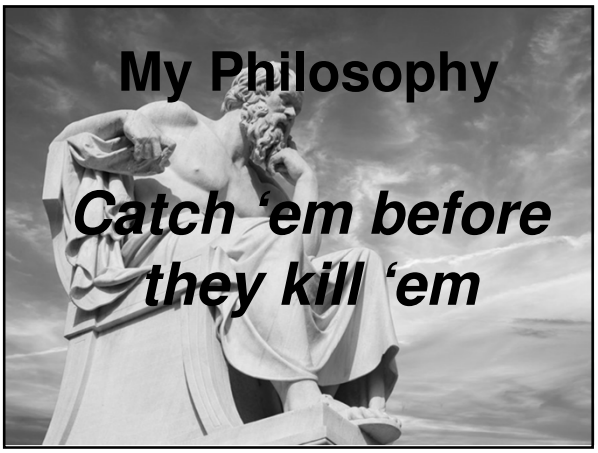
Desensitized to Death

The Lethality, Assessment, and Prosecution of Strangulation

Presented by
Kelsey McKay
Travis County District Attorney's Office
Kelsey.mckay@traviscountytx.gov



It takes a certain kind of rage…

- Describe Suspect's demeanor during strangulation/suffocation? _____
- Describe how Suspect's face looked during strangulation/suffocation?

- *Didn't look like himself;*
- *Clenching teeth; Gritting teeth;*
- *Squeezing so hard veins were coming out of his head;*
- *Bulging eyes;*
- *Bugged out eyes, angry;*
- *Mad face*
- *D's eyes had a 1,000 yard stare*

AUSTIN (KXAN) — A man is in custody after an Anderson High School student told police he sexually assaulted, slapped and attempted to strangle her. Isaac Edward Sosa, 22, was arrested by Austin police and admitted to assaulting the student near campus on Sept. 1.

Running late for school that day, the student was approached by Sosa, who she knows, in the school's parking lot. He told police he looks young so no one on campus questions his presence. The victim said he threatened her, demanding that she leave school with him.

Sosa took the victim to the alley behind the Galaxy Cafe on Mesa Drive. According to the affidavit, Sosa began begging the girl for sex, but she repeatedly declined his offer. Threatening to kill her, the victim told police he forced her to the ground and sexually assaulted her.

In attempts to get away from Sosa, the victim told him she wanted to clean herself up and walked to

f sexually

nearby Mexican restaurant. Sosa followed her nto the bathroom and told her if she told police would kill her. He then slapped her so hard the ictim said she thought she was going to pass ou Continuing to threaten her, Sosa began choking he student for an estimated 15 seconds.

During a police interview, Sosa admitted to sexua assaulting the student.

Once she returned to campus, the student notifie school officials and police of the incident. Sosa w arrested by police that same day.

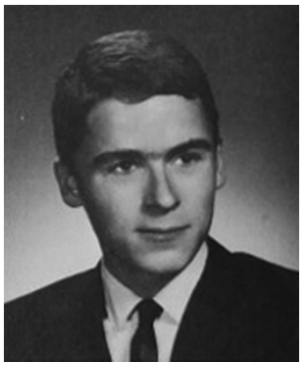
Sosa is in custody at the Travis County Jail on a $125,000 bond. He faces charges for the sexual assault and a felony assault charge for strangulation/suffocation.

And a certain kind of enjoyment…

David Adams

- *Only* 1 of the 8 stranglers said he would have used a gun (vs 4/6 stabbers)
- "*I wanted to know what it felt like to kill someone*"

Source: D. Adams, Emerge



- Method and/or Manner (how was Victim strangled) ☐One Hand - R ☐One Hand - L ☐Two Hands ☐Forearm ☐Knee/Foot ☐ Chokehold Other (explain) _____
- Is the Suspect right or left handed? ☐Right Handed ☐Left Handed
- Estimate how long you were strangled _____ Minute(s) _____ Second(s) Multiple times? ☐Yes # _____ ☐No

Estimate Pressure Used (check) ☐1 ☐2 ☐3 ☐4 ☐5 ☐6 ☐7 ☐8 ☐9 ☐10 (1=WEAK – 10=EXTREMELY STRONG)

- Suffocated? ☐Yes ☐No ____ Minute(s) ____ Second(s) What was used? _____
- What did Suspect say during strangulation/suffocation? _____
- Describe Suspect's demeanor during strangulation/suffocation? _____
- Describe how Suspect's face looked during strangulation/suffocation? _____
- What made Suspect stop? _____
- What did Victim think was going to happen during strangulation/suffocation? _____
- Has Suspect strangled/suffocated you before? ☐Yes # _____ ☐No
- Did you or did you attempt to physically stop the strangulation? ☐Yes ☐No Describe: _____
- Were you shaken simultaneously while being strangled? ☐Yes ☐No

Multiple times? ✓Yes #_____ ☐No

Why?

"Whenever V was about to pass out, D would let go just enough to allow V to gasp for air, and then would continue strangling V. She believed he was going to kill her. V stated that it looked like D was enjoying strangling her and described his eyes as having a 1,000 yard stare. She described the pain as being so bad that she hoped she would die just to make it stop."

What is his criminal history?

It isn't about his criminal history, its about his <u>future criminality</u>.

It is about how this crime predicts who he is, what he is going to do and what type of criminal he will be.

"The most dangerous domestic violence offenders strangle their victims. The most violent rapists strangle their victims. We used to think all abusers were equal. They are not. Our research has now made clear that when a man puts his hands around a woman, ***he has just raised his hand and said, "I'm a killer."*** *They are more likely to kill police officers, to kill children, and to later kill their partners. So, when you hear "He choked me", now we know you are the edge of a homicide."*

-Casey Gwinn

How we KNOW these are the WORST abusers…

They have the rage

They get away with it

They enjoy it

What if strangulation assault is not only a lethality marker for female victims, but is also a lethality marker for police officers?

And we honor so many…

Dallas Shooting: James Boulware

- **Arrested in 2013 for choking his mother "to the point of unconsciousness."**
- **"Hammond called police in Paris, Texas, in April 2013 to report that Boulware choked her and strangled his uncle, according to court records.**
- **Boulware was jailed but the charges were later dropped, his father said.**

2013 Treasure Valley (ID) Study

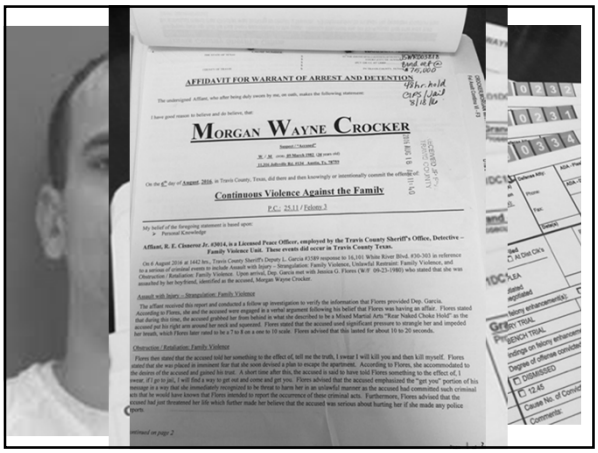
- Evaluated ten officer-involved critical incidents where officer shot a suspect or suspect shot an officer
- 80% of suspects with domestic violence history
- Non-fatal strangulation history in 30%
- Based only on public records history
- More research needed
- We all should be looking for it/tracking it

Riverside County

District Attorney's Office 2013 Study

Gerald Fineman, J.D.

- Law enforcement officers killed in the line of duty
- 1993-2013
- 50% of officers were killed by a criminal suspect with a public records act history of strangulation assault against a woman in a prior relationship.



The Perpetrator

- Domestic Violence/ Strangulation
- Serial Murder
- Sexual Assaults
- Elder Abuse
- Police Killings

These are crimes of **POWER AND CONTROL**

© Training Institute on Strangulation Prevention www.strangulationtraininginstitute.com

What did Suspect say during strangulation/suffocation?

The only way you are leaving me is in a body bag

What was used? hands

"Do you see what I could do to you?"

I'm going to end you, I'm going to destroy you

Is this what you wanted?

Why don't you die already?

Bitch, I fucking hate you I wish you were dead. I can only be happy when your asleep so I will be happy when you die.

What was used?

"Do you want me to take you out?"

I will kill you in this room

Bitch you gonna die!

I don't give a fuck bitch, die

I'm going to kill you bitch, you're going to die

Quotes: Documenting the Emotion

- "*He was putting all his power into choking her, his eyes wanted her dead*"
- "*She could see the life leaving her body*"
- "*He didn't look like himself, it wasn't him in his eyes*"
- "When asked how hard he squeezed her throat Rosario stated '*hard enough to scare me, hard enough to let me know he was in control.*"

Casey Gwinn

Even if we never prosecuted another man who punched or slapped a woman and instead went after every man who strangles a woman, we would reduce domestic violence homicides and officer involved deaths in this country by more than 50%.

Strangulation

- What it is…
- Why we care…
- How we prove it…
  - –Investigation
  - –Prosecution

Goals

- Lethality and danger of strangulation.
- Save lives and safety plan.
- Understand and respect the needs of the victim.
- Thorough (on-scene) investigation and prepare for a successful, evidence-based prosecution.
- Hold abusers accountable

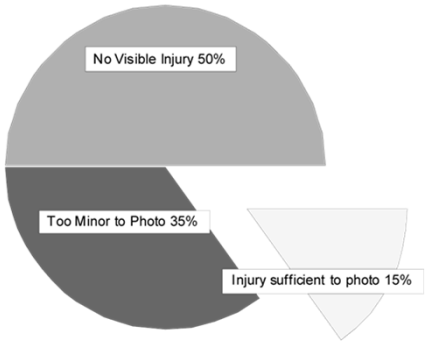
Challenges in Strangulation/Suffocation

- Lack of visible injury
- Lack of investigation
- Lack of understanding
- Lack of victim
- Lack of concern

Development of the Law

- **San Diego murders**
- **San Diego study**

*Dean A. Hawley, MD, George E. McClane, MD, Gael B. Strack, JD, *The Journal or Emergency Medicine, Vol. 21*



Use of Deadly Force by Officer

- Types?
- When is it justified?
- Carotid Restraint/Choke Holds
- Protocol for after use of deadly force?

Only 3% of victims sought medical attention

San Diego Results

Based on investigations where officers had <u>NOT received</u> specialized strangulation training.

San Diego Results: Based on investigations where officers had <u>NOT received</u> specialized strangulation training.

How many of you have received specialized strangulation training in your community?

How many of your communities have a strangulation supplement for first responders or included in SANE exams?

Missed, Misunderstood & Mistreated

CHOKING EPISODE

1. You were evaluated for a "choking episode".

2. Most choking episodes in adults are from food. However, small objects held in the mouth sometimes accidentally get stuck in the airway. These could be nails, screws or bolts, for example.
- Usually coughing and gagging get the objects out before arrival at the Emergency Department. The Heimlich Maneuver can also get them out. IT IS IMPORTANT get correct Heimlich Maneuver training. The maneuver is used to help a choking victim. It is taught in CPR (Cardiopulmonary Resuscitation) classes. Ask the American Heart Association or local Red Cross for CPR class information.

- Not chewing food enough (because of being in a hurry). This can cause a person to accidentally "inhale" (breathe in) the food.
- Strokes or neurological problems affecting the ability to swallow. This can make it hard to control the food being chewed. The food can then get accidentally pushed into the wind pipe.

4. Review the risk factors above and try to avoid possible problems. This can prevent choking episodes in the future.

5. Most objects that get stuck in the throat are either swallowed or spat back out. Rarely, the object is breathed into the lungs. This can result in a lung infection called aspiration pneumonia.
- A chest x-ray was done and it looks like nothing is stuck in the lungs. However, some objects may not show up well on x-ray and still be in the lungs. This may only be discovered over time. It is important to follow up with your doctor. Objects stuck in the lungs and not taken out may cause pneumonia.

6. If you have choking episodes over and over, it may be a sign of another problem. It could be a disease of the throat or a swallowing disorder.

Who usually *does* have external visible injury?

- **SUSPECT**
- **Why?**
- **What type?**
- **Life threatening?**

In law enforcement, when it comes to strangulation we have to **restructure how we define assault** by "visible" external injury

Interpreting Injuries/Defensive Wounds

- On victim: self-inflicted defensive injuries (neck, chest, face)
  - Usually a victims hands are either clawing at her neck own neck or the suspect to get the suspect to release his grip.
- Defendant to have more (and worse) superficial visible injuries than the victim.
  - Scratches, claw marks (on D's neck, face, chest; V's neck)
  - Bite marks
- Evidence of the terror V experienced.

- Always **get a detailed explanation** of how she fought back, because it will be self-defense case if he is injured.
  - Does her explanation make sense?
  - Does it fit the physical evidence?

Did you or did you attempt to physically stop the strangulation?

