulation of blood by applying pressure on the throat or neck or obstructing the nose or mouth;</p>
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	<p style="text-align: center;">ALASKA HB14. ASSAULT; SEX OFFENSES; SENT. AGGRAVATOR ENACTED AND/OR EFFECTED: 2019</p> <p>* Section 1. AS 11.41.200(a) is amended to read:</p> <p style="padding-left: 40px;">(a) A person commits the crime of assault in the first-degree if</p> <p style="padding-left: 80px;">(1) that person recklessly causes serious physical injury to another by 8 means of a dangerous instrument;</p> <p style="padding-left: 80px;">(2) with intent to cause serious physical injury to another, the person 10 causes serious physical injury to any person;</p> <p style="padding-left: 80px;">(3) the person knowingly engages in conduct that results in serious physical injury to another under circumstances manifesting extreme indifference to the value of human life; [OR]</p> <p style="padding-left: 80px;">(4) that person recklessly causes serious physical injury to another by repeated assaults using a dangerous instrument, even if each assault individually does 4 not cause serious physical injury; or</p> <p style="padding-left: 80px;">(5) that person knowingly causes another to become unconscious⁶ by means of a dangerous instrument; in this paragraph, "dangerous instrument" has the meaning given in AS 11.81.900(b)(15)(B).</p> <p>* Sec. 3. AS 11.81.900(b)(15) is amended to read:</p> <p style="padding-left: 40px;">(15) "dangerous instrument" means</p> <p style="padding-left: 80px;">(A) any deadly weapon or anything that, under the circumstances in which it is used, attempted to be used, or threatened to be used, is capable of causing death or serious physical injury; or</p> <p style="padding-left: 80px;">(B) hands, other body parts, or other objects when used to impede normal breathing or circulation of blood by applying pressure on the throat or neck or obstructing the nose or mouth;</p>
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Arizona	<p style="text-align: center;">ARIZ. REV. STAT. § 13-1204. AGGRAVATED ASSAULT; CLASSIFICATION; DEFINITION ENACTED AND/OR EFFECTED: 2011</p> <p>(B) A person commits aggravated assault if the person commits assault by either intentionally, knowingly or recklessly causing any physical injury to another person, intentionally placing another person in reasonable apprehension of imminent physical injury or knowingly touching another person with the intent to injure the person, and both of the following occur:</p> <p>(1) The person intentionally or knowingly impedes the normal breathing or circulation of blood of another person by applying pressure to the throat or neck or by obstructing the nose and mouth either manually or through the use of an instrument.</p> <p>(2) Any of the circumstances exists that are set forth in section 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.</p>
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Arkansas	<p style="text-align: center;">ARK. CODE ANN. § 5-13-204. AGGRAVATED ASSAULT ENACTED AND/OR EFFECTED: 2009</p> <p>(a) A person commits aggravated assault if, under circumstances manifesting extreme indifference to the value of human life, he or she purposely:</p> <p>(3) Impedes or prevents the respiration of another person or the circulation of another person's blood by applying pressure on the throat or neck or by blocking the nose or mouth of the other person.</p> <p style="text-align: center;">Ark. Code § 12-18-103 ENACTED AND/OR EFFECTED: 2011</p> <p>Definitions (3) (A) "Abuse" means any of the following acts or omissions by a parent, guardian, custodian, foster parent, person eighteen (18) years of age or older living in the home with a child whether related or unrelated to the child, or any person who is entrusted with the child's care by a parent, guardian, custodian, or foster parent, including, but not limited to, an agent or employee of a public or private residential home, child care facility, public or private school, or any person legally responsible for the child's welfare, but excluding the spouse of a minor: *** (vii) Any of the following intentional or knowing acts, with or without physical injury: *** (c) Interfering with a child's breathing.</p>
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<p>California</p>	<p>CAL. PENAL CODE § 273.5. WILLFUL INFLICTION OF CORPORAL INJURY; VIOLATION; PUNISHMENT ENACTED AND/OR EFFECTED: 2011</p> <p>(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000) or by both that fine and imprisonment.</p> <p>(b) Subdivision (a) shall apply if the victim is or was one or more of the following:</p> <ol style="list-style-type: none"> (1) The offender's spouse or former spouse. (2) The offender's cohabitant or former cohabitant. (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243. (4) The mother or father of the offender's child. <p>(c) Holding oneself out to be the husband or wife of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.</p> <p>(d) As used in this section, "traumatic condition" means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.</p> <p style="text-align: center;">"Duty to Warn" ENACTED AND/OR EFFECTED: 2018</p> <p>A statement informing the victim that strangulation may cause internal injuries and encouraging the victim to seek medical attention.</p>
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	<p>CAL. PENAL CODE § 13730. RECORDING DOMESTIC VIOLENCE-RELATED CALLS; REPORTS</p> <p>a) Each law enforcement agency shall develop a system, by January 1, 1986, for recording all domestic violence-related calls for assistance made to the department, including whether weapons are involved, or whether the incident involved strangulation or suffocation. All domestic violence-related calls for assistance shall be supported with a written incident report, as described in subdivision (c), identifying the domestic violence incident. Monthly, the total number of domestic violence calls received and the numbers of those cases involving weapons or strangulation or suffocation shall be compiled by each law enforcement agency and submitted to the Attorney General.</p> <p>(b) The Attorney General shall report annually to the Governor, the Legislature, and the public the total number of domestic violence-related calls received by California law enforcement agencies, the number of cases involving weapons, the number of cases involving strangulation or suffocation, and a breakdown of calls received by agency, city, and county.</p> <p>(c) Each law enforcement agency shall develop an incident report form that includes a domestic violence identification code by January 1, 1986. In all incidents of domestic violence, a report shall be written and shall be identified on the face of the report as a domestic violence incident. The report shall include at least all of the following:</p> <p>(1) A notation of whether the officer or officers who responded to the domestic violence call observed any signs that the alleged abuser was under the influence of alcohol or a controlled substance.</p> <p>(2) A notation of whether the officer or officers who responded to the domestic violence call determined if any law enforcement agency had previously responded to a domestic violence call at the same address involving the same alleged abuser or victim.</p> <p>(3) A notation of whether the officer or officers who responded to the domestic violence call found it necessary, for the protection of the peace officer or other persons present, to inquire of the victim, the alleged abuser, or both, whether a firearm or other deadly weapon was present at the location, and, if there is an inquiry, whether that inquiry disclosed the presence of a firearm or other deadly weapon. Any firearm or other deadly weapon discovered by an officer at the scene of a domestic violence incident shall be subject to confiscation pursuant to Division 4 (commencing with Section 18250) of Title 2 of Part 6.</p> <p>(4) A notation of whether there were indications that the incident involved strangulation or suffocation. This includes whether any witness or victim reported any incident of strangulation or</p>
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	<p>suffocation, whether any victim reported symptoms of strangulation or suffocation, or whether the officer observed any signs of strangulation or suffocation.</p> <p style="text-align: center;">CA Civil Code § 43.92</p> <p>Enacted to limit the liability of psychotherapists under Tarasoff regarding therapist's duty to warn an intended victim. When a therapist determines that his patient presents a serious danger of violence to another, he incurs an obligation to use reasonable care to protect the intended victim against such danger. Thus, it may call for him to warn the intended victim or others likely to apprise the victim of the danger, to notify the police, or to take whatever other steps are reasonably necessary under the circumstances." (Tarasoff, supra, 17 Cal.3d at p. 431.)</p>
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Colorado	<p>Colorado Criminal Code § 18-3-203. Offenses Against the Person; Assault in the second degree</p> <p>ENACTED AND/OR EFFECTED: 2016</p> <ul style="list-style-type: none">• A person commits the crime of assault in the first degree if:<ul style="list-style-type: none">▫ With the intent to cause serious bodily injury▫ s/he applies sufficient pressure to Impede or restrict the breathing or circulation of blood of another person▫ By applying such pressure to the neck or by blocking the nose or mouth of the other person and▫ Thereby causes serious injury <p>CRS § 18-1-901. Definition of Serious Bodily Injury</p> <p>Bodily injury which, either at the time of the actual injury or at a later time involves:</p> <ul style="list-style-type: none">▫ A substantial risk of death▫ A substantial risk of serious permanent disfigurement▫ A substantial risk of protracted loss or impairment of the function of any part or organ of the body▫ Breaks, fractures or burns of the second or third degree
