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States with Strangulation Legislation

This list was last updated by the Training Institute on Strangulation Prevention in May 2017. 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, and Elizabeth Cosentino-Vonderahe. The Institute recommends checking both case law and current legislation for any updates or modifications.

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State	Law
Alabama (2012)	§ 13A-6-138. DOMESTIC VIOLENCE BY STRANGULATION OR SUFFOCATION. (a) For the purposes of this section, the following terms have the following meanings: (1) QUALIFIED RELATIONSHIP. The victim is a spouse, former spouse, parent, stepparent, child, stepchild, or a person with whom the defendant has a child in common, or with whom the defendant has or had a dating or engagement relationship within 10 months preceding this event. (2) 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. (3) 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 as defined in this section. (b) A person commits the crime of domestic violence by strangulation or suffocation if the person 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 against a person with whom the defendant has a qualified relationship. (c) Domestic violence by strangulation or suffocation is a Class B felony punishable as provided by law.



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Alaska (2005)	§ 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 dangerous instrument; § 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; § 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 (A) places another person in fear of imminent serious physical injury by means of a dangerous instrument; § 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; ALASKA STAT. § 11.81.900. DEFINITIONS (15) “dangerous instrument” means
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(Alaska cont.)	(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;
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Arizona (2010)	ARIZ. REV. STAT. § 13-1204. AGGRAVATED ASSAULT; CLASSIFICATION; DEFINITION (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: (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. (2) Any of the circumstances exists that are set forth in section 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.
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Arkansas (2009)	ARK. CODE § 5-13-204. AGGRAVATED ASSAULT (a) A person commits aggravated assault if, under circumstances manifesting extreme indifference to the value of human life, he or she purposely: (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.
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California (2011)	CAL. PENAL CODE § 273.5. WILLFUL INFLICTION OF CORPORAL INJURY; VIOLATION; PUNISHMENT (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. (b) Subdivision (a) shall apply if the victim is or was one or more of the following: (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. (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. (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.
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Colorado (2016)	§ 18-3-202. ASSAULT IN THE FIRST DEGREE (1) A person commits the crime of assault in the first degree if:... (g) With the intent to cause serious bodily injury, he or she applies sufficient pressure to impede or restrict the breathing or circulation of the 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 bodily injury.
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Connecticut (2007)	Conn. Gen. Stat. § 53a-64aa. Strangulation in the first degree: Class C felony (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. (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. (c) Strangulation in the first degree is a class C felony. § 53a-64bb. Strangulation in the second degree: Class D felony (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. (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
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(Connecticut cont'd)	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. (c) Strangulation in the second degree is a class D felony. Conn. Gen. Stat. § 53a-64cc. Strangulation in the third degree: Class A misdemeanor (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. (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. (c) Strangulation in the third degree is a class A misdemeanor.
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Delaware (2010)	11 Del. C. § 607. Strangulation; penalty; affirmative defense (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. (2) Except as provided in paragraph (a)(3) of this section, strangulation is a class E felony. (3) Strangulation is a class D felony if: a. The person used or attempted to use a dangerous instrument or a deadly weapon while committing the offense; or b. The person caused serious physical injury to the other person while committing the offense; or c. The person has been previously convicted of strangulation.
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Florida (2007)	FLA. STAT. § 784.041 FELONY BATTERY; DOMESTIC BATTERY BY STRANGULATION (1) A person commits felony battery if he or she: (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. (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. (b) As used in this subsection, the term: 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. (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.
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Georgia (2014)	GA. CODE, § 16-5-21 AGGRAVATED ASSAULT (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. (b) A person commits the offense of aggravated assault when he or she assaults: (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 (2006)	HAW. REV. STAT. § 709-906(1), (8) ABUSE OF FAMILY OR HOUSEHOLD MEMBERS; PENALTY (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. 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. (8) Where the physical abuse consists of intentionally or knowingly impeding the normal breathing or circulation of the blood of the family or household member by applying pressure on the throat or the neck, abuse of a family or household member is a class C felony.
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Idaho (2005)	IDAHO CODE § 18-923. ATTEMPTED STRANGULATION (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. (2) No injuries are required to prove attempted strangulation. (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. (4) "Household member" assumes the same definition as set forth in section 18-918(1)(a), Idaho Code. (5) "Dating relationship" assumes the same definition as set forth in section 39-6303(2), Idaho Code.
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Illinois (2011)	5/12-3.3. Aggravated domestic battery (a) A person who, in committing a domestic battery, knowingly causes great bodily harm, or permanent disability or disfigurement commits aggravated domestic battery. (a-5) A person who, in committing a domestic battery, strangles another individual commits aggravated domestic battery. For the purposes of this subsection (a-5), “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. (b) Sentence. Aggravated domestic battery is a Class 2 felony. Any order of probation or conditional discharge entered following a conviction for an offense under this Section must include, in addition to any other condition of probation or conditional discharge, a condition that the offender serve a mandatory term of imprisonment of not less than 60 consecutive days. A person convicted of a second or subsequent violation of this Section must be sentenced to a mandatory term of imprisonment of not less than 3 years and not more than 7 years or an extended term of imprisonment of not less than 7 years and not more than 14 years. (c) Upon conviction of aggravated domestic battery, the court shall advise the defendant orally or in writing, substantially as follows: “An individual convicted of aggravated domestic battery may be subject to federal criminal penalties for possessing, transporting, shipping, or receiving any firearm or ammunition in violation of the federal Gun Control Act of 1968 (18 U.S.C. 922(g)(8) and (9)).” A notation shall be made in the court file that the admonition was given.
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Indiana (2014)	IND. CODE § 35-42-2-9. STRANGULATION
	(a) This section does not apply to a medical procedure. (b) A person who, in a rude, angry, or insolent manner, knowingly or intentionally: (1) applies pressure to the throat or neck of another person; or (2) obstructs the nose or mouth of the another person; in a manner that impedes the normal breathing or the blood circulation of the other person commits strangulation, a level 6 felony.