☐Yes ☐No Describe: __

Well written PC: defensive injuries

THE STATE OF TEXAS
COUNTY OF TRAVIS

NUMBER: 0100-15004473

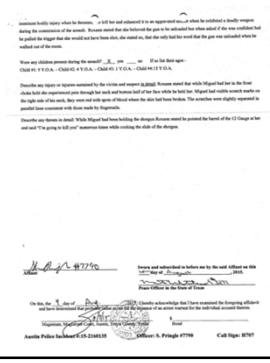
IN THE MAGISTRATE COURT
CITY OF AUSTIN
IN TRAVIS COUNTY, TEXAS

AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION

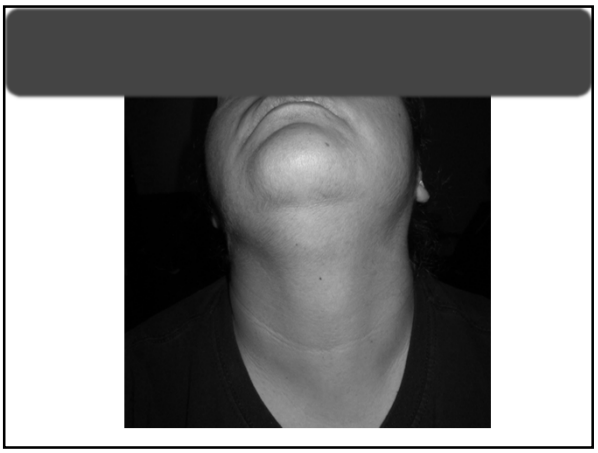
Delarosa, Miguel W/M 11/13/85

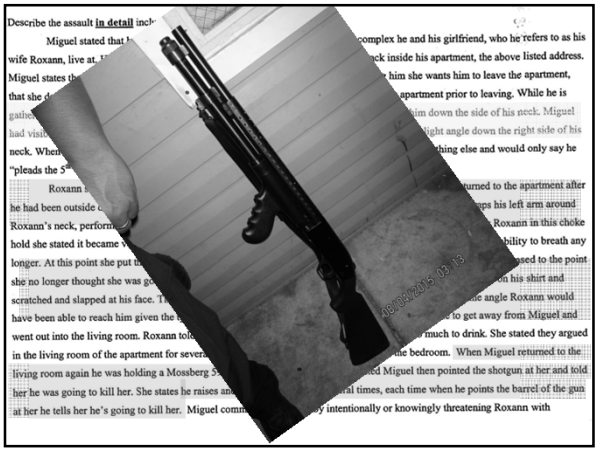
ASSAULT BY STRANGULATION/SUFFOCATION-Family Violence
2nd Degree Felony

Relationship: Dating for the past 5 years



Austin Police Incident 15-2146135 Officer: S. Pringle #7790 Call Sign: H707





Describe the assault **in detail** incl

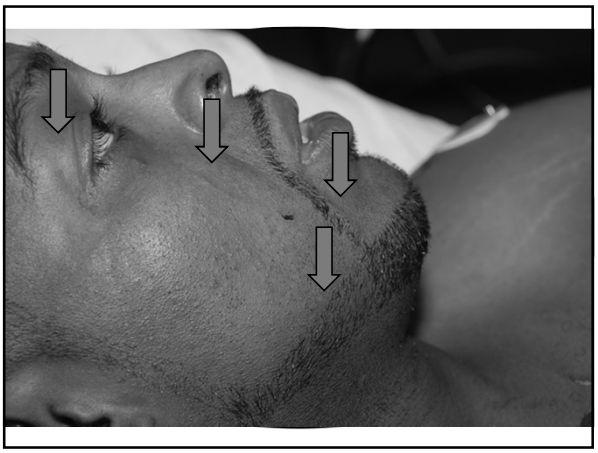
Miguel stated that h complex he and his girlfriend, who he refers to as his wife Roxann, live at, ck inside his apartment, the above listed address. Miguel states th him she wants him to leave the apartment, that she d apartment prior to leaving. While he is gathe im down the side of his neck. Miguel had visi ight angle down the right side of his neck. Wheni thing else and would only say he "pleads the 5"

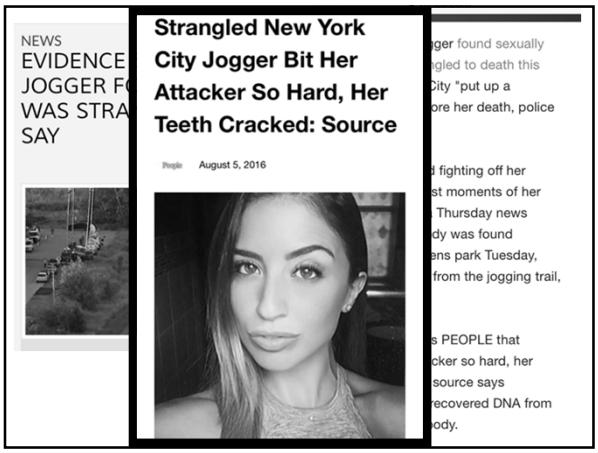
Roxann turned to the apartment after he had been outside ps his left arm around Roxann's neck, perform Roxann in this choke hold she stated it became bility to breath any longer. At this point she put ssed to the point she no longer thought she was go on his shirt and scratched and slapped at his face. T e angle Roxann would have been able to reach him given the to get away from Miguel and went out into the living room. Roxann tol much to drink. She stated they argued in the living room of the apartment for sever e bedroom. When Miguel returned to the living room again he was holding a Mossberg 5 ed Miguel then pointed the shotgun at her and told her he was going to kill her. She states he raises an al times, each time when he points the barrel of the gun at her he tells her he's going to kill her. Miguel comm y intentionally or knowingly threatening Roxann with

But if we had depended on external visible injuries alone…

Describe any injury or injuries sustained by the victim and suspect in detail: Roxann stated that while Miguel had her in the front choke hold she experienced pain through her neck and bottom half of her face while he held her. Miguel had visible scratch marks on the right side of his neck, they were red with spots of blood where the skin had been broken. The scratches were slightly separated in parallel lines consistent with those made by fingernails.

Describe any threats in detail: While Miguel had been holding the shotgun Roxann stated he pointed the barrel of the 12 Gauge at her and said "I'm going to kill you" numerous times while cocking the slide of the shotgun.



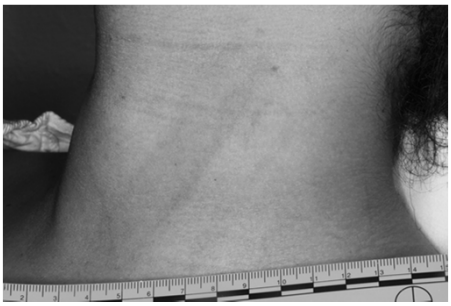


Defensive Wounds on Victim

Courtesy of Phoenix Police Department

8 year old female

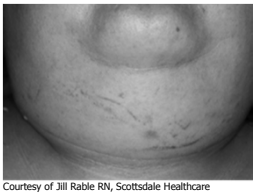
Defensive



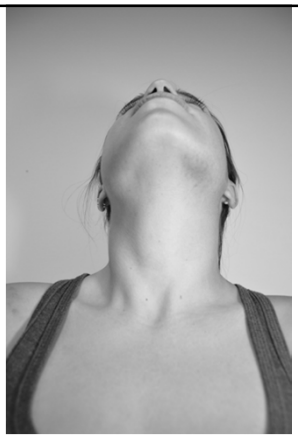
Chin Contusions

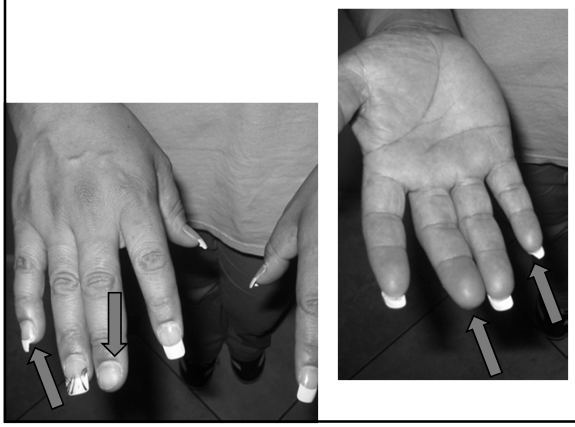
Family Justice Center Alliance @2011

Family Justice Center Alliance @2011



Courtesy of Jill Rable RN, Scottsdale Healthcare





Aggravated Assault
Threat w/ Deadly Weapon

- NO VISIBLE INJURY
- NOT EVEN BODILY INJURY
- NO CONTACT BETWEEN THE PARTIES
- THREAT (explicit or implicit)

- …so why is it a felony none-the-less
- And in strangulation we can always get the "weapon!"

San Diego Results: Based on investigations where officers had <u>NOT received</u> specialized strangulation training.

How many of you have received specialized strangulation training in your community?

How many of your communities have a strangulation supplement for first responders or included in SANE exams?

Texas Penal Code 22.01 (b-1)(3)

THIRD DEGREE FELONY

- Filing options in the past…
- Statute enacted in Texas in September, 2009.
- Requires misdemeanor level of "bodily injury."
  - **"BI" = Pain, physical impairment or illness.**
- Requires that it be "family violence"
- Enhanced to a **second degree felony** with a prior FV conviction.

Texas Penal Code 22.01 (b-1)(3)

THIRD DEGREE FELONY

Intentionally, knowingly or recklessly impeding the normal breathing <u>or</u> circulation of the blood of the person by applying <u>pressure to the person's throat or neck</u> <u>or</u> by <u>blocking the nose or mouth</u> of the person.

STRANGULATION **SUFFOCATION**

Tenn. Penal Code 39-13-102

CLASS C FELONY

Strangulation means 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 nose or mouth of the person.

STRANGULATION

SUFFOCATION

NOTE

REGARDLESS of whether that conduct results in any visible injury or whether the person has any intent to kill or protractedly injure the victim.

"*Just one breath*"

Strangulation as a Felony

- New laws are more in line with the seriousness and recognize the danger of strangulation.
- They don't provide us with a framework on ***how*** to investigate or **prosecute** it as a felony.
- Ultimately to be successful, we have to convince a jury **beyond a reasonable doubt** that the defendant has committed a felony.

Definitions

Three Forms of Strangulation

- **Hanging:** Suspension from a cord wound around the neck
- **Ligature strangulation:** Strangulation without suspension using some form of cordlike object
- **Manual strangulation:** Strangulation using the fingers or other extremity

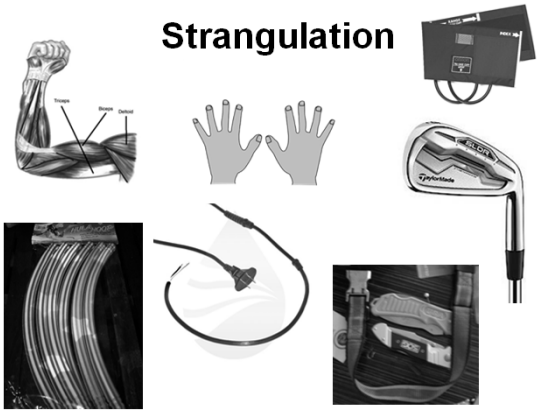
STRANGULATION

A form of asphyxia (lack of oxygen) characterized by intentional closure of the blood vessels and/or air passages of the neck as a result of external pressure on the neck.

DEFINITION: STRANGULATION

In other words, pressure placed on the neck where that pressure causes a disruption in the blood flow to the brain that results in a lack of adequate oxygen being delivered to the brain.

Strangulation



Manual Strangulation

Most commonly used

STRANGULATION

vs

CHOKING

DEFINITION: CHOKING

Choke means to keep from breathing in a normal way by accidentally obstructing the windpipe; adulterating available air; or to block entirely the windpipe (hard candy or food).

Choke vs. Strangulation

- **Investigation tip: talk about/listen to the *act* not the technical terms.**
  - Same with suffocation
  - "*He put his arm on my throat*" or "*He pinched my nose shut*"
- A **victim** will often use the term "choke" or "choked out." Quote *her* language.
- Important to educate V's about the seriousness of strangulation.
- Use correct term in offense report/court, etc.

DEFINITION: SUFFOCATION

- Sealing off the mouth and nose by compression
- Obstructing oxygen from getting into the lungs

Examples: Suffocation

- **Trying to make her stop screaming**
- Duct tape over face
- Head inside plastic bag
- Pillow over mouth and nose
- Sitting on chest

Strangulation v Suffocation

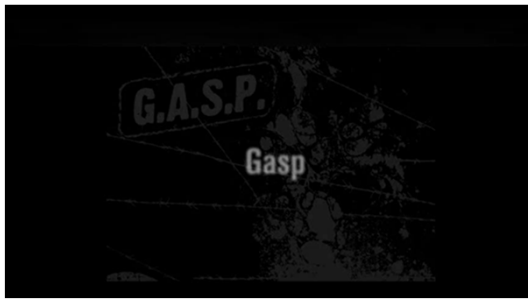
- Strangulation
  - oxygen to brain
- Suffocation
  - oxygen to all organs

- **Combination:** accelerates damage to the brain. Common in fatal cases.

PHYSICALLY

When does touching the neck become strangulation?

Neck touching is NOT a felony. Having visible injury on the neck is NOT a felony.



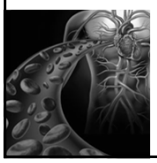
Courtesy of Dr. William Smock

Video Summary

- The brain needs 20% of the oxygen you breathe to function normally (which comes in the form of fresh blood coming from the heart)
- "Light headed" = **brain being suffocated**
- "warm and fuzzy feeling" = **brain cells dying**!