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<p>Connecticut</p>	<p>Conn. Gen. Stat. § 53a-64aa. Strangulation in the first degree: Class C felony ENACTED AND/OR EFFECTED: 2007</p> <p>(a) A person is guilty of strangulation in the first degree when such person commits strangulation in the second degree as provided in section 53a-64bb and (1) in the commission of such offense, such person (A) uses or attempts to use a dangerous instrument, or (B) causes serious physical injury to such other person, or (2) such person has previously been convicted of a violation of this section or section 53a-64bb.</p> <p>(b) No person shall be found guilty of strangulation in the first degree and unlawful restraint or assault upon the same incident, but such person may be charged and prosecuted for all three offenses upon the same information. For the purposes of this section, "unlawful restraint" means a violation of section 53a-95 or 53a-96, and "assault" means a violation of section 53a-59, 53a-59a, 53a-59b, 53a-59c, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-61 or 53a-61a.</p> <p>(c) Strangulation in the first degree is a class C felony.</p> <p>§ 53a-64bb. Strangulation in the second degree: Class D felony</p> <p>(a) A person is guilty of strangulation in the second degree when such person restrains another person by the neck or throat with the intent to impede the ability of such other person to breathe or restrict blood circulation of such other person and such person impedes the ability of such other person to breathe or restricts blood circulation of such other person.</p> <p>(b) No person shall be found guilty of strangulation in the second degree and unlawful restraint or assault upon the same incident, but such person may be charged and prosecuted for all three offenses upon the same information. For the purposes of this section, "unlawful restraint" means a violation of section 53a-95 or 53a-96, and "assault" means a violation of section 53a-59, 53a-59a, 53a-59b, 53a-59c, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-61 or 53a-61a.</p> <p>(c) Strangulation in the second degree is a class D felony.</p>
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	<p>Conn. Gen. Stat. § 53a-64cc. Strangulation in the third degree: Class A misdemeanor</p> <p>(a) A person is guilty of strangulation in the third degree when such person recklessly restrains another person by the neck or throat and impedes the ability of such other person to breathe or restricts blood circulation of such other person.</p> <p>(b) No person shall be found guilty of strangulation in the third degree and unlawful restraint or assault upon the same incident, but such person may be charged and prosecuted for all three offenses upon the same information. For the purposes of this section, "unlawful restraint" means a violation of section 53a-95 or 53a-96, and "assault" means a violation of section 53a-59, 53a-59a, 53a-59b, 53a-59c, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-61 or 53a-61a.</p> <p>(c) Strangulation in the third degree is a class A misdemeanor.</p>
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Delaware	<p style="text-align: center;">11 Del. C. § 607. Strangulation; penalty; affirmative defense ENACTED AND/OR EFFECTED: 2010</p> <p>(a)(1) A person commits the offense of strangulation if the person knowingly or intentionally impedes the breathing or circulation of the blood of another person by applying pressure on the throat or neck of the other person.</p> <p>(2) Except as provided in paragraph (a)(3) of this section, strangulation is a class E felony.</p> <p>(3) Strangulation is a class D felony if:</p> <ul style="list-style-type: none">a. The person used or attempted to use a dangerous instrument or a deadly weapon while committing the offense; orb. The person caused serious physical injury to the other person while committing the offense; orc. The person has been previously convicted of strangulation.
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<p>Florida</p>	<p>FLA. STAT. ANN. § 784.041 FELONY BATTERY; DOMESTIC BATTERY BY STRANGULATION ENACTED AND/OR EFFECTED: 2007</p> <p>(1) A person commits felony battery if he or she:</p> <ul style="list-style-type: none"> (a) Actually and intentionally touches or strikes another person against the will of the other; and (b) Causes great bodily harm, permanent disability, or permanent disfigurement. <p>(2) (a) A person commits domestic battery by strangulation if the person knowingly and intentionally, against the will of another, impedes the normal breathing or circulation of the blood of a family or household member or of a person with whom he or she is in a dating relationship, so as to create a risk of or cause great bodily harm by applying pressure on the throat or neck of the other person or by blocking the nose or mouth of the other person. This paragraph does not apply to any act of medical diagnosis, treatment, or prescription which is authorized under the laws of this state.</p> <p>(b) As used in this subsection, the term:</p> <ul style="list-style-type: none"> 1. "Family or household member" has the same meaning as in s. 741.28. 2. "Dating relationship" means a continuing and significant relationship of a romantic or intimate nature. <p>(3) A person who commits felony battery or domestic battery by strangulation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.</p>
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Georgia	<p style="text-align: center;">GA. CODE ANN., § 16-5-21 AGGRAVATED ASSAULT ENACTED AND/OR EFFECTED: 2014</p> <p>(a) As used in this Code section, the term “strangulation” means impeding the normal breathing or circulation of blood of another person by applying pressure to the throat or neck of such person or by obstructing the nose and mouth of such person.</p> <p>(b) A person commits the offense of aggravated assault when he or she assaults:</p> <ul style="list-style-type: none">(1) With intent to murder, to rape, or to rob;(2) With a deadly weapon or with any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury;(3) With any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in strangulation; or(4) A person or persons without legal justification by discharging a firearm from within a motor vehicle toward a person or persons.
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Hawaii	<p>HAW. REV. STAT. § 709-906(1), (8) ABUSE OF FAMILY OR HOUSEHOLD MEMBERS; PENALTY ENACTED AND/OR EFFECTED: 2006. Amended: 2019</p> <p>(1) It shall be unlawful for any person, singly or in concert, to physically abuse a family or household member or to refuse compliance with the lawful order of a police officer under subsection (4). The police, in investigating any complaint of abuse of a family or household member, upon request, may transport the abused person to a hospital or safe shelter.</p> <p>For the purposes of this section, "family or household member" means spouses or reciprocal beneficiaries, former spouses or reciprocal beneficiaries, persons who have a child in common, parents, children, persons related by consanguinity, and persons jointly residing or formerly residing in the same dwelling unit.</p> <p>(8) Where the physical abuse consists of intentionally or knowingly causing bodily injury by impeding normal breathing or circulation of the blood by:</p> <ul style="list-style-type: none">a. Applying Pressure on the throat or the neck with any part of the body or ligature;b. Blocking the nose and mouth; orc. Applying pressure to the chest, <p>abuse of a family or household member is a class C felony; provided that infliction of visible bodily injury shall not be required to establish an offense under this subsection.</p>
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<p>Idaho</p>	<p style="text-align: center;">IDAHO CODE ANN. § 18-923. ATTEMPTED STRANGULATION EFFECTIVE: 2005, AMENDED: 2018</p> <p>(1) Any person who willfully and unlawfully chokes or attempts to strangle a household member, or a person with whom he or she has or had a dating relationship, is guilty of a felony punishable by incarceration for up to fifteen (15) years in the state prison.</p> <p>(2) No injuries are required to prove attempted strangulation.</p> <p>(3) The prosecution is not required to show that the defendant intended to kill or injure the victim. The only intent required is the intent to choke or attempt to strangle.</p> <p>(4) "Household member" assumes the same definition as set forth in section 18-918(1)(a), Idaho Code.</p> <p>(5) "Dating relationship" assumes the same definition as set forth in section 39-6303(2), Idaho Code.</p> <p>(2) (a) Any household member who in committing a battery, as defined in section 18-903, Idaho Code, inflicts a traumatic injury upon any other household member is guilty of a felony.</p> <p>(b) A conviction of felony domestic battery is punishable by imprisonment in the state prison for a term not to exceed ten (10) years or by a fine not to exceed ten thousand dollars (\$10,000) or by both fine and imprisonment.</p> <p style="text-align: center;">H.B. 360</p> <p>Amends existing law relating to assault and battery; revises a provision relating to counseling; provides that the Supreme Court shall establish a certain rule; provides that a person guilty of attempted strangulation shall undergo a certain evaluation, counseling, and other treatment.</p>