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Iowa (2013)	I.C.A. § 708.2A. DOMESTIC ABUSE ASSAULT—MANDATORY MINIMUMS, PENALTIES ENHANCED— 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.” 2. On a first offense of domestic abuse assault, the person commits: 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. 3. Except as otherwise provided in subsection 2, on a second domestic abuse assault, a person commits: 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. 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. 4. On a third or subsequent offense of domestic abuse assault, a person commits a class “D” felony. 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.
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Kansas (2017)	K.S.A. 2016 SUPP. 21-6804(Y) (b) Aggravated domestic battery is: (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 manner
Louisiana (2007)	LA. REV. STAT. § 14:35.3(B)(3). DOMESTIC ABUSE BATTERY A. Domestic abuse battery is the intentional use of force or violence committed by one household member upon the person of another household member. B. For purposes of this Section: (5) “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.



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	(6) “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. (7) “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. L. Notwithstanding any other provision of law to the contrary, if the domestic abuse battery involves strangulation, the offender shall be imprisoned at hard labor for not more than three years.
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Maine (2015)	17- AM.R.S.A. § 208. AGGRAVATED ASSAULT. 1. A person is guilty of aggravated assault if he intentionally, knowingly, or recklessly causes: A. Serious bodily injury to another; or B. Bodily injury to another with use of a dangerous weapon; or 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 the intentional impeding of the breathing or circulation of the blood of another person by applying pressure on the person's throat or neck. 2. Aggravated assault is a Class B crime.
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Maryland (2008)	MD. CODE, [CRIM. LAW] § 3-303(A). RAPE IN THE FIRST DEGREE (a) Prohibited. -- A person may not: (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; (ii) suffocate, <u>strangle</u>, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime; (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; (iv) commit the crime while aided and abetted by another; or (v) commit the crime in connection with a burglary in the first, second, or third degree. § 3-305(A). SEXUAL OFFENSE IN THE FIRST DEGREE (a) Prohibited. -- A person may not: (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; (ii) suffocate, strangle, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime; (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; (iv) commit the crime while aided and abetted by another; or (v) commit the crime in connection with a burglary in the first, second, or third degree § 3-307(A)(1). SEXUAL OFFENSE IN THE THIRD DEGREE (a) Prohibited. -- A person may not:
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(Maryland cont.)	(1) (i) engage in sexual contact with another without the consent of the other; and (ii) 1. employ or display a dangerous weapon, or a physical object that the victim reasonably believes is a dangerous weapon; (2) suffocate, strangle, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime; (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; Chapter 651Criminal Law – Strangulation – Lethality Screening Protocol and Training (2016) FOR the purpose of requiring, on or before a certain date, the Police Training Commission to develop a certain lethality screening protocol and training for law enforcement officers to employ when investigating complaints of domestic violence and assault by strangulation; requiring the Commission to make a certain report; and generally relating to assault by strangulation. SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, the Maryland Police Training Commission, on or before January 1, 2017, shall: 1. After conducting a review of the experience and best practices of other states, develop a lethality screening protocol and training for law enforcement officers to employ when investigating complaints of domestic violence and assault by strangulation; 2. Report the result of the review and the protocol and training developed in accordance with this Act to the General Assembly, in accordance with § 2—1246 of the State Government Article. SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.