How is strangulation different than other types of assault?

- NOT so much about injury to soft tissue with external injury.
- MORE about **obstructing the blood and oxygen flow to the brain and internal organs.**

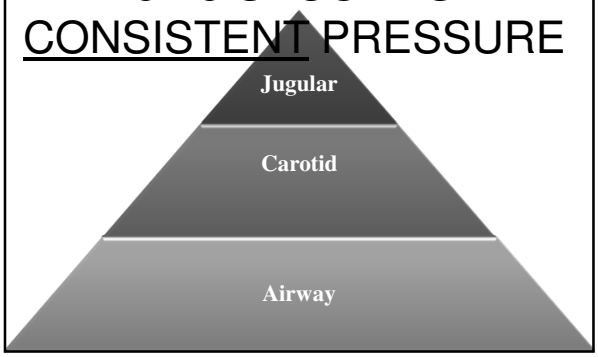


Oxygenated blood is the battery that powers and feeds the brain.

Pressure for Loss of Consciousness

5-15 SECONDS

CONSISTENT PRESSURE



Understand **hypoxic brain injury** and how it can make the victim *appear*.

- No blood flow to the brain
  - Brain isn't recording
  - No/different memory
  - She is "inconsistent"
- Evidence instead of impeachment

Example?

VICTIM'S SYMPTOMS

TO BE COMPLETED BY POLICE OFFICER

SYMPTOMS	DURING	AFTER
unable to breathe	☐	☐
difficult to breathe	☐	☐
physical pain	☐	☐
rapid breathing	☐	☐
shallow breathing	☐	☐
coughing up blood	☐	☐
nausea	☐	☐
vomiting/dry heaving	☐	☐
dizziness	☐	☐
headache	☐	☐
feel faint	☐	☐
disoriented	☐	☐

VOICE CHANGES: ☐painful to speak ☐raspy/hoarse voice ☐coughing ☐unable to speak ☐whispering ☐other _____

SWALLOWING CHANGES: ☐neck tenderness ☐trouble swallowing ☐painful to swallow ☐neck pain ☐other _____

Explain other _____

♦ Loss of consciousness? ☐Yes ☐No ☐Victim not sure Unexplained Injury? Describe _____

♦ Any change or loss of hearing during/after strangulation/suffocation? ☐Yes ☐No Describe _____

♦ Any change or loss of vision during/after strangulation/suffocation? ☐Yes ☐No Describe _____

♦ How did your body/head feel during/after strangulation/suffocation? Describe _____

♦ Did the victim... ☐Urinate ☐Defecate ☐Feel the urge to do one or both? _____

FACE	EYES AND EYELIDS	NOSE	EARS
☐red or flushed	☐petechiae to R eye	☐petechiae	☐petechiae on ear(s)
☐petechiae	☐petechiae to L eye	☐scratch(es) or abrasion(s)	☐bleeding from ear(s)
☐scratch(es) or abrasion(s)	☐petechiae to R eyelid	☐swelling	☐bruising/discoloration/ petechiae behind ear(s)
☐sweating	☐petechiae to L eyelid	☐other _____	☐swelling
☐bruising	☐blood in eyeball(s)		☐other
☐other	☐other		

Explain other _____

♦ **Loss of consciousness?** ☐**Yes** ☐**No** ☐**Victim not sure**

_____

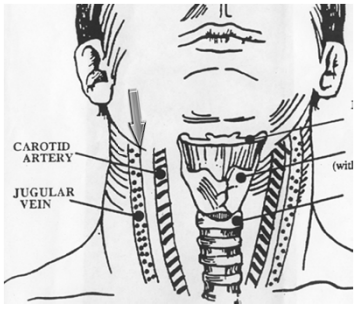
NOTE

REGARDLESS of whether that conduct results in <u>any visible injury</u> or whether the person has any intent to kill or protractedly injure the victim.

Anatomy & Pressure

Jugular Veins
4.4 psi

Major vessels that transport deoxygenated blood <u>from the brain</u> back to the heart



Jugular Veins

Carry deoxygenated blood from the brain

⇩

Pressure causes backup of blood (4.4lbs)

⇩

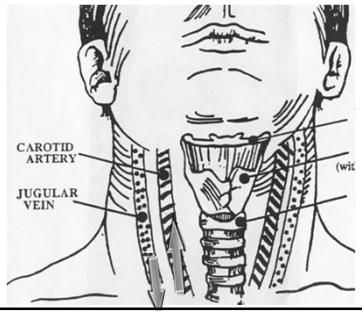
Depressed respirations, unconsciousness and asphyxia

⇩

This can lead to death

Carotid Arteries
11 psi

Major vessels that transport oxygenated blood from the heart and lungs <u>to the brain</u>



Carotid Arteries

Supple oxgenated blood from the brain

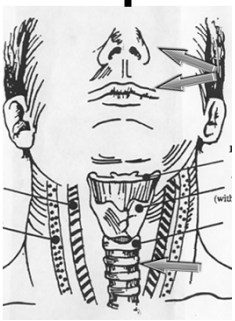
⇩

Pressure prevents blood flow to the brain or (more rare) pressure on the carotid artery nerve ganglion can cause cardia arrhythmia causing cardiac arrest (11lbs)

⇩

These, too, can lead to death

Airway & Trachea 30 psi



Press your throat!

Trachea

Transports air/oxygen to the lungs

⇩

Pressure occludes airflow and interrupts this process (33lbs)

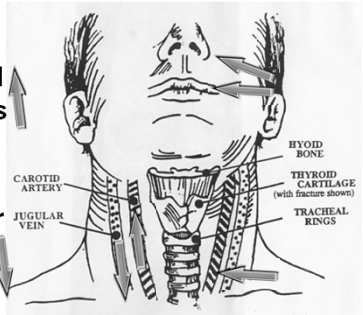
⇩

This, too, can lead to death

Neck Anatomy

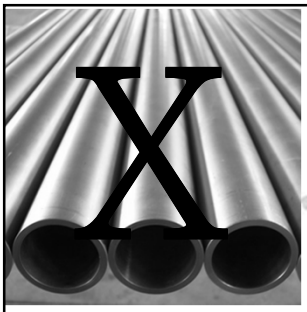
Carotid Arteries

Jugular Veins



Vulnerable to just slight pressure, Not a lot of protective structures in the neck…

Press your throat!



Pounds Per Square Inch of Pressure

Jugular Vein = 4.4 psi
Carotid Artery = 11 psi
Trachea = 30 psi

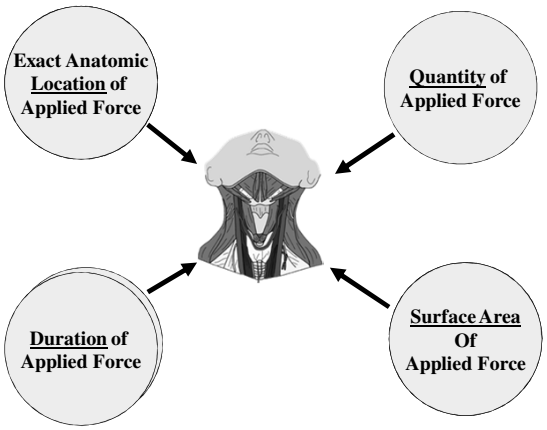
…for 5-10 seconds of *consistent* pressure it will render someone unconscious.

4-6

22

Jugular Vein = 4.4 psi
Carotid Artery = 11 psi
Trachea = 30 psi

80



Duration of Applied Force

- Pressure released immediately, consciousness will be regained in **10 seconds.**
- 50-seconds is the "**point of no return**" because a person's bounce-back reflexes become inoperative.
- **Brain damage** can occur in **less than a minute.**
- **Death** will occur within **1 to 5 minutes**, if strangulation persists.

Anatomy and Pressure = NO Visible Injury

Where else might this apply?

- A **child victim** who has been strangled.
- A child who has **witnessed** a person/parent be strangled.
- A **parent/guardian who outcries** of being strangled during the course of a child abuse investigation.
- Other **at risk populations** (elderly, disabled) with similar dynamics.

Pediatric Strangulation

- What do we know?
  - Basic anatomy and physiology
- What do we not know?
  - LACK OF RESEARCH!

Pediatric Strangulation Patients

Anatomical Differences

- Head proportion larger
- Neck structures less developed
- Lighter body weight

www.strangulationtraininginstitute.com * Webinar on Pediatric Strangulation

State of TX vs Luis Carbajal

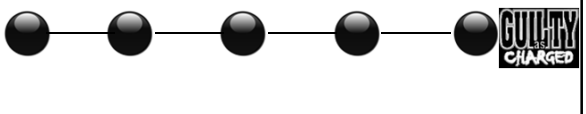
My Premiere

Visible Injury is NOT an Element

- Impeding the **normal breathing**, ***or***
- Impeding the **circulation of the blood**
- **Note the standard of "impeding" not closure.**

WHY

Connect the dots for the jury.



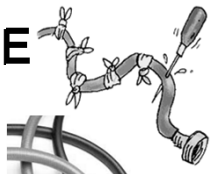
NORMAL

- What is normal breathing?
- What is NOT normal breathing?
- Does the victim have to loose consciousness?
- Certain amount of time?

"*Just one breath*"

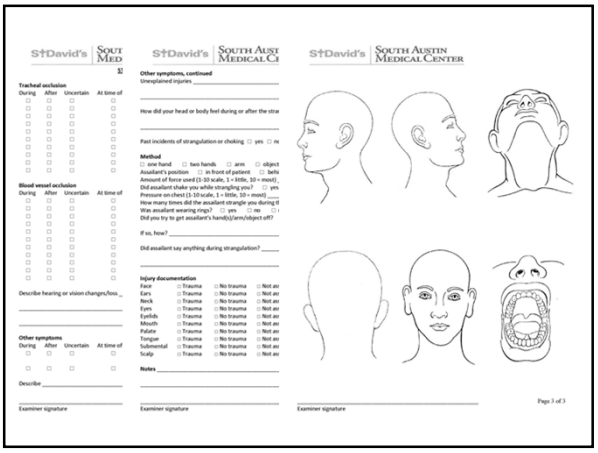
IMPEDE

- Total closure?
- How much closure?



STRANGULATION IMPACT: WHY WE CARE (& WHY WE SHOULD CARE MORE…)

Strangulation is a unique crime. It has more in common with sexual assault crimes than basic assault.



St David's | South Austin Medical Center

Tracheal occlusion

During	After	Uncertain	At time of
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

Blood vessel occlusion

During	After	Uncertain	At time of
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

Describe hearing or vision changes/loss _____

Other symptoms

During	After	Uncertain	At time of
☐	☐	☐	☐
☐	☐	☐	☐

Describe _____

Examiner signature

Other symptoms, continued

Unexplained injuries _____

How did your head or body feel during or after the stra

Past incidents of strangulation or choking ☐ yes ☐ ne

Method

☐ one hand ☐ two hands ☐ arm ☐ object

Assailant's position ☐ in front of patient ☐ behi

Amount of force used (1-10 scale, 1 = little, 10 = most) _

Did assailant shake you while strangling you? ☐ yes

Pressure on chest (1-10 scale, 1 = little, 10 = most) _____

How many times did the assailant strangle you during t

Was assailant wearing rings? ☐ yes ☐ no ☐

Did you try to get assailant's hand(s)/arm/object off?

If so, how? _____

Did assailant say anything during strangulation? _____

Injury documentation

Face	☐ Trauma	☐ No trauma	☐ Not as
Ears	☐ Trauma	☐ No trauma	☐ Not as
Neck	☐ Trauma	☐ No trauma	☐ Not as
Eyes	☐ Trauma	☐ No trauma	☐ Not as
Eyelids	☐ Trauma	☐ No trauma	☐ Not as
Mouth	☐ Trauma	☐ No trauma	☐ Not as
Palate	☐ Trauma	☐ No trauma	☐ Not as
Tongue	☐ Trauma	☐ No trauma	☐ Not as
Submental	☐ Trauma	☐ No trauma	☐ Not as
Scalp	☐ Trauma	☐ No trauma	☐ Not as

Notes _____

Examiner signature

Examiner signature

Page 3 of 3

Sexual Assault Prosecution

Sexual assault was the motive in 66% of female victims of ligature strangulation and in 52% of those due to manual strangulation

SAX V's are strangled 35% of the time.

Sexual Assault & Strangulation

- Very common overlap
- Criminal accountability for unfiled sexual assault
- Aggravate the sexual assault
- Creates inherent lack of consent in sexual assault
- Autoerotic asphyxiation….
  - Three questions
  - Can not consent to deadly force in many states!

Regardless…

Can not consent to deadly force in many states!

Consent: Texas Code 22.06

*(a) The **victim's effective consent** or the actor's reasonable belief that the victim consented to the actor's conduct is a **defense** to prosecution under Section 22.01 (Assault), 22.02 (Aggravated Assault), or 22.05 (Deadly Conduct) **if:(1) the conduct did not threaten or inflict serious bodily injury***

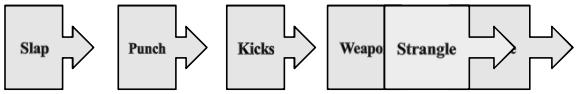
National Coalition for Sexual Freedom

- "Not a single appellate court decision anywhere has accepted consent as a defense in an assault or abuse prosecution arising from BDSM conduct"
- They cite to case law:
  - "Even where both participants agreed that the acts in question were consensual, the courts have held consent cannot be a defense" Commonwealth V. Appelby.
    "As a matter of policy, a person cannot avoid criminal responsibility for an assault that causes injury or carries a risk of serious harm even if the victims asked for or consented to the act" P v. Duffy.