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<p>Illinois</p>	<p style="text-align: center;">ILL. COMP. STAT. ANN. 5/ § 12-3.05. Aggravated battery. ENACTED AND/OR EFFECTED: 2010</p> <p>(a) Offense based on injury. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she knowingly does any of the following: (5) Strangles another individual.</p> <p>“Strangle” means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.</p> <p>(h) Sentence. Unless otherwise provided, aggravated battery is a Class 3 felony. Aggravated battery under subdivision (a)(5) is a Class 1 felony if: (A) the person used or attempted to use a dangerous instrument while committing the offense; or (B) the person caused great bodily harm or permanent disability or disfigurement to the other person while committing the offense; or (C) the person has been previously convicted of a violation of subdivision (a)(5) under the laws of this State or laws similar to subdivision (a)(5) of any other state.</p> <p style="text-align: center;">ILCS 725. Criminal Procedure § 5/110-5. Determining the amount of bail and conditions of release ENACTED AND/OR EFFECTED: 2017</p> <p>F) When a person is charged with a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012 or when a person is charged with domestic battery, aggravated domestic battery, kidnapping, aggravated kidnapping, unlawful restraint, aggravated unlawful restraint, stalking, aggravated stalking, cyberstalking, harassment by telephone, harassment through electronic communications, or an attempt to commit first degree murder committed against an intimate partner regardless whether an order of protection has been issued against the person,</p> <p style="padding-left: 40px;">(1) whether the alleged incident involved harassment or abuse, as defined in the Illinois Domestic Violence Act of 1986; (2) whether the person has a history of domestic violence, as defined in the Illinois Domestic Violence Act, or a history of other criminal acts;</p>
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	<p>(3) based on the mental health of the person;</p> <p>(4) whether the person has a history of violating the orders of any court or governmental entity;</p> <p>(5) whether the person has been, or is, potentially a threat to any other person;</p> <p>(6) whether the person has access to deadly weapons or a history of using deadly weapons;</p> <p>(7) whether the person has a history of abusing alcohol or any controlled substance;</p> <p>(8) based on the severity of the alleged incident that is the basis of the alleged offense, including, but not limited to, the duration of the current incident, and whether the alleged incident involved the use of a weapon, physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim;</p> <p>(9) whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending;</p> <p>(10) whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including, but not limited to, stalking, surveillance, or isolation of the alleged victim or victim's family member or members;</p> <p>(11) whether the person has expressed suicidal or homicidal ideations;</p> <p>(12) based on any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint, the court may, in its discretion, order the respondent to undergo a risk assessment evaluation using a recognized, evidence-based instrument conducted by an Illinois Department of Human Services approved partner abuse intervention program provider, pretrial service, probation, or parole agency. These agencies shall have access to summaries of the defendant's criminal history, which shall not include victim interviews or information, for the risk evaluation. Based on the information collected from the 12 points to be considered at a bail hearing under this subsection (f), the results of any risk evaluation conducted and the other circumstances of the violation, the court may order that the person, as a condition of bail, be placed under electronic surveillance as provided in Section 5-8A-7 of the Unified Code of Corrections.</p>
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<p>Indiana</p>	<p style="text-align: center;">IND. CODE ANN. § 35-42-2-9. STRANGULATION ENACTED AND/OR EFFECTED: 2006</p> <p>(a) This section does not apply to a medical procedure.</p> <p>(b) As used in this section, “torso” means any part of the upper body from the collarbone to the hips</p> <p>(c) A person who, in a rude, angry, or insolent manner, knowingly or intentionally:</p> <ol style="list-style-type: none"> (1) applies pressure to the throat or neck of another person; or (2) obstructs the nose or mouth of another person; <p>in a manner that impedes the normal breathing or the blood circulation of the other person commits strangulation, a level 6 felony.</p> <p>(d) However, the offense under subsection (c) is a Level 5 felony if:</p> <ol style="list-style-type: none"> (1) the offense is committed against a pregnant woman; and (2) the person who committed the offense knew the victim was pregnant at the time of the offense. <p style="text-align: center;">Ind. Marion Cir. & Superior Crim. Rule 108 – Bail Enhancements ENACTED AND/OR EFFECTED: 2017</p> <p>B. Enhancements- The bail schedule amounts shall double, up to a maximum of \$5,000 for each of the following circumstances:</p> <ol style="list-style-type: none"> 4. The defendant is charged with a Class D felony including strangulation
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Iowa	<p>I.C.S. § 708.2A (22, 1) DOMESTIC ABUSE ASSAULT — MANDATORY MINIMUMS, PENALTIES ENHANCED — EXTENSION OF NO-CONTACT ORDER ENACTED AND/OR EFFECTED: 2012</p> <p>1. For the purposes of this chapter, “domestic abuse assault” means an assault, as defined in section 708.1, which is domestic abuse as defined in section 236.2, subsection 2, paragraph “a”, “b”, “c”, or “d”.</p> <p>2. On a first offense of domestic abuse assault, the person commits:</p> <p>d. An aggravated misdemeanor, if the domestic abuse assault is committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person.</p> <p>3. Except as otherwise provided in subsection 2, on a second domestic abuse assault, a person commits:</p> <p>a. A serious misdemeanor, if the first offense was classified as a simple misdemeanor, and the second offense would otherwise be classified as a simple misdemeanor.</p> <p>b. An aggravated misdemeanor, if the first offense was classified as a simple or aggravated misdemeanor, and the second offense would otherwise be classified as a serious misdemeanor, or the first offense was classified as a serious or aggravated misdemeanor, and the second offense would otherwise be classified as a simple or serious misdemeanor.</p> <p>4. On a third or subsequent offense of domestic abuse assault, a person commits a class “D” felony.</p> <p>5. For a domestic abuse assault committed by knowingly impeding the normal breathing or circulation of the blood of another by applying pressure to the throat or neck of the other person or by obstructing the nose or mouth of the other person, and causing bodily injury, the person commits a class “D” felony.</p>
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Kansas	<p style="text-align: center;">KS § 21-5414; Aggravated Domestic Battery ENACTED AND/OR EFFECTED: 2017</p> <p>Aggravated domestic battery is:</p> <ul style="list-style-type: none">• (1) Knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner; or (2) knowingly impeding the normal breathing or circulation of the blood by blocking the nose or mouth of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner.”• Aggravated domestic battery is a severity level 7, person felony.• (d) In determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense under this section, a court shall consider information presented to the court relating to any current or prior protective order issued against such person.
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Kentucky	<p style="text-align: center;">KY REV. STAT. § 508</p> <p style="text-align: center;">SECTION 1</p> <p>(1) A person is guilty of strangulation in the first degree when the person, without consent, intentionally impedes the normal breathing or circulation of the blood of another person by: (a) Applying pressure on the throat or neck of the other person; or (b) Blocking the nose or mouth of the other person.</p> <p>(2) Strangulation in the first degree is a Class C felony.</p> <p style="text-align: center;">SECTION 2</p> <p>(1) A person is guilty of strangulation in the second degree when the person, without consent, wantonly impedes the normal breathing or circulation of the blood of another person by: (a) Applying pressure on the throat or neck of the other person; or (b) Blocking the nose or mouth of the other person.</p> <p>(2) Strangulation in the second degree is a Class D felony.</p> <p style="text-align: center;">SECTION 3</p> <p>KRS 403.720 is amended to read as follows:</p> <p>As used in KRS 403.715 to 403.785: (1) “Domestic violence and abuse” means physical injury, serious physical injury, stalking, sexual abuse, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, strangulation, or assault between family members or members of an unmarried couple</p>
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<p>Louisiana</p>	<p style="text-align: center;">LA. REV. STAT. ANN. § 14:35.3(B)(3). DOMESTIC ABUSE BATTERY ENACTED AND/OR EFFECTED: 2006</p> <p>A. Domestic abuse battery is the intentional use of force or violence committed by one household member upon the person of another household member.</p> <p>B. For purposes of this Section:</p> <p>(3) "Household member" means any person of the opposite sex presently living in the same residence or living in the same residence within five years of the occurrence of the domestic abuse battery with the defendant as a spouse, whether married or not, or any child presently living in the same residence or living in the same residence within five years immediately prior to the occurrence of domestic abuse battery, or any child of the offender regardless of where the child resides.</p> <p>(4) "Serious bodily injury" means bodily injury that involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.</p> <p>(5) "Strangulation" means intentionally impeding the normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of the victim.</p> <p style="text-align: center;">LA Code Crim. Pro 330.3 - Bail hearing for certain offenses against a family or household member or dating partner ENACTED AND/OR EFFECTED: 2015</p> <p>A. This Article may be cited as and referred to as "Gwen's Law".</p> <p>B. A contradictory bail hearing, as provided for in this Article, may be held prior to setting bail for a person in custody who is charged with domestic abuse battery, violation of protective orders, stalking, or any felony offense involving the use or threatened use of force or a deadly weapon upon the defendant's family member, as defined in R.S. 46:2132 or upon the defendant's household member as defined in R.S. 14:35.3, or upon the defendant's dating partner, as defined in R.S. 46:2151. If the court orders a contradictory hearing, the hearing shall be held within five days from the date of determination of probable cause, exclusive of weekends and legal holidays. At the contradictory hearing, the court shall determine the conditions of bail or whether the defendant should be held without bail pending trial. If the court decides not to hold a contradictory hearing, it shall notify the prosecuting attorney prior to setting bail.</p>