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Massachusetts (2014)	M.G.L.A. 265, § 15D § 15D. Strangulation or suffocation; penalty; aggravating factors; batterer's intervention program (a) For the purposes of this section the following words shall have the following meanings, unless the context clearly indicates otherwise: "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. "Strangulation", the intentional interference of the normal breathing or circulation of blood by applying substantial pressure on the throat or neck of another. "Suffocation", the intentional interference of the normal breathing or circulation of blood by blocking the nose or mouth of another. (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. (c) Whoever: (i) strangles or suffocates another person and by such strangulation or suffocation causes serious bodily injury; (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; (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 (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 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
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(Massachusetts cont.)	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. (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. § 116A. Domestic violence and sexual violence complaints; basic training course; guidelines for law enforcement response (b) The course of basic training for law enforcement officers shall include at least 8 hours of instruction in the following procedures and techniques: (11) documentation, report writing and evidence collection, which shall include methods for assessing the degree of risk of homicide involved in situations of domestic violence, including, but not limited to, gathering information from the victim regarding the suspect's past reported and non-reported behavior and dangerousness, such as: (i) whether the suspect has ever used a weapon against the victim or threatened the victim with a weapon; (ii) whether the suspect owns a gun; (iii) whether the suspect's physical violence against the victim has increased in severity or frequency; (iv) whether the suspect has threatened to kill the victim; (v) whether the suspect has ever threatened or attempted suicide; (vi) whether the suspect has used or threatened physical violence against the victim's family, other household members or pets; (vii) whether the suspect uses illegal drugs; (viii) whether the suspect abuses alcohol; and (ix) whether there have been specific instances of strangulation or suffocation of the victim by the suspect;
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Michigan (2013)	M.C.L.A. 750.84 750.84. Assault with intent to do great bodily harm less than murder; assault by strangulation or suffocation; penalties; violations of law arising out of the same conduct 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: (a) Assaults another person with intent to do great bodily harm, less than the crime of murder. (b) Assaults another person by strangulation or suffocation. (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. (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.
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Minnesota (2005)	MINN. STAT. § 609.2247. DOMESTIC ASSAULT BY STRANGULATION Subdivision 1. Definitions. (a) As used in this section, the following terms have the meanings given. (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. Subd. 2. Crime. 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.
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Mississippi (2013)	MISS. CODE § 97-3-7. SIMPLE AND AGGRAVATED ASSAULT; SIMPLE AND AGGRAVATED DOMESTIC VIOLENCE (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: (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. 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. (4)(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
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(Mississippi cont.)	defendant shall be sentenced to a term of imprisonment of not less than ten (10) nor more than twenty (20) years. (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 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. (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. (9) For the purposes of this section: (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.
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Missouri (2009)	MO. REV. STAT. § 565.073. DOMESTIC ASSAULT, SECOND DEGREE -- PENALTY 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: (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. 2. The offense of domestic assault in the second degree is a class D felony.
Montana (2017)	MCA §40-15-102 ELIGIBILITY FOR ORDER OF PROTECTION NEW SECTION. Section 1. Strangulation of a partner or family member. 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: (a) Applying pressure on the throat or neck of the partner or family member; or (b) Blocking air flow to the nose or mouth of the partner or family member. (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