CYCLE OF VIOLENCE

Strangulation represents an **escalation of force**

Continuum of Violence



90%

prior history of DV

In the context of a DV relationship, why does the abuser use strangulation?

A form of power and control to let the victim know that he could kill her! That he is capable and willing to do so at any given point in time.

Strangulation & Domestic Violence

- It ***directly*** and ***immediately*** places a victim's life in the hands of the abuser.
- Practicing homicide
- Desensitizing murder
- **Power & Control:** Victim more submissive

- **What did Suspect say during strangulation/suffocation?**

"Say Goodbye."

"are you ready to die bitch"

"I'm going to kill you"

"you made me do this"

"TONIGHT IS THE NIGHT!"

"LOOK AT ME WHILE YOU'RE DYING!"

"I'm going to put you our of your miserable life"

"You're gonna die tonight."

"Do you want to die?!"

DIE ALREADY

"THIS IS YOUR LAST DAY"

What did Suspect say during strangulation/suffocation?

The only way you are leaving me is in a body bag

What was used? hands

"Do you see what I could do to you?"

I'm going to end you, I'm going to destroy you

Is this what you wanted?

Why don't you die already?

Bitch, I fucking hate you I wish you were dead. I can only be happy when your asleep so I will be happy when you die.

What was used?

"Do you want me to take you out?"

I will kill you in this room

Bitch you gonna die!

I don't give a fuck bitch, die

I'm going to kill you bitch, you're going to die

- **"Cry drama queen, cry"**
- **"I'm going to end this today"**
- **"I could kill you right now and no one would know that you're dead."**
- **"I don't care if I go to prison, I want to make sure you are dead before I go away."**
- **"Are you ready to die bitch."**

Quotes: Documenting the Emotion

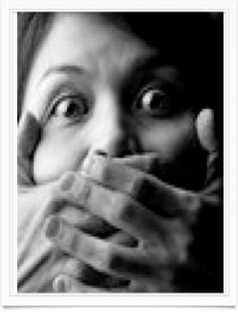
- "*He was putting all his power into choking her, his eyes wanted her dead*"
- "*She could see the life leaving her body*"
- "*He didn't look like himself, it wasn't him in his eyes*"
- "When asked how hard he squeezed her throat Rosario stated '*hard enough to scare me, hard enough to let me know he was in control*."

High Risk & Lethality

Strangulation is different!

- When battered women were asked what made them believe they were in danger or not...
  - The majority of women perceived a great amount of danger mentioned "**choking**" as a tactic used against them that made them believe **their partner might kill them**

—*Stuart & Campbell, 1989*



Ruth

*"Actually, when I came out of that [strangulation incident], **I was more submissive** – more terrified that the next time I might not come out – I might not make it. So I think **I gave him all my power** from there because I could see how easy it was for him to just take my life like he had given it to me."*

Lethality & Fatality

After ONE non-fatal strangulation…

7-9 x

more likely to be killed

43%

Women who were murdered had been strangled in the last year

Maricopa County, AZ

Strangulation Filing Rate		Domestic Violence Fatalities	
2011:	14%	2012:	139
2012:	61.5%	2013:	125
2013-14:	76%	2014:	106

Minimization

"Victim also reported that she feels that suspect will not kill her even though he strangles her frequently. She stated that if he does kill her she feels that it will be by accident because he did not stop strangling her in time."

The Victim stated that "he never chokes me too long, like he knows when to let go." She also shared that the D told her he strangles her because "it leaves less marks" than hitting.

The Perfect Crime?

- **Results in compliance (scary and effective)**
- **Hard to prove**
- …this is where we have to dig deeper and look at evidence in a different way.
- Use the weaknesses to our advantage.
- Rethink our investigations.

We have to be just as strategic…

10 -12%

violent deaths in the US

Strangulation Lethality

- Swelling!! (May progress slowly)
  - Tissue trauma/Inflammation closes the airway
  - Internal Bleeding (damage to vessels)
  - Fracture of larynx (subcutaneous emphysema)
- Stroke like symptoms
  - Blood clots form as vessels heal, break off, travel to brain
- Lung damage
  - Pulmonary edema
  - Pneumonitis

Children as Strangulation WITNESSES

50%

IPV strangulation is witnessed by a child

34%

Abused pregnant women are strangled

How do we stop these perpetrators before someone dies?

HOW WE PROVE IT: IMPROVING INVESTIGATION

Emotional & Trauma Evidence

Why do we care about the emotion?

INTENT
CREDIBILITY
MOTIVATION TO CONVICT

Mental & Emotional Condition
Four stages described by victims in their last moments of alertness

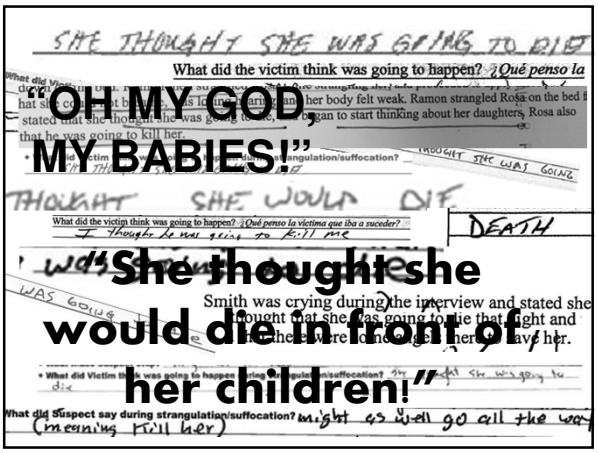
© Training Institute on Strangulation Prevention www.strangulationtraininginstitute.com

Not only corroborates how serious the strangulation event was, gives inherent credibility to her account that night and proves intent.

Thoughts of a homicide victim

Documenting Emotion

- **Always ask, *"What did you think was going to happen during the strangulation?"***
- ***"At what point did you know…"***



"OH MY GOD, MY BABIES!"

"She thought she would die in front of her children!"

Understand **trauma reactions** and the impact that strangulation can have on how victims may present after they have been strangled.

Other Observations:

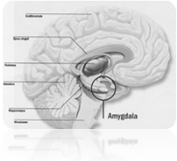
"Ms. J couldn't remember much of what happened to her as if her mind was blank or unsure."

Other Observations:

"V was difficult to follow and did not flow linearly."

Forensic Experiential Trauma Interview

Russell Strand



- Acknowledge their trauma/pain/difficult situation
  - What are you able to tell me about your experience?
    - Tell me more about . . .
  - What was your thought process during this experience?
  - What are you able to remember about…the 5 senses
  - What were your reactions to this experience
    - Physically
    - Emotionally
  - What can't you forget about your experience?
  - What was the most difficult part of this experience for you?
  - Clarify other information and details…after you facilitate all you can about the "experience"
  - Closing

Don't be scared of the trauma and emotion.

DOCUMENT IT!

Quotes: Documenting the Emotion

- "*He was putting all his power into choking her, his eyes wanted her dead*"
- "*She could see the life leaving her body*"
- "*He didn't look like himself, it wasn't him in his eyes*"
- "When asked how hard he squeezed her throat Rosario stated '*hard enough to scare me, hard enough to let me know he was in control.*"

Understand **hypoxic brain injury** and how it can make the victim *appear*.

- No blood flow to the brain
  - Brain isn't recording
  - No/different memory
  - She is "inconsistent"
- Evidence instead of impeachment

Quotes from Counselor Contact

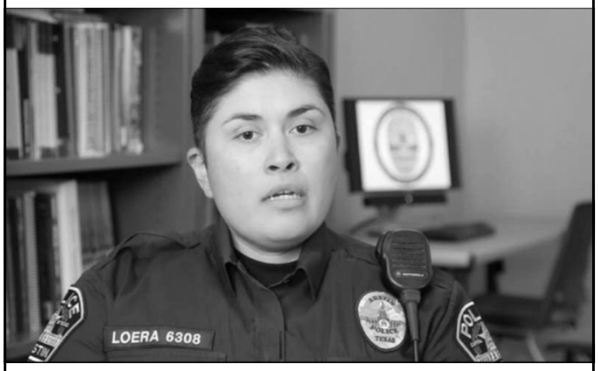
- *…she **could feel her life going away from her** when he was choking her.*
- ***All she could think about was that she wasn't able to say goodbye to her daughters**.*
- *…**when he took my life from me, even though it was only 30 or 45 seconds- I don't ever want to go through that again**."*

Understand **hypoxic brain injury** and how it can make the victim *appear*.

- No blood flow to the brain
  - Brain isn't recording
  - No/different memory
  - She is "inconsistent"
- Evidence instead of impeachment

Officer Sophia Loera

- **December 7, 2009**
- **Patrol response to a check welfare urgent.**
- **Suspect: Garrett Mosley, w/m, DOB: 9/21/79, 6'3, 230lb**



Evidence of Strangulation

- "I couldn't get a breath in"
- Heard a popping sound, like knuckles cracking, multiple times from my neck
- Tried to calm myself down, told myself "don't panic"
- Other officers tried to get the suspects arm off of her, it took the strength of multiple men
- Saw spots
- Saw white all around
- At first it was black in the middle, then it shot out and I passed out.
- The officer thought he might have to use deadly force, he got out the tazer

Evidence of Strangulation

"Hands on her neck"

- Felt the tightness of his grip—kept getting tighter, non-stop.
- I could feel his forefinger and his thumb on my neck.
- The pressure started as a 6, then it went to a 10.
- Before I lost consciousness, it felt long over a minute "in my mind."
- I was trying to keep my anxiety down, I kept thinking of the other officers and thinking, "they are going to take care of me."
- Felt a gush of air go into much lungs when he let go
- At first, after he released, I didn't feel anything.
- I thought "I couldn't breathe," felt like an asthma attack.
- It took me several minutes to catch my breath

Evidence of Strangulation

- I don't remember getting up, that process is hazy.
- Felt weakness in my legs
- My legs felt numb, as if my leg was asleep.
- Dizziness.
- I had to hold onto the wall and lean on the balcony rails.
- The paramedic asked: "are you ok?"
- Not wanting to show weakness, I thought I was OK, I didn't realize until they left that I wasn't OK.
- I kept thinking "I'll get over it" now I realize that it affected me and that I didn't realize how serious it was.

Evidence of Strangulation

- That night there was some scrapes and bruises on my arm.
- I drove myself to the hospital
- The next day…
  - Bruises in the shape of fingers
  - Couldn't move my neck
  - Neck was stiff
  - Couldn't speak right, it was rough and deep
  - Doctor gave her pain killers

Evidence of Strangulation

- I couldn't eat or drink. For over a week, I couldn't swallow.
- Several years later it is still sometimes difficult to swallow; easy for me to choke.

What do you think this defendant was convicted of out of this incident?

AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY

Evidence of Strangulation in the offense report

RESISTING AND TO STOP FIGHTING. AT SOME POINT MOSLEY GRABBED HOLD OF OFFICER LOERA'S NECK AND BEGAN TO CHOKE HER TO THE POINT WHERE SHE COULD NOT BREATH. OFFICER LOERA WAS ABLE TO YELL OUT THAT "HE HAS MY NECK" TO WHICH OFFICER RIDGE AND ELMER ATTEMPTED TO ASSIST BY PULLING HIS ARMS FURTHER BACK.

How could this have been investigated better?

*** CONFIDENTIAL ***

Just because they were strangled… doesn't make them an expert!

- Blame themselves because they don't remember, lapses in memory.
- Blame themselves for being manipulated.
  - Left confused
  - Not validated
  - Don't understand

"*Could not breathe*"

Is this evidence, or

Is this an element?

"Under the Influence"

- …. as a result of drinking/drugs, his/her **mental or physical abilities are so impaired** that he or she is no longer able to drive a vehicle with the caution of a sober person, using ordinary care, under the circumstances.

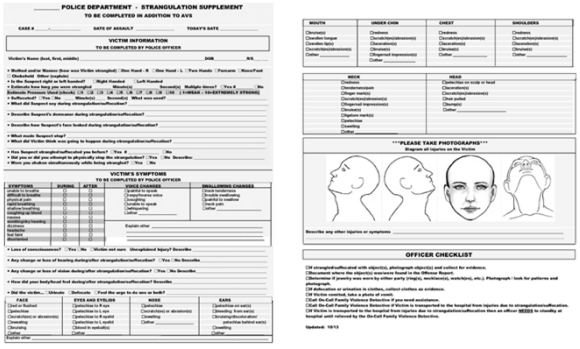
DWI Offense Report

"The suspect did not have the normal use of his mental and physical faculties."

Would you file that DWI case? Would a judge sign your warrant?