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	<p>C. In addition to the factors listed in Article 334, in determining whether the defendant should be admitted to bail pending trial, or in determining the conditions of bail, the judge or magistrate shall consider the following:</p> <ul style="list-style-type: none">(1) The criminal history of the defendant.(2) The potential threat or danger the defendant poses to the victim, the family of the victim, or to any member of the public, especially children.(3) Documented history or records of any of the following: substance abuse by the defendant; threats of suicide by the defendant; the defendant's use of force or threats of use of force against any victim; strangulation, forced sex, or controlling the activities of any victim by the defendant; or threats to kill. Documented history or records may include but are not limited to sworn affidavits, police reports, and medical records. <p>D. Following the contradictory hearing and based upon the judge's or magistrate's review of the factors set forth in Paragraph C of this Article, the judge or magistrate may order that the defendant not be admitted to bail, upon proof by clear and convincing evidence either that the defendant might flee, or that the defendant poses an imminent danger to any other person or the community.</p>
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<p>Maine</p>	<p style="text-align: center;">17- AM.R.S.A. § 208. AGGRAVATED ASSAULT. ENACTED AND/OR EFFECTED: 2012. UPDATED: 2019</p> <p>1. A person is guilty of aggravated assault if that person intentionally, knowingly or recklessly causes:</p> <p style="padding-left: 40px;">A. Bodily injury to another that creates a substantial risk of death or extended convalescence necessary for recovery of physical health. Violation of this paragraph is a Class B crime;</p> <p style="padding-left: 40px;">A-1. Bodily injury to another that causes serious, permanent disfigurement or loss or substantial impairment of the function of any bodily member or organ. Violation of this paragraph is a Class A crime;</p> <p style="padding-left: 40px;">B. Bodily injury to another with use of a dangerous weapon. Violation of this paragraph is a Class B crime; or</p> <p style="padding-left: 40px;">C. Bodily injury to another under circumstances manifesting extreme indifference to the value of human life. Such circumstances include, but are not limited to, the number, location or nature of the injuries, the manner or method inflicted, the observable physical condition of the victim or the use of strangulation. For the purpose of this paragraph, “strangulation” means impeding the breathing or circulation of the blood of another person by intentionally, knowingly or recklessly applying pressure on the person’s throat or neck. Violation of this paragraph is a Class B crime.</p> <p style="text-align: center;">LD 1027: An Act to Make Strangulation an Aggravating Sentencing Factor ENACTED AND/OR EFFECTED: 2011</p> <p>Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and Whereas, there is a national increased awareness of the severity of strangulation, including its high prevalence in domestic and sexual assaults, its serious impacts, including life-threatening levels of anoxic brain damage, and its use as a tool of intimidation; and Whereas, public and professional awareness of the prevalence and impact of strangulation in Maine may lag behind research data; and Whereas, stakeholders should promptly review best practices models and tailor them to fit Maine’s needs; and Whereas, in the judgment of the Legislature, these facts create an emergency within the</p>
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	meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it
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<p>Maryland</p>	<p style="text-align: center;">ALL ENACTED AND/OR EFFECTED: 2007</p> <p style="text-align: center;">MD. CODE ANN., [CRIM. LAW] § 3-303(A). RAPE IN THE FIRST DEGREE</p> <p>(a) Prohibited. -- A person may not:</p> <ul style="list-style-type: none"> (1) engage in vaginal intercourse with another by force, or the threat of force, without the consent of the other; and (2) (i) employ or display a dangerous weapon, or a physical object that the victim reasonably believes is a dangerous weapon; <li style="padding-left: 40px;">(ii) suffocate, <u>strangle</u>, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime; <li style="padding-left: 40px;">(iii) threaten, or place the victim in fear, that the victim, or an individual known to the victim, imminently will be subject to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; <li style="padding-left: 40px;">(iv) commit the crime while aided and abetted by another; or <li style="padding-left: 40px;">(v) commit the crime in connection with a burglary in the first, second, or third degree. <p style="text-align: center;">MD. CODE ANN., [CRIM. LAW] § 3-305(A). SEXUAL OFFENSE IN THE FIRST DEGREE</p> <p>(a) Prohibited. -- A person may not:</p> <ul style="list-style-type: none"> (1) engage in a sexual act with another by force, or the threat of force, without the consent of the other; and (2) (i) employ or display a dangerous weapon, or a physical object that the victim reasonably believes is a dangerous weapon; <li style="padding-left: 40px;">(ii) suffocate, strangle, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime; <li style="padding-left: 40px;">(iii) threaten, or place the victim in fear, that the victim, or an individual known to the victim,
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Maryland (cont.)	<p>imminently will be subject to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping;</p> <p>(iv) commit the crime while aided and abetted by another; or</p> <p>(v) commit the crime in connection with a burglary in the first, second, or third degree</p> <p>MD. CODE ANN., [CRIM. LAW] § 3-307(A)(1). SEXUAL OFFENSE IN THE THIRD DEGREE</p> <p>(a) Prohibited. -- A person may not:</p> <p>(1) (i) engage in sexual contact with another without the consent of the other; and</p> <p>(ii) 1. employ or display a dangerous weapon, or a physical object that the victim reasonably believes is a dangerous weapon;</p> <p>2. suffocate, strangle, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime;</p> <p>3. threaten, or place the victim in fear, that the victim, or an individual known to the victim, imminently will be subject to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping;</p>
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<p>Massachusetts</p>	<p style="text-align: center;">Mass. Gen. Laws Ann. 265, § 15D ENACTED AND/OR EFFECTED: 2014</p> <p>SECTION 24. Said chapter 265 is hereby further amended by inserting after section 15C the following Section 15D.</p> <p>(a) For the purposes of this section the following words shall have the following meanings, unless the context clearly indicates otherwise:</p> <p style="padding-left: 40px;">"Serious bodily injury", bodily injury that results in a permanent disfigurement, loss or impairment of a bodily function, limb or organ or creates a substantial risk of death.</p> <p style="padding-left: 40px;">"Strangulation", the intentional interference of the normal breathing or circulation of blood by applying substantial pressure on the throat or neck of another.</p> <p style="padding-left: 40px;">"Suffocation", the intentional interference of the normal breathing or circulation of blood by blocking the nose or mouth of another.</p> <p>(b) Whoever strangles or suffocates another person shall be punished by imprisonment in state prison for not more than 5 years or in the house of correction for not more than 2 ½ years, or by a fine of not more than \$5,000, or by both such fine and imprisonment.</p> <p>(c) Whoever:</p> <p style="padding-left: 40px;">(i) strangles or suffocates another person and by such strangulation or suffocation causes serious bodily injury;</p> <p style="padding-left: 40px;">(ii) strangles or suffocates another person, who is pregnant at the time of such strangulation or suffocation, knowing or having reason to know that the person is pregnant;</p> <p style="padding-left: 40px;">(iii) is convicted of strangling or suffocating another person after having been previously convicted of the crime of strangling or suffocating another person under this section, or of a like offense in another state or the United States or a military, territorial or Indian tribal authority; or</p> <p style="padding-left: 40px;">(iv) strangles or suffocates another person, with knowledge that the individual has an outstanding temporary or permanent vacate, restraining or no contact order or judgment</p>
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	<p>issued under sections 18 or 34B of chapter 208, section 32 of chapter 209, sections 3, 4 or 5 of chapter 209A or sections 15 or 20 of chapter 209C , in effect against such person at the time the offense is committed, shall be punished by imprisonment in state prison for not more than 10 years, or in the house of correction for not more than 2½ years, and by a fine of not more than \$10,000.</p> <p>(d) For any violation of this section, or as a condition of a continuance without a finding, the court shall order the defendant to complete a certified batterer's intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer's intervention should not be ordered or unless the batterer's intervention program determines that the defendant is not suitable for intervention.</p> <p>***** Additional Legislation Requirements Pursuant to MA Legis 260</p> <ul style="list-style-type: none">• Basic Police Training Curriculum must include documentation, report writing and evidence collection, including gathering information on whether there have been specific instances of strangulation or suffocation of the victim by the suspect (Chapter 6 Section 116A(b)(11)(ix))• District Attorneys' Offices must provide training to district attorneys, including gathering information on whether there have been specific instances of strangulation or suffocation of the victim by the suspect (Chapter 12 section 33(3)(ix))• The courts must provide training to judges, clerks, probation officers, court officers, security officers, and guardians ad litem, including gathering information on whether there have been specific instances of strangulation or suffocation of the victim by the suspect (Chapter 211B section 9B(3)(ix))