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	(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.
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Nebraska (2014)	NEB. REV. STAT. § 28-310.01. STRANGULATION; PENALTY; AFFIRMATIVE DEFENSE (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. (2) Except as provided in subsection (3) of this section, strangulation is a Class IV felony. (3) Strangulation is a Class III felony if: (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. (4) It is an affirmative defense that an act constituting strangulation was the result of a legitimate medical procedure.
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Nevada (2009)	NEV. REV. STAT. § 200.481. BATTERY: DEFINITIONS; PENALTIES 1. As used in this section: (a) “Battery” means any willful and unlawful use of force or violence upon the person of another. (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.
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New Hampshire (2010)	N.H. REV. STAT. § 631:2. SECOND DEGREE ASSAULT. I. A person is guilty of a class B felony if he or she: (f) Purposely or knowingly engages in the strangulation of another. 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.
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New York (2010)	N.Y. PENAL LAW § 121.11 CRIMINAL OBSTRUCTION OF BREATHING OR BLOOD CIRCULATION 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: a. applies pressure on the throat or neck of such person; or b. blocks the nose or mouth of such person. Criminal obstruction of breathing or blood circulation is a class A misdemeanor. § 121.12 Strangulation in the second degree 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. Strangulation in the second degree is a class D felony. § 121.13 Strangulation in the first degree 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. Strangulation in the first degree is a class C felony.
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North Carolina (2004)	N.C. GEN. STAT. § 14-32.4. ASSAULT INFLECTING SERIOUS BODILY INJURY; STRANGULATION; PENALTIES (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. (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.
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Oklahoma (2004)	§ 644. ASSAULT, ASSAULT AND BATTERY, DOMESTIC ABUSE 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, be guilty of domestic abuse by strangulation 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.
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Oregon (2011)	OR. REV. STAT. § 163.187. STRANGULATION
	(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: (a) Applying pressure on the throat or neck of the other person; or (b) Blocking the nose or mouth of the other person. (2) Subsection (1) of this section does not apply to legitimate medical or dental procedures or good faith practices of a religious belief. (3) Strangulation is a Class A misdemeanor. (4) Notwithstanding subsection (3) of this section, strangulation is a Class C felony if: (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 ORS 163.160, 163.165, 163.175, 163.185 or 163.190 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 (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.