First Responders need the tools…

Developing Evidence of Strangulation



Strangulation Supplement: Goals

- **Carry knowledge into the field** and allow first responders to gather evidence while V is cooperative
- Incorporates understanding of trauma reactions.
- Prompts answers in her own words which leads to credibility.
- Allows for a better evaluation of the case and a quicker decision.
- Allows me to make charging decisions upfront, allows me to reject cases that don't fit the elements without wondering.
- Less victim dependence during prosecution.
- Allows for prosecution of sexual assault cases that may not get filed.
- But officers must ASK the victim, she does not know to mention them to you!
- Strangulation supplement give LEO a guide.

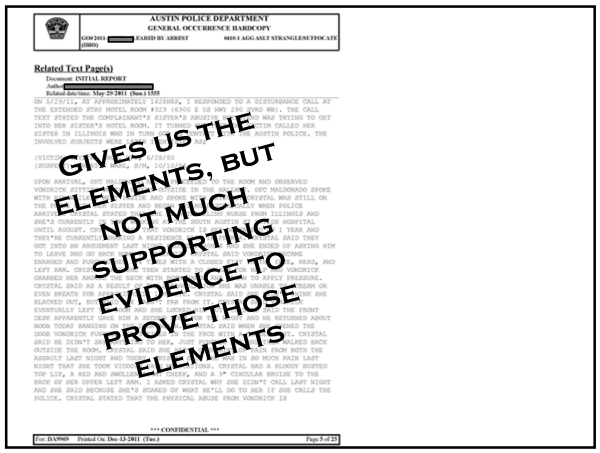
OFC 1: ***"This form actually makes it easy, I thought it was BS and I know a lot of people bitched about it, but…"***

OFC 2: ***"Yeah, it also helps figure out if they are BS'ing, they are not going to be able to answer some of these questions…"***

Evidence of Strangulation DV Case: Offense Report

ENRAGED AND PUNCHED HER 3-4 TIMES WITH A CLOSED FIST IN THE FACE, HEAD, AND LEFT ARM. CRYSTAL SAID SHE THEN STARTED TO SCREAM FOR HELP AND VONDRICK GRABBED HER AROUND THE NECK WITH BOTH HANDS AND BEGAN TO APPLY PRESSURE. CRYSTAL SAID AS A RESULT OF THE STRANGULATION SHE WAS UNABLE TO SCREAM OR EVEN BREATH FOR APPROXIMATELY 1 MINUTE. CRYSTAL SAID SHE DIDN'T THINK SHE BLACKED OUT, BUT SAID SHE WASN'T FAR FROM IT. CRYSTAL SAID VONDRICK

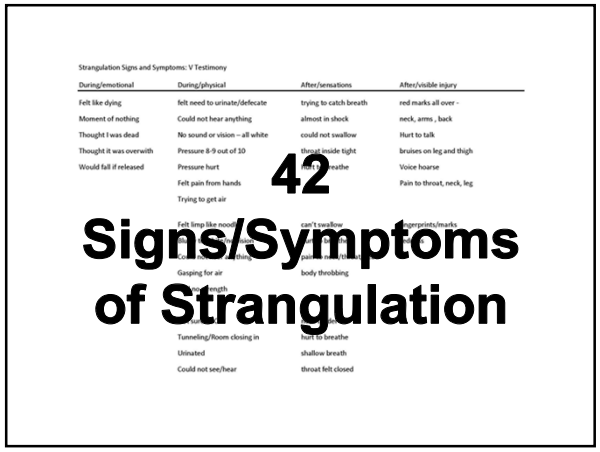
- "grabbed her around the neck with both hands and began to apply pressure"
- "as a result of the strangulation she was unable to scream or even breathe for approximately one minute"
- "didn't think she blacked out, but wasn't far from it"
- No significant visible injury



AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY

GIVES US THE ELEMENTS, BUT NOT MUCH SUPPORTING EVIDENCE TO PROVE THOSE ELEMENTS

AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY



Strangulation Signs and Symptoms: V Testimony

During/emotional	During/physical	After/sensations	After/visible injury
Felt like dying	felt need to urinate/defecate	trying to catch breath	red marks all over -
Moment of nothing	Could not hear anything	almost in shock	neck, arms , back
Thought I was dead	No sound or vision – all white	could not swallow	Hurt to talk
Thought it was overwith	Pressure 8-9 out of 10	throat inside tight	bruises on leg and thigh
Would fall if released	Pressure hurt	[illegible] breathe	Voice hoarse
	Felt pain from hands		Pain to throat, neck, leg
	Trying to get air		
	Felt limp like noodle	can't swallow	fingerprints/marks
	[illegible]	[illegible]	
	Gasping for air		body throbbing
	[illegible] length		
	[illegible]	[illegible]	
	Tunneling/Room closing in	hurt to breathe	
	Urinated	shallow breath	
	Could not see/hear	throat felt closed	

42 Signs/Symptoms of Strangulation

How did we get that evidence?

I ASKED!!!

Just because they were strangled… doesn't make them an expert!

- Blame themselves because they don't remember, lapses in memory.
- Blame themselves for being manipulated.
- Left confused
- Not validated
- Don't understand

M

What evidence is t

Evidence Based Prosecution

It is **NOW** or **NEVER**!

Why are first responders so important in FV calls?

When the patrol car leaves that house…

In the majority of cases (80%), the victim's cooperation is over… and so is a productive investigation!

Train interviewers to ask about:

- **What** questions to ask
- **How** to ask the questions
- How to **document** the signs/symptoms in their report
- How to **properly examine** a victim
- How to do **follow-up**
- **Defensive wounds** in strangulation cases and **trauma reactions**

Role of First Responders in FV

- Eyewitnesses
- Excited Utterance
- Have to adopt the role of:
  - First Responder
  - Counselor
  - Doctor
  - Detective/Investigator
  - Defense Attorney
  - Prosecutor
  - Judge
  - Jury

LAW ENFORCEMENT

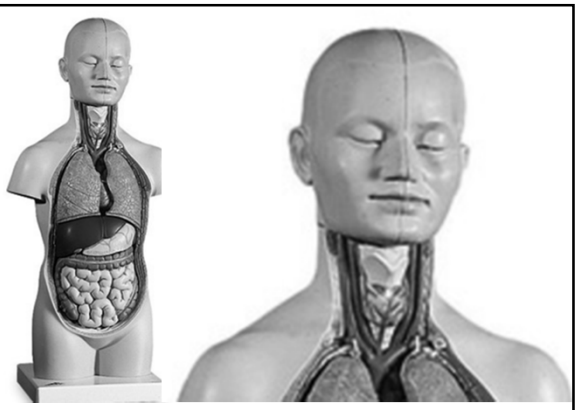
- Focus on **proving the case…..**
  - Treat as a felony… because it is!
  - Ask the Questions
  - Do a well-articulated report
  - Document signs/symptoms/injuries
  - Take quality pictures
  - Encourage medical attention
  - Assume no follow-up

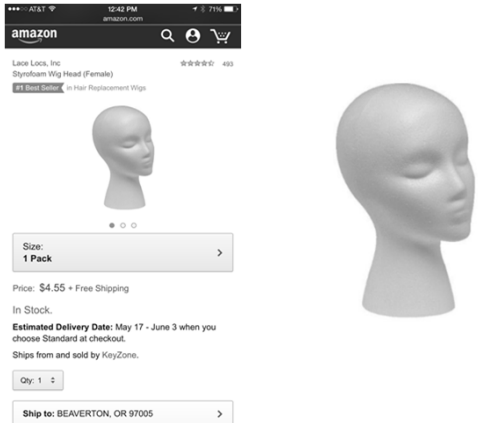
FIRST RESPONDERS

Be an Investigator
NOT
A Report Taker

Physical Evidence

15% statistic was based on officers with no specialized training





Thorough Physical Examination

- Examination should spread beyond a brief glance at the neck and should extend to other areas.
- Examination needs to look for injuries beyond a handprint on the neck.
- Understanding injuries
- Goal: Every victim should receive a forensic exam by a qualified medical professional.

Injuries that otherwise might seem insignificant from an “external injury” standpoint, become more relevant when you understand the burden is based on the amount of pressure… not the extent of the injury.

Fingernail Marks

Examine Beyond the Neck

- Face
- Eyes
- Eyelids
- Nose
- Ears (on and behind)
- Head, hairline
- Chest
- Shoulders
- Neck
- Mouth (tongue, palate)
- Chin

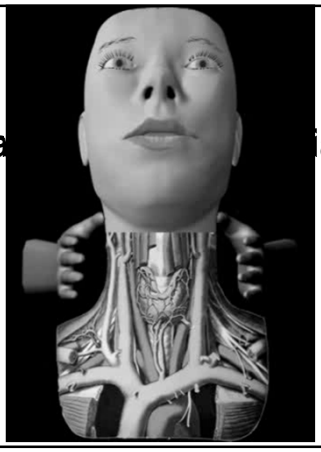
Types of Visible Injuries

- Redness or flushed
- Bruising
- Swelling
- Petechiae (**certain combination**)
- Scratches/Abrasions/Lacerations
- Finger imprints
- Fingernail imprints (half moon)

Petechiae (Tiny Red Spots)

- Very <u>specific combination</u> for a period of time.
- A result of the rupturing of the capillaries
- Might appear above the area of trauma
- Areas to check:
  - Eyes and eyelids
  - Face
  - Inside mouth, palate (roof) of mouth
  - Behind the ears, Inside the ears (usually only visible with a magnified scope)
  - Hairline

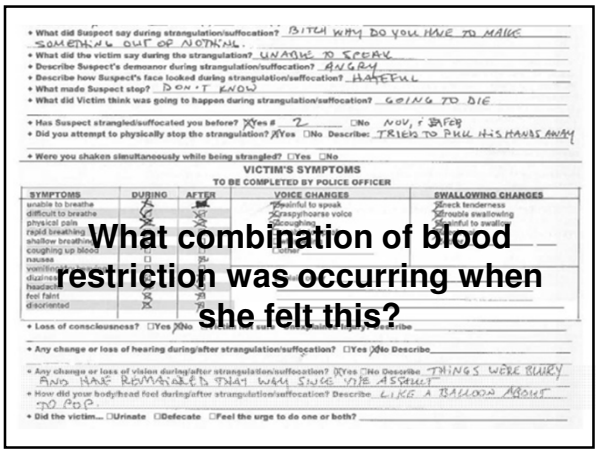
Wha iae?



Courtesy of Dr. William Smock

Petechiae (Tiny Red Spots)

- **Very <u>specific combination</u> for a period of time.**
  - **Allow the jury to visualize it so that they can understand it.**
  - **Helium balloon**
- **If it exists, that's great!**
- **If it doesn't, USE THAT TOO!**



- What did Suspect say during strangulation/suffocation? BITCH WHY DO YOU HAVE TO MAKE SOMETHING OUT OF NOTHING.
- What did the victim say during the strangulation? UNABLE TO SPEAK
- Describe Suspect's demeanor during strangulation/suffocation? ANGRY
- Describe how Suspect's face looked during strangulation/suffocation? HATEFUL
- What made Suspect stop? DON'T KNOW
- What did Victim think was going to happen during strangulation/suffocation? GOING TO DIE
- Has Suspect strangled/suffocated you before? X Yes # 2 ☐ No NOW, I SAFE
- Did you attempt to physically stop the strangulation? X Yes ☐ No Describe: TRIED TO PULL HIS HANDS AWAY
- Were you shaken simultaneously while being strangled? ☐ Yes ☐ No

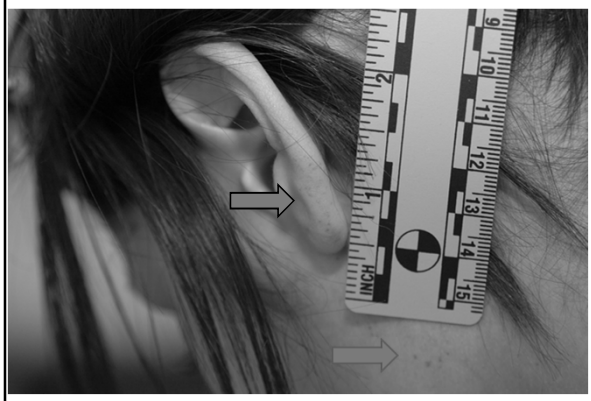
VICTIM'S SYMPTOMS
TO BE COMPLETED BY POLICE OFFICER

SYMPTOMS	DURING	AFTER	VOICE CHANGES	SWALLOWING CHANGES
unable to breathe	X	X	X painful to speak	X neck tenderness
difficult to breathe	X	X	X raspy/hoarse voice	X trouble swallowing
physical pain	X	X	X coughing	X painful to swallow
rapid breathing				
shallow breathing				
coughing up blood				
nausea				
vomiting				
dizziness				
headache				
feel faint	X	X		
disorientated	X	X		

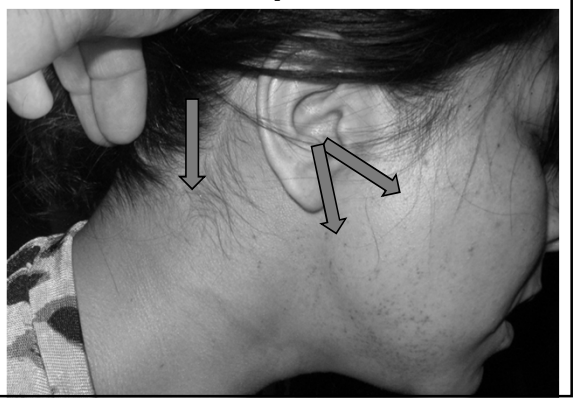
- Loss of consciousness? ☐ Yes X No
- Any change or loss of hearing during/after strangulation/suffocation? ☐ Yes X No Describe
- Any change or loss of vision during/after strangulation/suffocation? X Yes ☐ No Describe THINGS WERE BLURY AND HAVE REMAINED THAT WAY SINCE THE ASSAULT
- How did your body/head feel during/after strangulation/suffocation? Describe LIKE A BALLOON ABOUT TO POP.
- Did the victim... ☐ Urinate ☐ Defecate ☐ Feel the urge to do one or both?