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<p>Michigan</p>	<p>M.C.L.A. 750.84 - Assault with intent to do great bodily harm less than murder; assault by strangulation or suffocation ENACTED AND/OR EFFECTED: 2013</p> <p>Sec. 84. (1) A person who does either of the following is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$5,000.00, or both:</p> <p>(a) Assaults another person with intent to do great bodily harm, less than the crime of murder.</p> <p>(b) Assaults another person by strangulation or suffocation.</p> <p>(2) As used in this section, "strangulation or suffocation" means intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person.</p> <p>(3) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same conduct as the violation of this section.</p>
<p>Minnesota</p>	<p>MINN. STAT. § 609.2247. DOMESTIC ASSAULT BY STRANGULATION ENACTED AND/OR EFFECTED: 2005</p> <p>Subdivision 1. Definitions. (a) As used in this section, the following terms have the meanings given.</p> <p>(c) "Strangulation" means intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person.</p> <p>Subd. 2. Crime.</p> <p>Unless a greater penalty is provided elsewhere, whoever assaults a family or household member by strangulation is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both.</p>

Mississippi	<p>MISS. CODE ANN. § 97-3-7. SIMPLE AND AGGRAVATED ASSAULT; SIMPLE AND AGGRAVATED DOMESTIC VIOLENCE ENACTED AND/OR EFFECTED: 2010</p> <p>(4)(a) When the offense is committed against a current or former spouse of the defendant or a child of that person, a person living as a spouse or who formerly lived as a spouse with the defendant or a child of that person, a parent, grandparent, child, grandchild or someone similarly situated to the defendant, a person who has a current or former dating relationship with the defendant, or a person with whom the defendant has had a biological or legally adopted child, a person is guilty of aggravated domestic violence who:</p> <ul style="list-style-type: none"> (i) Attempts to cause serious bodily injury to another, or causes such an injury purposely, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; (ii) Attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or (iii) Strangles, or attempts to strangle another. <p>Upon conviction, the defendant shall be punished by imprisonment in the custody of the Department of Corrections for not less than two (2) nor more than twenty (20) years.</p> <p>(b) Aggravated domestic violence; third. A person is guilty of aggravated domestic violence third who, at the time of the commission of that offense, commits aggravated domestic violence as defined in this subsection (4) and who has two (2) prior convictions within the past seven (7) years, whether against the same or another victim, for any combination of aggravated domestic violence under this subsection (4) or simple domestic violence third as defined in subsection (3) of this section, or substantially similar offenses under the laws of another state, of the United States, or of a federally recognized Native American tribe. Upon conviction for aggravated domestic violence third, the defendant shall be sentenced to a term of imprisonment of not less than ten (10) nor more than twenty (20) years.</p> <p>(5) Sentencing for fourth or subsequent domestic violence offense. Any person who commits an offense defined in subsection (3) or (4) of this section, and who, at the time of the commission of that offense, has at least three (3) previous convictions, whether against the same or different victims, for any combination of offenses defined in subsections (3) and (4) of this section or</p>
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	<p>substantially similar offenses under the law of another state, of the United States, or of a federally recognized Native American tribe, shall, upon conviction, be sentenced to imprisonment for not less than fifteen (15) years nor more than twenty (20) years.</p> <p>(6) In sentencing under subsections (3), (4) and (5) of this section, the court shall consider as an aggravating factor whether the crime was committed in the physical presence or hearing of a child under sixteen (16) years of age who was, at the time of the offense, living within either the residence of the victim, the residence of the perpetrator, or the residence where the offense occurred.</p> <p>(a) “Strangle” means to restrict the flow of oxygen or blood by intentionally applying pressure on the neck, throat or chest of another person by any means or to intentionally block the nose or mouth of another person by any means.</p>
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Missouri	<p style="text-align: center;">MO. REV. STAT. § 565.073. DOMESTIC ASSAULT, SECOND DEGREE – PENALTY ENACTED AND/OR EFFECTED: 2000</p> <p>1. A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term “domestic victim” is defined under section 565.002, and he or she:</p> <ul style="list-style-type: none">(1) Knowingly causes physical injury to such family or household member by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or(2) Recklessly causes serious physical injury to such family or household member; or(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon. <p>2. The offense of domestic assault in the second degree is a class D felony.</p>
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Montana	<p style="text-align: center;">MT. STAT. §40-5-215 Strangulation of partner or family member ENACTED AND/OR EFFECTED: 2017</p> <p>(1) A person commits the offense of strangulation of a partner or family member if the person purposely or knowingly impedes the normal breathing or circulation of the blood of a partner or family member by:</p> <p>(a) Applying pressure on the throat or neck of the partner or family member; or</p> <p>(b) Blocking air flow to the nose or mouth of the partner or family.</p> <p>(2)(a) A person convicted of a first offense of strangulation of a partner or family member shall be fined an amount not to exceed \$50,000 or be imprisoned in the state prison for a term not to exceed 5 years, or both;</p> <p>(b) A person convicted of a second or subsequent offense under this section shall be imprisoned in the state prison for a term of not less than 2 years or more than 20 years and may be fined an amount not more than \$50,000, except as provided in 46-18-219 and 46-18-222.</p> <p>(3) A person convicted of strangulation of a partner or family member is required to pay for and complete a counseling assessment as required in 45-5-206(4).</p> <p>(4) For the purposes of this section, “partner” and “family member” have the meanings provided in 45-5-206.</p>
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Nebraska	<p>NEB. REV. STAT. ANN. § 28-310.01. STRANGULATION; PENALTY; AFFIRMATIVE DEFENSE ENACTED AND/OR EFFECTED: 2004</p> <p>(1) A person commits the offense of strangulation if the person knowingly or intentionally impedes the normal breathing or circulation of the blood of another person by applying pressure on the throat or neck of the other person.</p> <p>(2) Except as provided in subsection (3) of this section, strangulation is a Class IV felony.</p> <p>(3) Strangulation is a Class III felony if:</p> <ul style="list-style-type: none">(a) The person used or attempted to use a dangerous instrument while committing the offense;(b) The person caused serious bodily injury to the other person while committing the offense; or(c) The person has been previously convicted of strangulation. <p>(4) It is an affirmative defense that an act constituting strangulation was the result of a legitimate medical procedure.</p>
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<p>Nevada</p>	<p style="text-align: center;">NEV. REV. STAT. ANN. § 200. BATTERY: DEFINITIONS; PENALTIES ENACTED AND/OR EFFECTED: 2009</p> <p>1. As used in this section:</p> <p>(a) “Battery” means any willful and unlawful use of force or violence upon the person of another.</p> <p>(h) “Strangulation” means intentionally impeding the normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person in a manner that creates a risk of death or substantial bodily harm.</p> <p>Nev. Stat. § 200.400(4)(a) Category A felony—Battery with intent to commit sexual assault. Penalties: A person who is convicted of battery with the intent to commit sexual assault shall be punished: (a) If the crime results in substantial bodily harm to the victim or is committed by strangulation, for a category A felony by imprisonment in the state prison: (1) For life without the possibility of parole; or (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, as determined by the verdict of the jury, or the judgment of the court if there is no jury.</p> <p>Nev. Stat. § 193.166(4) Additional penalty: Felony committed in violation of order for protection or order to restrict conduct; restriction on probation 4. The court shall not grant probation to or suspend the sentence of any person convicted of attempted murder, battery which involves the use of a deadly weapon, battery which results in substantial bodily harm or battery which is committed by strangulation as described in NRS 200.481 or 200.485 if an additional term of imprisonment may be imposed for that primary offense pursuant to this section.</p> <p>Nev. Stat. § 200.485(2) Category C felony - Battery which constitutes domestic violence: Penalties; referring child for counseling; restriction against dismissal, probation and suspension; definitions 2. Unless a greater penalty is provided pursuant to NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, if the battery is committed by strangulation as described in NRS 200.481, is guilty of a category C felony and shall be punished as provided in NRS 193.130 and by a fine of not more than \$15,000.</p>