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(Oregon cont.)	(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.
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Pennsylvania (last updated Oct 23, 2016)	§ 2718. STRANGULATION (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: (1) applying pressure to the throat or neck; or (2) blocking the nose and mouth of the person. (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. (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). (D) GRADING.-- (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: (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 18 PA.C.S. § 2709.1 (RELATING TO STALKING) OR CH. 30 SUBCH. B (RELATING TO PROSECUTION OF HUMAN TRAFFICKING). (3) A VIOLATION OF THIS SECTION SHALL CONSTITUTE A FELONY OF THE FIRST DEGREE IF: (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
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	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. (E) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE: "CARE-DEPENDENT PERSON." AN ADULT WHO, DUE TO PHYSICAL OR COGNITIVE DISABILITY OR IMPAIRMENT, REQUIRES ASSISTANCE TO MEET HIS NEEDS FOR FOOD, SHELTER, CLOTHING, PERSONAL CARE OR HEALTH CARE. "CARETAKER." ANY PERSON WHO: (1) IS AN OWNER, OPERATOR, MANAGER OR EMPLOYEE OF ANY OF THE FOLLOWING: (I) A NURSING HOME, PERSONAL CARE HOME, ASSISTED LIVING FACILITY, PRIVATE CARE RESIDENCE OR DOMICILIARY HOME. (II) A COMMUNITY RESIDENTIAL FACILITY OR INTERMEDIATE CARE FACILITY FOR A PERSON WITH MENTAL DISABILITIES. (III) AN ADULT DAILY LIVING CENTER. (IV) A HOME HEALTH SERVICE PROVIDER WHETHER LICENSED OR UNLICENSED. (V) AN ENTITY LICENSED UNDER THE ACT OF JULY 19, 1979 (P.L.130, NO.48), KNOWN AS THE HEALTH CARE FACILITIES ACT.
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| | <p>(2) PROVIDES CARE TO A CARE-DEPENDENT PERSON IN THE SETTINGS DESCRIBED UNDER PARAGRAPH (1).</p> <p>(3) HAS AN OBLIGATION TO CARE FOR A CARE-DEPENDENT PERSON FOR MONETARY CONSIDERATION IN THE SETTINGS DESCRIBED UNDER PARAGRAPH (1).</p> <p>(4) IS AN ADULT WHO RESIDES WITH A CARE-DEPENDENT PERSON AND WHO HAS A LEGAL DUTY TO PROVIDE CARE OR WHO HAS VOLUNTARILY ASSUMED AN OBLIGATION TO PROVIDE CARE BECAUSE OF A FAMILIAL RELATIONSHIP, CONTRACT OR COURT ORDER.</p> <p>(5) IS AN ADULT WHO DOES NOT RESIDE WITH A CARE-DEPENDENT PERSON BUT WHO HAS A LEGAL DUTY TO PROVIDE CARE OR WHO HAS AFFIRMATIVELY ASSUMED A RESPONSIBILITY FOR CARE, OR WHO HAS RESPONSIBILITY BY CONTRACT OR COURT ORDER.</p> <p>"LEGAL ENTITY." AN INDIVIDUAL, PARTNERSHIP, UNINCORPORATED ASSOCIATION, CORPORATION OR GOVERNING AUTHORITY.</p> <p>"PRIVATE CARE RESIDENCE."</p> <p>(1) A PRIVATE RESIDENCE:</p> <p>(I) IN WHICH THE OWNER OF THE RESIDENCE OR THE LEGAL ENTITY RESPONSIBLE FOR THE OPERATION OF THE RESIDENCE, FOR MONETARY CONSIDERATION, PROVIDES OR ASSISTS WITH OR ARRANGES FOR THE PROVISION OF FOOD, ROOM, SHELTER, CLOTHING, PERSONAL CARE OR HEALTH CARE IN THE RESIDENCE, FOR A PERIOD EXCEEDING 24 HOURS, TO FEWER THAN FOUR CARE-DEPENDENT PERSONS WHO ARE NOT RELATIVES OF THE OWNER; AND</p> |
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	(II) WHICH IS NOT REQUIRED TO BE LICENSED AS A LONG-TERM CARE NURSING FACILITY, AS DEFINED IN SECTION 802.1 OF THE HEALTH CARE FACILITIES ACT. (2) THE TERM DOES NOT INCLUDE: (I) DOMICILIARY CARE AS DEFINED IN SECTION 2202-A OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929. (II) A FACILITY WHICH PROVIDES RESIDENTIAL CARE FOR FEWER THAN FOUR CARE-DEPENDENT ADULTS AND WHICH IS REGULATED BY THE DEPARTMENT OF HUMAN SERVICES.
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Rhode Island (2012)	GEN. LAWS 1956, § 11-5-2.3. DOMESTIC ASSAULT BY STRANGULATION (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. (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. (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.
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South Dakota (2012)	SDCL. § 22-18-1.1. AGGRAVATED ASSAULT—FELONY Any person who: (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; is guilty of aggravated assault. Aggravated assault is a Class 3 felony.
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Tennessee (updated 2015)	TENN. CODE ANN. § 39-13-102. AGGRAVATED ASSAULT (a)(1) A person commits aggravated assault who: (A) Intentionally or knowingly commits an assault as defined in § 39-13-101, and the assault: (i) Results in serious bodily injury to another; (ii) Results in the death of another; (iii) Involved the use or display of a deadly weapon; or (iv) Involved strangulation or attempted strangulation; or (B) Recklessly commits an assault as defined in § 39-13-101(a)(1), and the assault: (i) Results in serious bodily injury to another; (ii) Results in the death of another; or (iii) Involved the use or display of a deadly weapon. (a)(2) For purposes of subdivision (a)(1)(A)(iv), “strangulation” means intentionally or knowingly 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, regardless of whether that conduct results in any visible injury or whether the person has any intent to kill or protractedly injure the victim.
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Texas (2009)	TEX. PENAL CODE ANN. § 22.01. ASSAULT
	(a) A person commits an offense if the person: (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. (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: (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: (A) 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, 21.11, or 25.11 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; or (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; (b-1) Notwithstanding Subsection (b)(2), an offense under Subsection (a)(1) is a felony of the second degree if: (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;