What combination of blood restriction was occurring when she felt this?

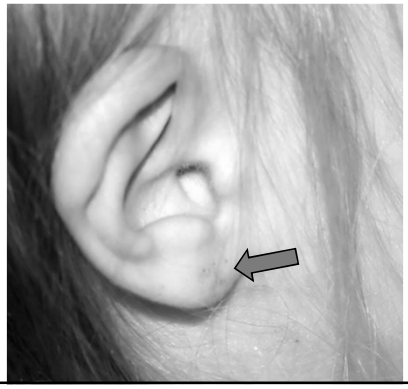
Behind Ears



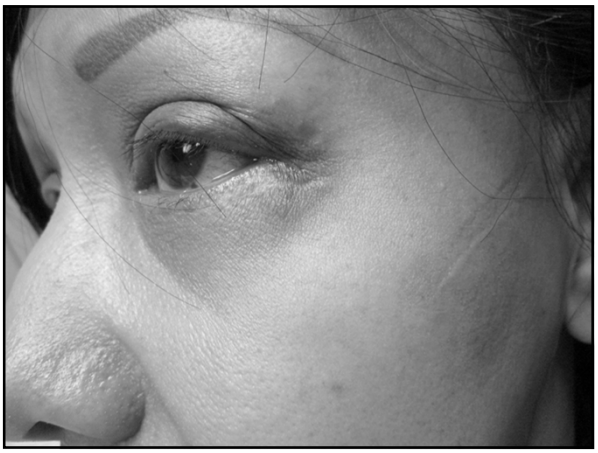
Lift Up Hair

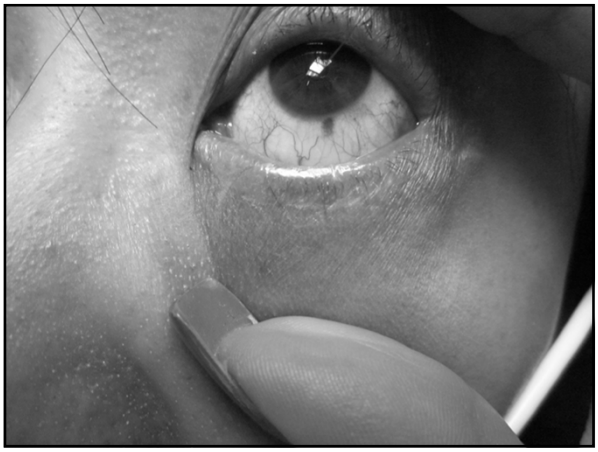


Petechiae on Ear



Petechiae - one red spot in eye

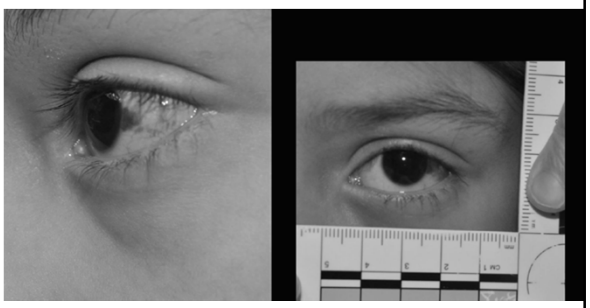




Over the Eyelid

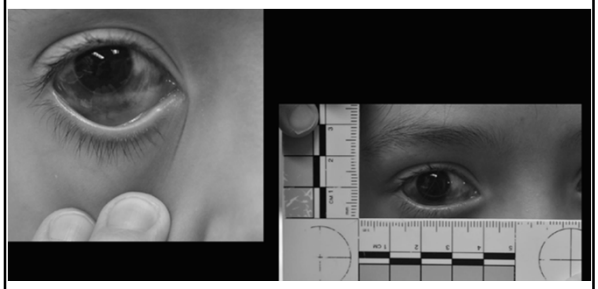
Neck

8 year old child

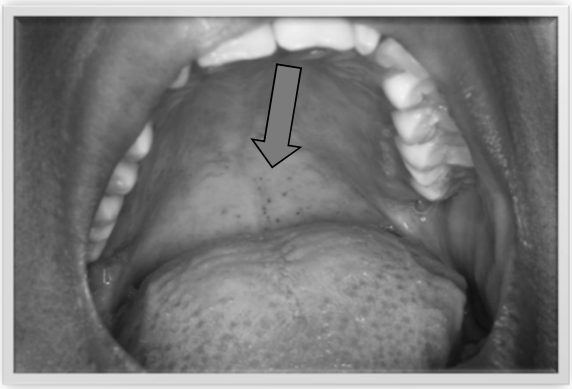


www.strangulationtraininginstitute.com * Webinar on Pediatric Strangulation

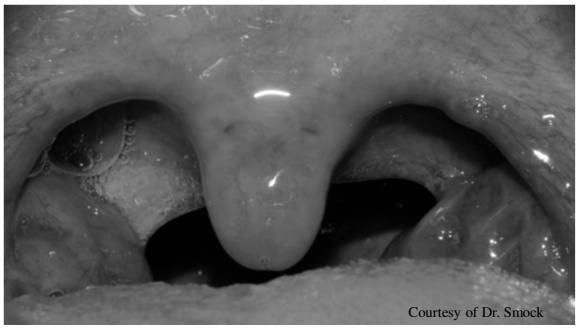
8 year old child



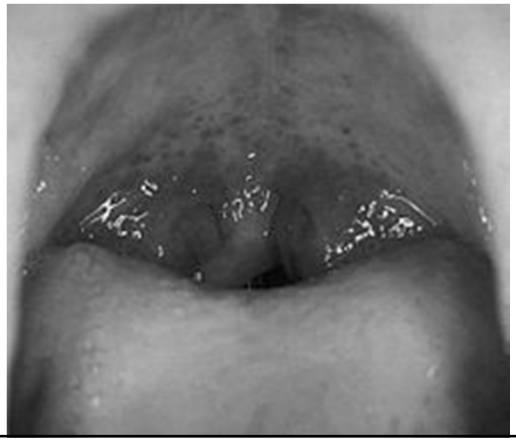
www.strangulationtraininginstitute.com * Webinar on Pediatric Strangulation

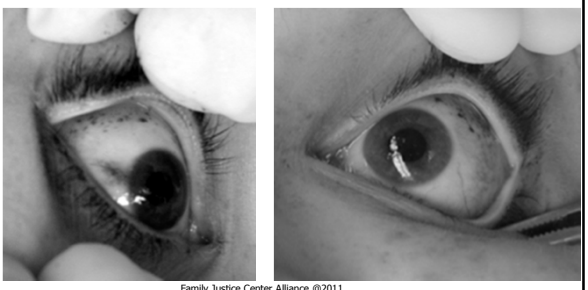


Courtesy of Jill Rable RN, Scottsdale Healthcare



Courtesy of Dr. Smock





Family Justice Center Alliance @2011

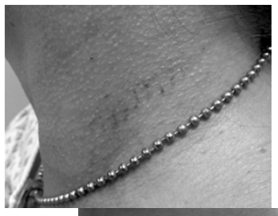
Fingertip Bruising

Family Justice Center Alliance @2011

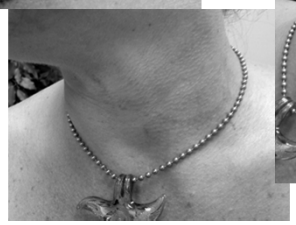
Bruising Behind Ears

Sternocleidomastoid Muscle

Family Justice Center Alliance @2011



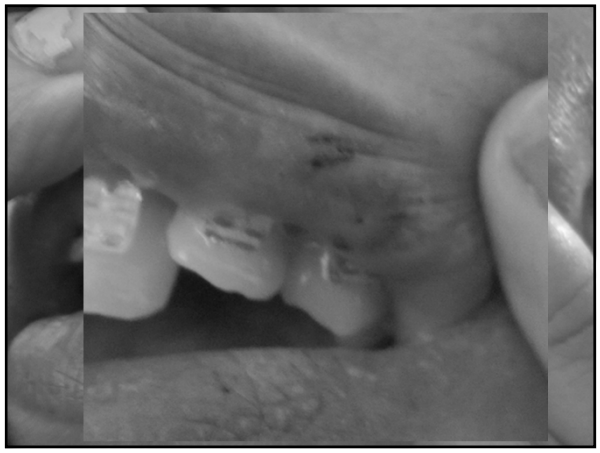
Patterned Injury



Swelling

Family Justice Center Alliance @2011

Suffocation

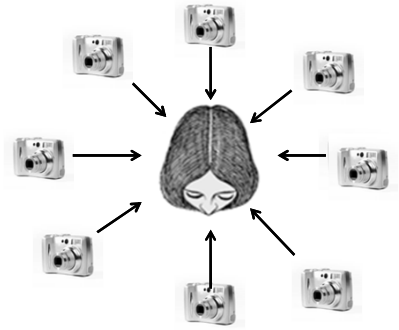


Photos

Take Plenty of Photographs and Follow-up Photographs

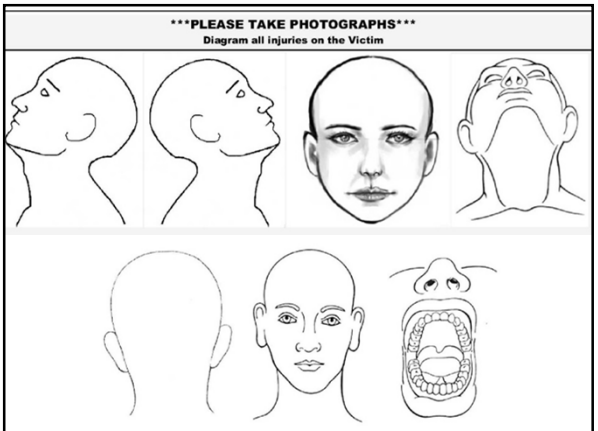
- Distance photo - one full body photograph of the victim from a distance will help identify the victim and the location of the injury.
- Close-up photo(s) - multiple close-up photographs of the face, neck area (front, back, and sides of the neck, lifted) at different angles will make it easier to see the injuries clearly. A minimum of 8 photos of the neck.
- **Picture of the defendant's hands!! (and the defendant)**
- **DOCUMENT THE INJURIES ON THE SUSPECT.**
- Full body shot of victim, hands, etc.
- Overall shot
- Crime Scene photo (corroborate the story)

Photograph 8 camera angles of the neck



OTHER PLACES

- TOP OF THE HEAD
- IN MOUTH
- PULL EARS BACK
- IN EARS
- IM NOSE
- IN EYES



Include in your report

- Your training with respect to strangulation
- Opinion on defensive wounds
- That picture may not reflect the severity of what you saw (if this applies)
- Describe things that can't be seen
- Describe in her words

Developing Evidence of Strangulation

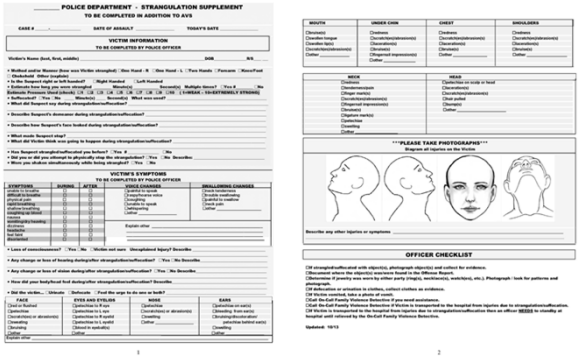
Train interviewers to ask about:

- **What** questions to ask
- **How** to ask the questions
- How to **document** the signs/symptoms in their report
- How to **properly examine** a victim
- How to do **follow-up**
- **Defensive wounds** in strangulation cases and **trauma reactions**

Ever been strangled in a mixed martial arts, military or law enforcement training or setting?

Strangulation Supplement: Goals

- **Carry knowledge into the field** and allow first responders to gather evidence while V is cooperative
- Incorporates understanding of trauma reactions.
- Prompts answers in her own words which leads to credibility.
- Allows for a better evaluation of the case and a quicker decision.
- Allows me to make charging decisions upfront, allows me to reject cases that don't fit the elements without wondering.
- Less victim dependence during prosecution.
- Allows for prosecution of sexual assault cases that may not get filed.
- But officers must ASK the victim, she does not know to mention them to you!
- Strangulation supplement give LEO a guide.