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Nevada Revised Statutes § 178.484 - Right to bail before conviction

- (7) A person arrested for a battery that constitutes domestic violence pursuant to NRS 33.018 must not be admitted to bail sooner than 12 hours after arrest. If the person is admitted to bail more than 12 hours after arrest, without appearing personally before a magistrate or without the amount of bail having been otherwise set by a magistrate or a court, the amount of bail must be:
- (a) Three thousand dollars, if the person has no previous convictions of battery that constitute domestic violence pursuant to NRS 33.018 and there is no reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation;
 - (b) Five thousand dollars, if the person has:
 - (1) No previous convictions of battery that constitute domestic violence pursuant to NRS 33.018, but there is reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation; or
 - (2) One previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018, but there is no reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation; or
 - (c) Fifteen thousand dollars, if the person has:
 - (1) One previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018 and there is reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation

New Hampshire	<p style="text-align: center;">N.H. REV. STAT. ANN. § 631:2. SECOND DEGREE ASSAULT. ENACTED AND/OR EFFECTED: 2010</p> <p>I. A person is guilty of a class B felony if he or she: (f) Purposely or knowingly engages in the strangulation of another.</p> <p>II. In this section: (c) "Strangulation" means the application of pressure to another person's throat or neck, or the blocking of the person's nose or mouth, that causes the person to experience impeded breathing or blood circulation or a change in voice.</p>
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<p>New Jersey</p>	<p style="text-align: center;">N.J. P.L.2018, CHAPTER 53 ENACTED AND/OR EFFECTED: 2017</p> <p>(13) Knowingly or, under circumstances manifesting extreme indifference to the value of human life, recklessly obstructs the breathing or blood circulation of a person who, with respect to the actor, meets the definition of a victim of domestic violence, as defined in subsection d. of section 3 of P.L.1991, c. 261 (C.2C:25-19), by applying pressure on the throat or neck or blocking the nose or mouth of such person, thereby causing or attempting to cause bodily injury.</p> <p>Aggravated assault under paragraphs (1) and (6) of subsection b. of this section is a crime of the second degree; under paragraphs (2), (7), (9) and (10) of subsection b. of this section is a crime of the third degree; under paragraphs (3) and (4) of subsection b. of this section is a crime of the fourth degree; and under paragraph (5) of subsection b. of this section is a crime of the third degree if the victim suffers bodily injury, otherwise it is a crime of the fourth degree. Aggravated assault under paragraph (8) of subsection b. of this section is a crime of the third degree if the victim suffers bodily injury; if the victim suffers significant bodily injury or serious bodily injury it is a crime of the second degree. Aggravated assault under paragraph (11) of subsection b. of this section is a crime of the third degree. Aggravated assault under paragraph (12) or (13) of subsection b. of this section is a crime of the third degree but the presumption of non-imprisonment set forth in subsection e. of N.J.S.2C:44-1 for a first offense of a crime of the third degree shall not apply.</p>
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<p>New Mexico</p>	<p>N.M.S.A. 1978, § 30-3-16 Aggravated battery against a household member ENACTED AND/OR EFFECTED: 2018</p> <p>A. Aggravated battery against a household member consists of the unlawful touching or application of force to the person of a household member with intent to injure that person or another.</p> <p>B. Whoever commits aggravated battery against a household member is guilty of a misdemeanor if the aggravated battery against a household member is committed by inflicting an injury to that person that is not likely to cause death or great bodily harm, but that does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the body.</p> <p>C. Whoever commits aggravated battery against a household member is guilty of a third-degree felony if the aggravated battery against a household member is committed:</p> <ol style="list-style-type: none"> (1) by inflicting great bodily harm; (2) with a deadly weapon; (3) by strangulation or suffocation; or (4) in any manner whereby, great bodily harm or death can be inflicted. <p>D. Upon conviction pursuant to Subsection B of this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.</p> <p>E. Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to the provisions of Subsection B of this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years.</p>
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New York	<p style="text-align: center;">ALL ENACTED AND/OR EFFECTED: 2010</p> <p style="text-align: center;">N.Y. PENAL LAW § 121.11 CRIMINAL OBSTRUCTION OF BREATHING OR BLOOD CIRCULATION</p> <p>A person is guilty of criminal obstruction of breathing or blood circulation when, with intent to impede the normal breathing or circulation of the blood of another person, he or she:</p> <ul style="list-style-type: none">a. applies pressure on the throat or neck of such person; orb. blocks the nose or mouth of such person. <p>Criminal obstruction of breathing or blood circulation is a class A misdemeanor.</p> <p style="text-align: center;">§ 121.12 Strangulation in the second degree</p> <p>A person is guilty of strangulation in the second degree when he or she commits the crime of criminal obstruction of breathing or blood circulation, as defined in section 121.11 of this article, and thereby causes stupor, loss of consciousness for any period of time, or any other physical injury or impairment.</p> <p>Strangulation in the second degree is a class D felony.</p> <p style="text-align: center;">§ 121.13 Strangulation in the first degree</p> <p>A person is guilty of strangulation in the first degree when he or she commits the crime of criminal obstruction of breathing or blood circulation, as defined in section 121.11 of this article, and thereby causes serious physical injury to such other person.</p> <p>Strangulation in the first degree is a class C felony.</p>
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<p>North Carolina</p>	<p>N.C. GEN. STAT. § 14-32.4. ASSAULT INFLECTING SERIOUS BODILY INJURY; STRANGULATION; PENALTIES ENACTED AND/OR EFFECTED: 2004</p> <p>(a) Unless the conduct is covered under some other provision of law providing greater punishment, any person who assaults another person and inflicts serious bodily injury is guilty of a Class F felony. "Serious bodily injury" is defined as bodily injury that creates a substantial risk of death, or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization.</p> <p>(b) Unless the conduct is covered under some other provision of law providing greater punishment, any person who assaults another person and inflicts physical injury by strangulation is guilty of a Class H felony.</p>
<p>North Dakota</p>	<p>N.D. § 12.1-17-02. ENACTED AND/OR EFFECTED: 2007</p> <p>Except as provided in subsection 2, a person is guilty of a class C felony if that person:</p> <ul style="list-style-type: none"> a. Willfully causes serious bodily injury to another human being; b. Knowingly causes bodily injury or substantial bodily injury to another human being with a dangerous weapon or other weapon, the possession of which under the circumstances indicates an intent or readiness to inflict serious bodily injury; c. Causes bodily injury or substantial bodily injury to another human being while attempting to inflict serious bodily injury on any human being; <p>N.D. Cent. Code Ann. § 12.1-01-04</p> <p>27. "Serious bodily injury" means bodily injury that creates a substantial risk of death or which causes serious permanent disfigurement, unconsciousness, extreme pain, permanent loss or impairment of the function of any bodily member or organ, a bone fracture, or impediment of air flow or blood flow to the brain or lungs.</p>

Ohio	<p style="text-align: center;">ORC § 2919.251- CONSIDERATIONS IN SETTING BAIL IN DOMESTIC VIOLENCE CASES ENACTED AND/OR EFFECTED: 2006 BAIL ONLY</p> <p>(B) To the extent that information about any of the following is available to the court, the court shall consider all of the following, in addition to any other circumstances considered by the court and notwithstanding any provisions to the contrary contained in Criminal Rule 46, before setting bail for a person who appears before the court pursuant to division (A) of this section:</p> <ul style="list-style-type: none"> (1) Whether the person has a history of domestic violence or a history of other violent acts; (2) The mental health of the person; (3) Whether the person has a history of violating orders of any court or governmental entity; (4) Whether the person is potentially a threat to any other person; (5) Whether the person has access to deadly weapons or a history of using deadly weapons; (6) Whether the person has a history of abusing alcohol or any controlled substance; (7) The severity of the alleged violence that is the basis of the offense, including but not limited to, the duration of the alleged violent incident, and whether the alleged violent incident involved serious physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim; (8) Whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending; (9) Whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including but not limited to, stalking, surveillance, or isolation of the alleged victim; (10) Whether the person has expressed suicidal or homicidal ideations; (11) Any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint.