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(Texas cont.)	(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. (f) For the purposes of Subsections (b)(2)(A) and (b-1)(2) : (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 (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. (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.
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**Utah
(2017)**

UT ST § 76-5-103 AGGRAVATED ASSAULT-PENALTIES

- (1) Aggravated assault is an actor's conduct
 - (a) That is:
 - 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:
 - 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:
 - (A) Applying pressure to the neck or throat of a person; or
 - (B) Obstructing 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:
 - (a) The act results in serious bodily injury; or
 - (b) An act under Subsection (1)(b)(ii) produces a loss of consciousness.



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Vermont (2005)	13 V.S.A. § 1024. AGGRAVATED ASSAULT (a) A person is guilty of aggravated assault if the person: (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 (2) attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon; or (5) is armed with a deadly weapon and threatens to use the deadly weapon on another person. (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. (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. 13 V.S.A. § 1021. DEFINITIONS For the purpose of this chapter: (1) "Bodily injury" means physical pain, illness or any impairment of physical condition. (2) "Serious bodily injury" means: (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.
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Virginia (2012)	VA. CODE ANN. § 18.2-51.6. STRANGULATION OF ANOTHER; PENALTY 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.
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Washington (2011)	WASH. REV. CODE ANN. § 9A.36.021. ASSAULT IN THE SECOND DEGREE (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: (g) Assaults another by strangulation or suffocation. (2)(a) Except as provided in (b) of this subsection, assault in the second degree is a class B felony. (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. WASH. REV. CODE ANN. § 9A.04.110. DEFINITIONS (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; (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;
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West Virginia (2016)	§ 61-2-9D. STRANGULATION; DEFINITIONS; PENALTIES (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.
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Wisconsin (2008)	WIS. STAT. ANN. §940.235. STRANGULATION AND SUFFOCATION (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. (2) 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.
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Wyoming (2011)	WYO. STAT. ANN. § 6-2-509. STRANGULATION OF A HOUSEHOLD MEMBER; PENALTY (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: (i) Applying pressure on the throat or neck of the household member; or (ii) Blocking the nose and mouth of the household member. (b) Strangulation of a household member is a felony punishable by imprisonment for not more than five (5) years. (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).
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U.S. Virgin Islands	V.I. CODE ANN. TIT. 14 § 296 ASSAULT IN THE SECOND DEGREE Whoever willfully- (3) strangle[s] or attempts to strangle any person in an act of domestic violence; 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.
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Federal	TITLE 18 USC § 113 ASSAULT WITHIN MARITIME AND TERRITORIAL JURISDICTION (a) Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows: (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. (b) Definitions. – In this section— (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 (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.
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