POLICE DEPARTMENT - STRANGULATION SUPPLEMENT

TO BE COMPLETED IN ADDITION TO AVS

CASE # _____ DATE OF ASSAULT _____ TODAY'S DATE _____

VICTIM INFORMATION

TO BE COMPLETED BY POLICE OFFICER

Victim's Name (last, first, middle) _____ DOB _____ R/S _____

• Method and/or Manner (how was Victim strangled): ☐One Hand - R ☐One Hand - L ☐Two Hands ☐Forearm ☐Knee/Foot ☐Unknown ☐Other (explain) _____

• Is the Suspect right or left handed? ☐Right Handed ☐Left Handed

• Was Victim's Neck Compressed? ☐Yes ☐No ☐Unknown(U) Multiple times? ☐Yes # _____ ☐No

Estimate Pressure Used (circle): 1 2 3 4 5 6 7 8 9 10 (1=BREAK / 10=EXTREMELY STRONG)

• Suffocated? ☐Yes ☐No Mouth(s) Nose(s) What was used?

• What did Suspect say during strangulation/suffocation?

• Describe Suspect's demeanor during strangulation/suffocation? _____

• Describe how Suspect's face looked during strangulation/suffocation? _____

• What made Suspect stop? _____

• What did Victim think was going to happen during strangulation/suffocation? _____

• Has Suspect strangled/suffocated you before? ☐Yes # _____ ☐No

• Did you or did you attempt to physically stop the strangulation? ☐Yes ☐No Describe: _____

• Move you shaken simultaneously while being strangled? ☐Yes ☐No

VICTIM'S SYMPTOMS

TO BE COMPLETED BY POLICE OFFICER

SYMPTOMS	DURING	AFTER
unable to breathe	☐	☐
difficult to breathe	☐	☐
gasping for air	☐	☐
hyperventilating	☐	☐
shallow breathing	☐	☐
difficulty breathing	☐	☐
coughing	☐	☐
coughing/gagging	☐	☐
choking	☐	☐
dizziness	☐	☐
nausea	☐	☐
red face	☐	☐
disoriented	☐	☐

VOICE CHANGES

☐Hoarse voice
☐Raspy/harsh voice
☐Difficulty talk
☐Unable to speak
☐Whispering
☐Other _____

SWALLOWING CHANGES

☐Neck tenderness
☐Trouble swallowing
☐Difficulty swallow
☐Neck pain
☐Other _____

Explain other _____

• Loss of consciousness? ☐Yes ☐No ☐Victim not sure Unexplained Injury? Describe: _____

• Any change or loss of hearing during/after strangulation/suffocation? ☐Yes ☐No Describe: _____

• Any change or loss of vision during/after strangulation/suffocation? ☐Yes ☐No Describe: _____

• How did your body/head feel during/after strangulation/suffocation? Describe: _____

• Did the victim... ☐Urinate ☐Defecate ☐Feel the urge to do one or both?

FACE	EYES AND EYELIDS	NOSE	EARS
☐red or flushed	☐petechiae in eyes	☐petechiae	☐petechiae on ear(s)
☐swelling	☐bloodshot eyes	☐bleeding (or abrasions)	☐bleeding (or abrasions)
☐scratches or abrasions	☐petechiae in eyelid	☐swelling	☐bruising/discoloration
☐swelling	☐petechiae in L eyelid	☐other _____	(white/blue bottom ear(s)
☐bruising	☐blood in eyelid(s)		☐swelling
☐other _____	☐other _____		☐other _____

Explain other _____

1

MOUTH	UNDER CHIN	CHEST	SHOULDERS
☐bruises(s)	☐redness	☐redness	☐redness
☐swollen tongue	☐bruise(mark(s)/area(s))	☐bruise(mark(s)/area(s))	☐bruise(mark(s)/area(s))
☐swollen lip(s)	☐laceration(s)	☐laceration(s)	☐laceration(s)
☐bruise(mark(s)/area(s))	☐bruise(s)	☐bruise(s)	☐bruise(s)
☐other _____	☐fingerprint impression(s)	☐fingerprint impression(s)	☐other _____
	☐other _____	☐other _____	

NECK	HEAD
☐redness	☐petechiae on scalp or head
☐bruise(s)/area(s)/pain	☐redness
☐finger mark(s)	☐bruise(mark(s)/area(s))
☐bruise(mark(s)/area(s))	☐hair pulled
☐fingerprint impression(s)	☐bruise(s)
☐bruise(s)	☐other _____
☐ligature mark(s)	
☐petechiae	
☐swelling	
☐other _____	

PLEASE TAKE PHOTOGRAPHS

Diagram all injuries on the Victim

Describe any other injuries or symptoms _____

OFFICER CHECKLIST

☐If strangled/suffocated with object(s), photograph object(s) and collect for evidence.
☐Document where the object(s) was/were found in the Offense Report.
☐Determine if jewelry was worn by either party (ring(s), necklace(s), watch(es), etc.). Photograph / look for patterns and marks.
☐If dislocation or urination in clothes, collect clothes as evidence.
☐If Victim vomited, take a photo of vomit.
☐Call **On-Call Family Violence Detective** if you need assistance.
☐Call **On-Call Family Violence Detective** if Victim is transported to the hospital from injuries due to strangulation/suffocation.
☐If Victim is not transported to the hospital from injuries due to strangulation/suffocation then an officer **NEEDS** to standby at hospital until released by the On-Call Family Violence Detective.

Updated: 10/13

2

OFC 1: ***"This form actually makes it easy, I thought it was BS and I know a lot of people bitched about it, but…"***

OFC 2: ***"Yeah, it also helps figure out if they are BS'ing, they are not going to be able to answer some of these questions…"***

Signs & Symptoms

*****Symptoms: Non-Traditional Evidence*****

Non-traditional, non-visible evidence of injury and strangulation that can corroborate the act.

These are your injuries as well as your evidence to prove the elements!

Examples:

- Nausea or vomiting, dry heaving.
- Hoarse/Raspy Voice (50%)
- Urination/defecation, the urge to urinate or defecate, loss of bladder control.
- Dizziness, seeing stars or change in vision.
- Change in sound or sensations in the ears.
- Feeling/sensations in the body/head.
- Disorientation, loss of memory, headache/migraine.
- Asthma attack.
- Miscarriage.

POSSIBLE SIGNS/SYMPTOMS

WHICH MAY OCCUR **DURING** OR **AFTER** THE STRANGULATION

- Unable to Breathe
- Difficulty Breathing
- Rapid Breathing
- Shallow Breathing
- Physical Pain
- Coughing Blood
- **Nausea**
- Vomiting/Dry Heaving
- Tenderness/Pain to neck, throat, etc.
- Dizziness
- **Headache/Migranes**
- Feeling Faint
- Disorientation
- Loss of Memory
- **Other? DESCRIBE IN DETAIL!!!!**

It is critical to appreciate that although breathing changes may initially appear to be mild, underlying injuries may kill the victim up to 36 or more hours later due to decompensation of the injured structures.

Restricted Airway

- Difficulty swallowing
- Pain with swallowing
- Difficulty breathing
- Wheezing
- Constant coughing
- Hoarse or raspy voice
- Drooling
- Constant Spitting

VOICE AND SWALLOWING CHANGES

Voice Changes:

- Painful to Speak
- Raspy/Hoarse Voice
- Coughing
- Unable to Speak
- Whispering
- Other

Swallowing Changes:

- Trouble Swallowing (saliva, food, drink?)
- Painful to Swallow (saliva, food, drink?)
- Neck Pain
- Other

Tracheal Injury?

How might a child describe?

"Mom choked me on my neck and then I talked like a duck"

What do we do with these non-visible injuries?

- Turn them into "injuries" to the jury
- Use an expert to describe what assaultive act causes each injury and explain how it relates to impeding air or blood flow.
- Allows the jury to visualize the assault
- Provides them with evidence
- Someone must have asked the victim for this evidence, we can't expect her to tell.

VICTIM'S SYMPTOMS
TO BE COMPLETED BY POLICE OFFICER

SYMPTOMS	DURING	AFTER
unable to breathe	☐	☐
difficult to breathe	☐	☐
physical pain	☐	☐
rapid breathing	☐	☐
shallow breathing	☐	☐
coughing up blood	☐	☐
nausea	☐	☐
vomiting/dry heaving	☐	☐
dizziness	☐	☐
headache	☐	☐
feel faint	☐	☐
disoriented	☐	☐

VOICE CHANGES
☐painful to speak
☐raspy/hoarse voice
☐coughing
☐unable to speak
☐whispering
☐other _____

SWALLOWING CHANGE
☐neck tenderness
☐trouble swallowing
☐painful to swallow
☐neck pain
☐other _____

Explain other _____

- **Did the victim... ☐Urinate ☐Defecate ☐Feel the urge to do one or both?**

- Do you think she will mention this voluntarily? Be sensitive.
- Do you think she even knows it is a sign of strangulation?
- Do you take pictures?
- Do you collect her clothes?
- What does it mean?

Urination/Defecation

- "*More significantly, if your brain is deprived of oxygen for long enough, your body is unable to maintain the muscle tones that it takes to withhold urine and bladder obviously that's a voluntary process most of the time…prolonged lack of oxygen to the brain can cause urinary and bowel control to go away.*"

- **Method and/or Manner (how was Victim strangled) ☐One Hand - R ☐One Hand - L ☐Two Hands ☐Forearm ☐Knee/Foot**
☐ **Chokehold Other (explain)** _____
- **Is the Suspect right or left handed? ☐Right Handed ☐Left Handed**
- **Estimate how long you were strangled _____ Minute(s) _____ Second(s) Multiple times? ☐Yes # _____ ☐No**
Estimate Pressure Used (check) ☐1 ☐2 ☐3 ☐4 ☐5 ☐6 ☐7 ☐8 ☐9 ☐10 (1=WEAK – 10=EXTREMELY STRONG)
- **Suffocated? ☐Yes ☐No ____ Minute(s) ____ Second(s) What was used?** _____
- **What did Suspect say during strangulation/suffocation?** _____
- **Describe Suspect's demeanor during strangulation/suffocation?** _____
- **Describe how Suspect's face looked during strangulation/suffocation?** *Didn't look like himself, clenching teeth, bulging eyes; bugged out eyes, angry; mad face*
- **What made Suspect stop?** _____
- **What did Victim think was going to happen during strangulation/suffocation?** _____
- **Has Suspect strangled/suffocated you before? ☐Yes # _____ ☐No**
- **Did you or did you attempt to physically stop the strangulation? ☐Yes ☐No Describe:** _____
- **Were you shaken simultaneously while being strangled? ☐Yes ☐No**

- Describe Suspect's demeanor during strangulation/suffocation? _____
- Describe how Suspect's face looked during strangulation/suffocation?

- *Didn't look like himself;*
- *Clenching teeth; Gritting teeth;*
- *Squeezing so hard veins were coming out of his head;*
- *Bulging eyes;*
- *Bugged out eyes, angry;*
- *Mad face*
- *D's eyes had a 1,000 yard stare*

VICTIM'S SYMPTOMS
TO BE COMPLETED BY POLICE OFFICER

SYMPTOMS	DURING	AFTER
unable to breathe	☐	☐
difficult to breathe	☐	☐
physical pain	☐	☐
rapid breathing	☐	☐
shallow breathing	☐	☐
coughing up blood	☐	☐
nausea	☐	☐
vomiting/dry heaving	☐	☐
dizziness	☐	☐
headache	☐	☐
feel faint	☐	☐
disoriented	☐	☐

VOICE CHANGES	SWALLOWING CHANGES
☐painful to speak	☐neck tenderness
☐raspy/hoarse voice	☐trouble swallowing
☐coughing	☐painful to swallow
☐unable to speak	☐neck pain
☐whispering	☐other _____
☐other _____	

Explain other _____

- Loss of consciousness? ☐Yes ☐No ☐Victim not sure Unexplained Injury? Describe _____
- Any change or loss of hearing during/after strangulation/suffocation? ☐Yes ☐No Describe _____
- Any change or loss of vision during/after strangulation/suffocation? ☐Yes ☐No Describe _____
- How did your body/head feel during/after strangulation/suffocation? Describe _____
- Did the victim... ☐Urinate ☐Defecate ☐Feel the urge to do one or both? _____

FACE	EYES AND EYELIDS	NOSE	EARS
☐red or flushed	☐petechiae to R eye	☐petechiae	☐petechiae on ear(s)
☐petechiae	☐petechiae to L eye	☐scratch(es) or abrasion(s)	☐bleeding from ear(s)
☐scratch(es) or abrasion(s)	☐petechiae to R eyelid	☐swelling	☐bruising/discoloration/ petechiae behind ear(s)
☐sweating	☐petechiae to L eyelid	☐other _____	☐swelling
☐bruising	☐blood in eyeball(s)		☐other _____
☐other _____	☐other _____		

Explain other _____

Loss of consciousness? ☐**Yes** ☐**No** ☐**Victim not sure**

How might a child describe?

"I went to sleep"

LOSS OF CONSCIOUSNESS

Did the Victim lose consciousness? Can't remember? Not sure? Probably did.

- Does the Victim have an unexplained injury? (bump on the head, lower leg injury)
- Loss of memory?
- Standing up but then waking on the floor?
- Bowel or bladder incontinence?
- Signs of losing consciousness: fuzzy, went black, room spinning, felt like my head was going to explode, eyes bulging (vs. "white"—coming back from consciousness)

"Did I go out? What did I do?"