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<p>Oklahoma</p>	<p style="text-align: center;">OKLA. STAT. ANN. TIT. 21 § 641. ASSAULT DEFINED ENACTED AND/OR EFFECTED: 2004</p> <p>An assault is any willful and unlawful attempt or offer with force or violence to do a corporal hurt to another.</p> <p style="text-align: center;">OKLA. STAT. ANN TIT. 21, § 644. ASSAULT, ASSAULT AND BATTERY, DOMESTIC ABUSE</p> <p>J. Any person who commits any assault and battery with intent to cause great bodily harm by strangulation or attempted strangulation against a current or former spouse, a present spouse of a former spouse, a former spouse of a present spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is or was in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant, or a person living in the same household as the defendant shall, upon conviction, <u>be guilty of domestic abuse by strangulation</u> and shall be punished by imprisonment in the custody of the Department of Corrections for a period of not less than one (1) year nor more than three (3) years, or by a fine of not more than Three Thousand Dollars (\$3,000.00), or by both such fine and imprisonment. Upon a second or subsequent conviction for a violation of this section, the defendant shall be punished by imprisonment in the custody of the Department of Corrections for a period of not less than three (3) years nor more than ten (10) years, or by a fine of not more than Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction of a violation of this subsection. As used in this subsection, “strangulation” means any form of asphyxia; including, but not limited to, asphyxia characterized by closure of the blood vessels or air passages of the neck as a result of external pressure on the neck or the closure of the nostrils or mouth as a result of external pressure on the head.</p>
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Oregon	<p style="text-align: center;">OR. REV. STAT. § 163.187. CRIMES AND PUNISHMENTS- STRANGULATION ENACTED AND/OR EFFECTED: 2003</p> <p>(1) A person commits the crime of strangulation if the person knowingly impedes the normal breathing or circulation of the blood of another person by:</p> <ul style="list-style-type: none">(a) Applying pressure on the throat or neck of the other person; or(b) Blocking the nose or mouth of the other person. <p>(2) Subsection (1) of this section does not apply to legitimate medical or dental procedures or good faith practices of a religious belief.</p> <p>(3) Strangulation is a Class A misdemeanor.</p> <p>(4) Notwithstanding subsection (3) of this section, strangulation is a Class C felony if:</p> <ul style="list-style-type: none">(a) The crime is committed in the immediate presence of, or is witnessed by, the person's or the victim's minor child or stepchild or a minor child residing within the household of the person or the victim;(b) The victim is under 10 years of age;(c) During the commission of the crime, the person used, attempted to use or threatened to use a dangerous or deadly weapon, as those terms are defined in ORS 161.015, unlawfully against another;(d) The person has been previously convicted of violating this section or of committing an equivalent crime in another jurisdiction;(e) The person has been previously convicted of violating this section or of committing an equivalent crime in another jurisdiction, and the victim in the previous conviction is the same person who is the victim of the current conviction; or
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	<p>(f) The person has at least three previous convictions of any combination of ORS 163.160, 163.165, 163.175, 163.185 or 163.190 or of equivalent crimes in other jurisdictions.</p> <p>(5) For purposes of subsection (4)(a) of this section, a strangulation is witnessed if the strangulation is seen or directly perceived in any other manner by the child.</p> <p style="text-align: center;">Senate Bill 1562; Amends ORS § 163.187 ENACTED AND/OR EFFECTED: 2018</p> <p>Carries a maximum prison sentence of 5 years and maximum fine of \$125,000. SB 1562 expands the statutory definition of strangulation to include applying pressure to the chest of the victim. The bill also increases the penalty for strangulation, when the victim is a “family or household member,” or when it is in the context of domestic violence, to a Class C felony.</p>
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<p>Pennsylvania</p>	<p style="text-align: center;">TITLE 18 § 2718. STRANGULATION ENACTED AND/OR EFFECTED: 2016</p> <p>a) Offense defined. --A person commits the offense of strangulation if the person knowingly or intentionally impedes the breathing or circulation of the blood of another person by:</p> <ul style="list-style-type: none"> (1) applying pressure to the throat or neck; or (2) blocking the nose and mouth of the person. <p>(b) Physical injury. --Infliction of a physical injury to a victim shall not be an element of the offense. The lack of physical injury to a victim shall not be a defense in a prosecution under this section.</p> <p>(c) Affirmative defense. --It shall be an affirmative defense to a charge under this section that the victim consented to the defendant's actions as provided under section 311 (relating to consent).</p> <p>(d) Grading. --</p> <ul style="list-style-type: none"> (1) Except as provided in paragraph (2) or (3), a violation of this section shall constitute a misdemeanor of the second degree. (2) A violation of this section shall constitute a felony of the second degree if committed: <ul style="list-style-type: none"> (i) against a family or household member as defined in 23 Pa.C.S. § 6102 (relating to definitions); (ii) by a caretaker against a care-dependent person; or (iii) in conjunction with sexual violence as defined in 42 Pa.C.S. § 62A03 (relating to definitions) or conduct constituting a crime under section 2709.1 (relating to stalking) or Subchapter B of Chapter 30 (relating to prosecution of human trafficking). (3) A violation of this section shall constitute a felony of the first degree if: <ul style="list-style-type: none"> (i) at the time of commission of the offense, the defendant is subject to an active protection from abuse order under 23 Pa.C.S. Ch. 61 (relating to protection from abuse) or a sexual violence or intimidation protection order under 42 Pa.C.S. Ch. 62A (relating to protection of victims of sexual violence or intimidation) that covers the victim; (ii) the defendant uses an instrument of crime as defined in section 907 (relating to possessing instruments of crime) in commission of the offense under this section; or (iii) the defendant has previously been convicted of an offense under paragraph (2) or a substantially similar offense in another jurisdiction.
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<p>Rhode Island</p>	<p>GEN. LAWS § 11-5-2.3 DOMESTIC ASSAULT BY STRANGULATION. ENACTED AND/OR EFFECTED: 2012</p> <p>(a) Every person who shall make an assault or battery, or both, by strangulation, on a family or household member as defined in subsection 12-29-2(b), shall be punished by imprisonment for not more than ten (10) years.</p> <p>(b) Where the provisions of “The Domestic Violence Prevention Act”, chapter 29 of title 12, are applicable, the penalties for violation of this section shall also include the penalties as provided in § 12-29-5.</p> <p>(c) “Strangulation” means knowingly and intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person, with the intent to cause that person harm.</p>
<p>South Dakota</p>	<p>SDCL. § 22-18-1.1. AGGRAVATED ASSAULT—FELONY ENACTED AND/OR EFFECTED: 2012</p> <p>Any person who:</p> <p>(8) Attempts to induce a fear of death or imminent serious bodily harm by impeding the normal breathing or circulation of the blood of another person by applying pressure on the throat or neck, or by blocking the nose and mouth;</p> <p>is guilty of aggravated assault. Aggravated assault is a Class 3 felony.</p>

<p>Tennessee</p>	<p style="text-align: center;">TENN. CODE ANN. § 39-13-102. AGGRAVATED ASSAULT ENACTED AND/OR EFFECTED: 2011</p> <p>(a)(1) A person commits aggravated assault who:</p> <p>(A) Intentionally or knowingly commits an assault as defined in § 39-13-101, and the assault:</p> <p>(iv) Was intended to cause bodily injury to another by strangulation or bodily injury by strangulation was attempted;</p> <p>(2) For purposes of subdivision (a)(1)(A)(iii) “strangulation” means intentionally impeding normal breathing or circulation of the blood by applying pressure to the throat or neck or by blocking the nose and mouth of another person.</p> <p>(e)(1)(A) Aggravated assault under:</p> <p>(ii) Subdivision (a)(1)(A)(i), (iii), or (iv) is a Class C felony;</p> <p>(iii) Subdivision (a)(1)(A)(ii) is a Class C felony;</p> <p style="text-align: center;">TENN. CODE AMEND. BILL 428 ENACTED AND/OR EFFECTED: 2015</p> <p>a person commits assault, an assault is considered to be aggravated assault, and a Class C felony, if the person intentionally or knowingly commits assault, and such assault was intended to cause bodily injury to another by strangulation or bodily injury by strangulation was attempted. This bill removes the requirement that there be an intent to cause bodily injury in regard to an assault involving strangulation. Under this bill, aggravated assault, where the defendant knowingly or intentionally committed assault and the assault involved strangulation or attempted strangulation, will be a Class C felony.</p> <p>If the defendant recklessly commits an assault and the assault involved strangulation, the offense will be a Class D felony.</p>
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<p>Texas</p>	<p style="text-align: center;">TEX. PENAL CODE ANN. § 22.01. ASSAULTIVE OFFENSES ENACTED AND/OR EFFECTED: 2009</p> <p>(a) A person commits an offense if the person:</p> <ul style="list-style-type: none"> (1) intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse; (2) intentionally or knowingly threatens another with imminent bodily injury, including the person's spouse; or (3) intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. <p>(b) An offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against:</p> <ul style="list-style-type: none"> (2) a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, if: <ul style="list-style-type: none"> (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; <p>(b-1) Notwithstanding Subsection (b)(2), an offense under Subsection (a)(1) is a felony of the second degree if:</p> <ul style="list-style-type: none"> (1) the offense is committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; (2) it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this chapter, Chapter 19, or Section 20.03, 20.04, or 21.11 against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; and (3) 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. <p>(f) For the purposes of Subsections (b)(2)(A) and (b-1) (2) :</p>
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	<p>(1) a defendant has been previously convicted of an offense listed in those subsections committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, if the defendant was adjudged guilty of the offense or entered a plea of guilty or nolo contendere in return for a grant of deferred adjudication, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the defendant was subsequently discharged from community supervision; and</p> <p>(2) a conviction under the laws of another state for an offense containing elements that are substantially similar to the elements of an offense listed in those subsections is a conviction of the offense listed.</p> <p>(g) If conduct constituting an offense under this section also constitutes an offense under another section of this code, the actor may be prosecuted under either section or both sections.</p>
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<p>Utah</p>	<p style="text-align: center;">Utah Code §§ 76-5-103 – Aggravated Assault Penalties ENACTED AND/OR EFFECTED: 2017</p> <ol style="list-style-type: none"> 1. Aggravated assault is an actor's conduct <ol style="list-style-type: none"> a. That is: <ol style="list-style-type: none"> i. An attempt, with unlawful force or violence to do bodily injury to another; ii. A threat, accompanied by a show of immediate force or violence, to do bodily injury to another or; iii. An act, committed with unlawful force or violence, that causes bodily injury to another or creates a substantial risk of bodily injury to another; and b. That includes the use of: <ol style="list-style-type: none"> i. A dangerous weapons as defined Section 76-1-601; ii. Any act that impedes the breathing or the circulation of blood of another person by the actor's use of unlawful force or violence that is likely to produce a loss of consciousness by: <ol style="list-style-type: none"> A. Applying pressure to the neck or throat of a person; or B. Obstruction the nose, mouth, or airway of a person; or iii. Other means or force likely to produce death or serious bodily injury 2. Any act under this section is punishable as a third-degree felony, except that an act under this section is punishable as a second-degree felony if: <ol style="list-style-type: none"> a. The act results in serious bodily injury; or b. An act under subsection (1)(b)(ii) produces a loss of consciousness <p style="text-align: center;">Utah Code §§ 76-5-103 – Child Abuse—Child Abandonment ENACTED AND/OR EFFECTED: 2017</p> <ol style="list-style-type: none"> (i) "Serious physical injury" means any physical injury or set of injuries that: <ol style="list-style-type: none"> (A) seriously impairs the child's health; (B) involves physical torture; (C) causes serious emotional harm to the child; or (D) involves a substantial risk of death to the child. (ii) "Serious physical injury" includes:
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	<ul style="list-style-type: none">(B) intracranial bleeding, swelling or contusion of the brain, whether caused by blows, shaking, or causing the child's head to impact with an object or surface;(D) any injury caused by use of a dangerous weapon as defined in Section 76-1-601;(E) any combination of two or more physical injuries inflicted by the same person, either at the same time or on different occasions;(F) any damage to internal organs of the body;(G) any conduct toward a child that results in severe emotional harm, severe developmental delay or intellectual disability, or severe impairment of the child's ability to function;(I) any impediment of the breathing or the circulation of blood by application of pressure to the neck, throat, or chest, or by the obstruction of the nose or mouth, that is likely to produce a loss of consciousness;(K) unconsciousness caused by the unlawful infliction of a brain injury or unlawfully causing any deprivation of oxygen to the brain.
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<p>Vermont</p>	<p style="text-align: center;">V.S.A. § 1024. AGGRAVATED ASSAULT ENACTED AND/OR EFFECTED: 2006</p> <p>(a) A person is guilty of aggravated assault if the person:</p> <p>(1) attempts to cause serious bodily injury to another, or causes such injury purposely, knowingly, or recklessly under circumstances manifesting extreme indifference to the value of human life; or</p> <p>(2) attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon; or</p> <p>(5) is armed with a deadly weapon and threatens to use the deadly weapon on another person.</p> <p>(b) A person found guilty of violating a provision of subdivision (a)(1) or (2) of this section shall be imprisoned for not more than 15 years or fined not more than \$10,000.00, or both.</p> <p>(c) A person found guilty of violating a provision of subdivision (a)(3), (4), or (5) of this section shall be imprisoned for not more than five years or fined not more than \$5,000.00, or both.</p> <p style="text-align: center;">V.S.A. § 1021. DEFINITIONS</p> <p>For the purpose of this chapter:</p> <p>(1) "Bodily injury" means physical pain, illness or any impairment of physical condition.</p> <p>(2) "Serious bodily injury" means:</p> <p>(B) strangulation by intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person.</p>
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Virginia	<p style="text-align: center;">VA. CODE ANN. § 18.2-51.6. STRANGULATION OF ANOTHER; PENALTY ENACTED AND/OR EFFECTED: 2012</p> <p>Any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally, and unlawfully applying pressure to the neck of such person resulting in the wounding or bodily injury of such person is guilty of strangulation, a Class 6 felony.</p> <p>HB 2120 Strangulation; admission to bail, alleged victim is a family or household member. Admission to bail; strangulation. Adds strangulation where the alleged victim is a family or household member to the list of crimes charged for which there is a rebuttable presumption against admission to bail.</p>
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<p>Washington</p>	<p>WASH. REV. CODE ANN. § 9A.36.021. ASSAULT IN THE SECOND DEGREE ENACTED AND/OR EFFECTED: 2007</p> <p>(1) A person is guilty of assault in the second degree if he or she, under circumstances not amounting to assault in the first degree:</p> <p>(g) Assaults another by strangulation or suffocation.</p> <p>(2)(a) Except as provided in (b) of this subsection, assault in the second degree is a class B felony.</p> <p>(b) Assault in the second degree with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135 is a class A felony.</p> <p>WASH. REV. CODE ANN. § 9A.04.110. DEFINITIONS</p> <p>(26) “Strangulation” means to compress a person's neck, thereby obstructing the person's blood flow or ability to breathe, or doing so with the intent to obstruct the person's blood flow or ability to breathe;</p> <p>(27) “Suffocation” means to block or impair a person's intake of air at the nose and mouth, whether by smothering or other means, with the intent to obstruct the person's ability to breathe;</p>
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<p>West Virginia</p>	<p>W.V. §61-2-9d. Strangulation; definitions; penalties ENACTED AND/OR EFFECTED: 2016</p> <p>(a) As used in this section: (1) “Bodily injury” means substantial physical pain, illness or any impairment of physical condition; (2) “Strangle” means knowingly and willfully restricting another person’s air intake or blood flow by the application of pressure on the neck or throat; (b) Any person who strangles another without that person’s consent and thereby causes the other person bodily injury or loss of consciousness is guilty of a felony and, upon conviction thereof, shall be fined not more than \$2,500 or imprisoned in a state correctional facility not less than one year or more than five years, or both fined and imprisoned.</p>
<p>Wisconsin</p>	<p>WIS. STAT. ANN. §940.235. STRANGULATION AND SUFFOCATION ENACTED AND/OR EFFECTED: 2008</p> <p>(1) Whoever intentionally impedes the normal breathing or circulation of blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person is guilty of a Class H felony.</p> <p>Whoever violates sub. (1) is guilty of a Class G felony if the actor has a previous conviction under this section or a previous conviction for a violent crime, as defined in s. 939.632(1)(e)1.</p>

<p>Wyoming</p>	<p>WYO. STAT. ANN. § 6-2-509. STRANGULATION OF A HOUSEHOLD MEMBER; PENALTY ENACTED AND/OR EFFECTED: 2011</p> <p>(a) A person is guilty of strangulation of a household member if he intentionally and knowingly or recklessly causes or attempts to cause bodily injury to a household member by impeding the normal breathing or circulation of blood by:</p> <p>(i) Applying pressure on the throat or neck of the household member; or</p> <p>(ii) Blocking the nose and mouth of the household member.</p> <p>(b) Strangulation of a household member is a felony punishable by imprisonment for not more than five (5) years.</p> <p>(c) For purposes of this section, “household member” means as defined in W.S. 35-21-102(a)(iv)(A) through (D), (G) and (H).</p>
<p>U.S. Virgin Islands</p>	<p>V.I. CODE ANN. TIT. 14 § 296 ASSAULT IN THE SECOND DEGREE ENACTED AND/OR EFFECTED: 2010</p> <p>Whoever willfully-</p> <p>(3) <u>strangle</u> or attempts to strangle any person in an act of domestic violence; or</p> <p>shall be imprisoned not more than 10 years and if the conviction results from an act of domestic violence, the person shall be fined no less than \$1,000 and shall successfully complete certified mandatory Batters Intervention Program.</p>

<p>Guam</p>	<p>Guam § 19.80. Strangulation; Defined & Punished ENACTED AND/OR EFFECTED: 2016</p> <p>(a) A person is guilty of strangulation if he knowingly or intentionally, against the will of another, impedes the normal breathing or circulation of the blood of another by applying pressure to the throat or neck or by blocking the nose or mouth of another.</p> <p>b) Strangulation is a felony of the third degree; provided that any person convicted of strangulation shall not be enforceable for work release or educational programs outside the confines of prison."</p>
<p>Federal</p>	<p>TITLE 18 USC § 113; ASSAULT WITHIN MARITIME AND TERRITORIAL JURISDICTION ENACTED AND/OR EFFECTED: 2013</p> <p>(a) Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows:</p> <p>(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.</p> <p>(b) Definitions --In this section—</p> <p>(4) the term “strangling” means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and</p> <p>(5) the term “suffocating” means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.</p>

Tribal	<p style="text-align: center;">COLVILLE CONFEDERATED TRIBES</p> <p>Strangulation: Any person who uses their hands or any other object to impede the normal breathing or circulation of blood by applying pressure on the throat or neck, or obstructing the nose or mouth. Strangulation is a Class A offense.</p>
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<p>U.S. Military</p>	<p>U.C.M.J. H.R. 5515; National Defense Authorization Act ENACTED AND/OR EFFECTED: 2019</p> <p>“(B) commits an offense under this chapter against any property, including an animal; “(3) with intent to threaten or intimidate a spouse, an intimate partner, or an immediate family member of that person, violates a protection order; “(4) with intent to commit a violent offense against a spouse, an intimate partner, or an immediate family member of that person, violates a protection order; or “(5) assaults a spouse, an intimate partner, or an immediate family member of that person by strangling or suffocating; shall be punished as a court-martial may direct.”.</p> <p>(2) CLERICAL AMENDMENT. The table of sections at the beginning of subchapter X of chapter 47 of such title (the Uniform Code of Military Justice) is amended by inserting after the item relating to section 928a (article 128a) the following new item:</p> <p>“928b. 128b. Domestic violence.”</p> <p>(b) EFFECTIVE DATE. The amendments made by this section shall take effect on January 1, 2019, immediately after the coming into effect of the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) as provided in section 5542 of that Act (130 Stat. 2967; 10 U.S.C. 801 note).</p>
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