Unconscious

- "Passed Out"
- "Blacked Out"
- Memory lapse or memory loss
- Unexplained positional change
- Unexplained gap in timeline
- Mental status changes
- Erratic behavior
- Incontinence

Other Neurological Signs

- May include vision changes (dimming, blurring, decrease of peripheral vision, seeing "stars" or "flashing lights").
- Auditory changes
- Facial or eyelid droop
- One-sided weakness
- Incontinence
- TIP: You will likely have to ask because patients don't readily share.

State vs Jon Brown

"I choked the air out of your leg"

"She felt her body twitch" she later said she thought she had a seizure

VICTIM'S SYMPTOMS
TO BE COMPLETED BY POLICE OFFICER

SYMPTOMS	DURING	AFTER
unable to breathe	☐	☐
difficult to breathe	☐	☐
physical pain	☐	☐
rapid breathing	☐	☐
shallow breathing	☐	☐
coughing up blood	☐	☐
nausea	☐	☐
vomiting/dry heaving	☐	☐
dizziness	☐	☐
headache	☐	☐
feel faint	☐	☐
disoriented	☐	☐

VOICE CHANGES	SWALLOWING CHANGES
☐painful to speak	☐neck tenderness
☐raspy/hoarse voice	☐trouble swallowing
☐coughing	☐painful to swallow
☐unable to speak	☐neck pain
☐whispering	☐other _____
☐other _____	

Explain other _____

- **Loss of consciousness?** ☐Yes ☐No ☐Victim not sure **Unexplained Injury? Describe** _____
- **Any change or loss of hearing during/after strangulation/suffocation?** ☐Yes ☐No **Describe** _____
- **Any change or loss of vision during/after strangulation/suffocation?** ☐Yes ☐No **Describe** _____
- **How did your body/head feel during/after strangulation/suffocation? Describe** _____
- **Did the victim...** ☐**Urinate** ☐**Defecate** ☐**Feel the urge to do one or both?** _____

FACE	EYES AND EYELIDS	NOSE	EARS
☐red or flushed	☐petechiae to R eye	☐petechiae	☐petechiae on ear(s)
☐petechiae	☐petechiae to L eye	☐scratch(es) or abrasion(s)	☐bleeding from ear(s)
☐scratch(es) or abrasion(s)	☐petechiae to R eyelid	☐swelling	☐bruising/discoloration/ petechiae behind ear(s)
☐sweating	☐petechiae to L eyelid	☐other _____	☐swelling
☐bruising	☐blood in eyeball(s)		☐other
☐other _____	☐other _____		

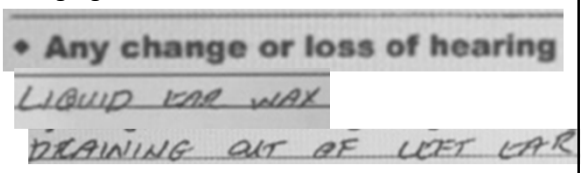
Explain other _____

HEARING

- Felt her face get hot and could hear a rushing sound in her ears;
- Felt like she was in a subway station
- sounded like sound was coming through a can
- sounded like a tunnel, sound was fading
- sounded like a shell over my ear
- Feeling of being temporarily disoriented like from the noise the first time she shot a gun.
- Gurgling
- Ear muffs
- Sounded like a radio being turned down

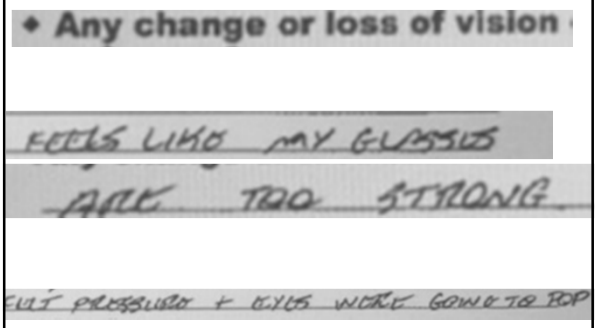
EARS

- Ears popped
- Felt like she had cotton in her ears
- Felt like water in my ears
- Ear felt like it was gushing
- Ringing in her ears sounded like a train



VISION

- Got blurry; cloudy
- Tunneling; Everything faded; Saw dots
- Darker and darker; felt like a slow blink;
- Felt like I had sand in my eyes
- Fuzzy around the edges;
- Like a shrinking tunnel;
- Eyes started to water and buldge
- Felt like an old timey movie;
- Felt like cameras flashing



HEAD

- pressure in head; pulsating
- felt like eyes were popping out;
- Felt like cold water running down my face
- her head felt big and red;
- felt a tingling sensation around her lips;
- Felt as if she was trying to blow up a tiny water balloon,
- Could feel her heartbeat in her head
- hot, like it was going to explode,

BODY

- no strength; like a noodle;
- woozy; throbbing; wavy,
- Felt like heartburn;
- Body felt like ants crawling on the back of her neck
- her head felt big and red;
- She felt her body twitch and thought she was having a seizure
- felt like a rag doll;
- Felt like ants crawling down my body
- Stuffy
- Bladder felt heavy

THROAT

- Neck muscles felt tired like she had worked out
- Felt like she was hanging upside down
- Felt like a brick was on top of her
- He was "drilling his fingers into her neck."
- Throat burned
- Felt fullness in her neck
- It felt like the sides of her throat were touching
- Throat felt clogged

Other Descriptions

- Felt like it wasn't real
- Felt a burning sensation in her throat while he was squeezing
- Throat felt itchy; throat felt clogged
- Felt like a roller coaster
- Mouth felt foamy
- Messed with her sinuses causing her eyes to water
- Felt like she was floating
- Total numbness
- Like trying to suck air through a straw and someone pinching it in the middle and not being able to
- I felt frozen
- Like a real dream

Other Descriptions

- Neck muscles felt tired like she had worked out
- Felt as if she was drowning, like she was deep underwater and not able to breathe (suffocation)
- Tried to yell but her voice wouldn't come out
- Twitching
- Felt like she was hanging upside down
- Felt like a brick was on top of her
- Felt like she was dreaming
- He was "drilling his fingers into her neck."
- Felt fullness in her neck
- Felt her heartbeat in her head
- It felt like the sides of her throat were touching

Other Descriptions

- Neck muscles felt tired like she had worked out
- Felt as if she was drowning, like she was deep underwater and not able to breathe (suffocation)
- Tried to yell but her voice wouldn't come out
- Twitching
- Felt like she was hanging upside down
- Felt like a brick was on top of her
- Felt like she was dreaming
- He was "drilling his fingers into her neck."
- Felt fullness in her neck
- Felt her heartbeat in her head
- It felt like the sides of her throat were touching

State vs Jon Brown

"I choked the air out of your leg"

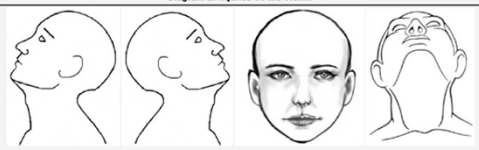
"She felt her body twitch" she later said she thought she had a seizure

MOUTH	UNDER CHIN	CHEST	SHOULDERS
☐bruise(s) ☐swollen tongue ☐swollen lip(s) ☐scratch(es)/abrasion(s) ☐other _____	☐redness ☐scratch(es)/abrasion(s) ☐laceration(s) ☐bruise(s) ☐fingernail impression(s) ☐other _____	☐redness ☐scratch(es)/abrasion(s) ☐laceration(s) ☐bruise(s) ☐other _____	☐redness ☐scratch(es)/abrasion(s) ☐laceration(s) ☐bruise(s) ☐other _____

NECK	HEAD
☐redness ☐tenderness/pain ☐finger mark(s) ☐scratch(es)/abrasion(s) ☐fingernail impression(s) ☐bruise(s) ☐ligature mark(s) ☐petechiae ☐swelling ☐other _____	☐petechiae on scalp or head ☐laceration(s) ☐scratch(es)/abrasion(s) ☐hair pulled ☐bump(s) ☐other _____

PLEASE TAKE PHOTOGRAPHS

Diagram all injuries on the Victim



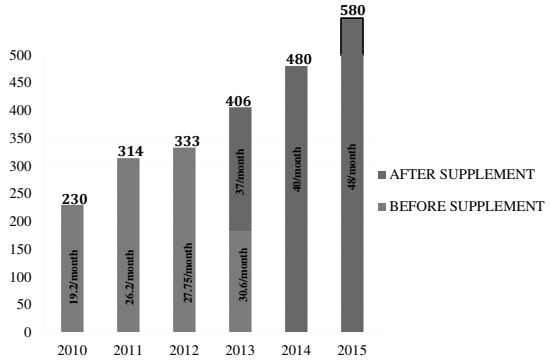
Describe any other injuries or symptoms _____

OFFICER CHECKLIST

☐If strangled/suffocated with object(s), photograph object(s) and collect for evidence.
☐Document where the object(s) was/were found in the Offense Report.
☐Determine if jewelry was worn by either party (ring(s), necklace(s), watch(es), etc.). Photograph / look for patterns and photograph.
☐If defecation or urination in clothes, collect clothes as evidence.
☐If Victim vomited, take a photo of vomit.
☐Call On-Call Family Violence Detective if you need assistance.
☐Call On-Call Family Violence Detective if Victim is transported to the hospital from injuries due to strangulation/suffocation.
☐If Victim is transported to the hospital from injuries due to strangulation/suffocation then an officer NEEDS to standby at hospital until relieved by the On-Call Family Violence Detective.

Filed Strangulation Statistics

36% increase in the 18 months before and after the supplement



Before & After

- Average pre-supplement = 25/month
- Average post-supplement = 41/month (as of May 2015)
- 2010 average = 19/month
- 2015 Projection = 50/month

Improving Investigation

- **Train first responders**
- **Train everyone else!**
- **Implement strangulation supplement**

What happens with this evidence?

Improving Prosecution

- **Making the jury care**
- **Translating the evidence to a jury**

Trial Tips

- Educate them!
- Connect the dots
- Take them on the journey
- Use an expert

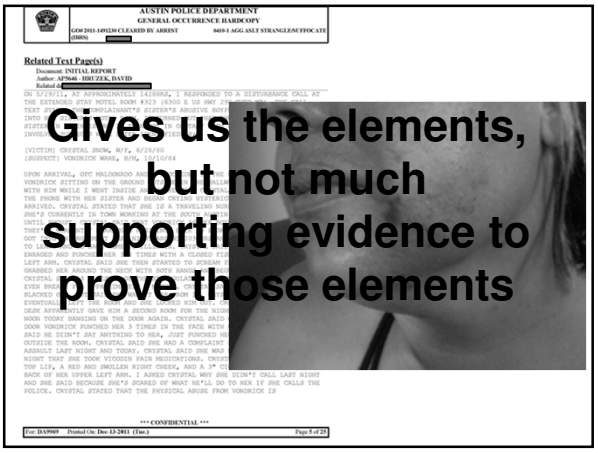
Relying on traditional evidence in the form of <u>visible injury</u> in a strangulation case will not lead to successful prosecutions.

State v. Vondrick Ware

Evidence of Strangulation: Offense Report

ENRAGED AND PUNCHED HER 3-4 TIMES WITH A CLOSED FIST IN THE FACE, HEAD, AND LEFT ARM. CRYSTAL SAID SHE THEN STARTED TO SCREAM FOR HELP AND VONDRICK GRABBED HER AROUND THE NECK WITH BOTH HANDS AND BEGAN TO APPLY PRESSURE. CRYSTAL SAID AS A RESULT OF THE STRANGULATION SHE WAS UNABLE TO SCREAM OR EVEN BREATH FOR APPROXIMATELY 1 MINUTE. CRYSTAL SAID SHE DIDN'T THINK SHE BLACKED OUT, BUT SAID SHE WASN'T FAR FROM IT. CRYSTAL SAID VONDRICK

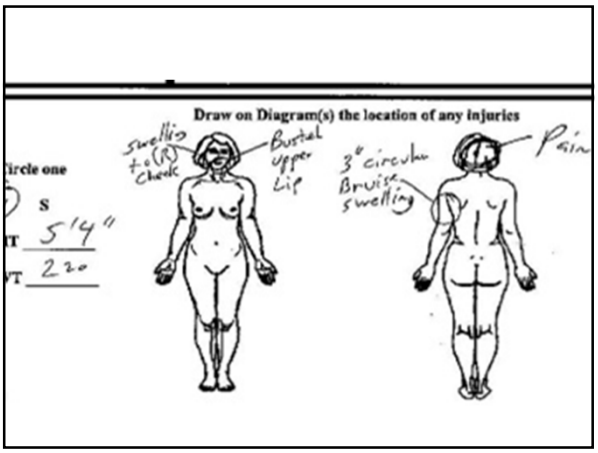
- **"grabbed her around the neck with both hands and began to apply pressure"**
- **"as a result of the strangulation she was unable to scream or even breathe for approximately one minute"**
- **"didn't think she blacked out, but wasn't far from it"**
- **No significant visible injury**



AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY

Gives us the elements, but not much supporting evidence to prove those elements

Did we win this case? How?



2007

PAGE 1 OF 2 — PEORIA POLICE DEPARTMENT - CRIMINAL REPORT

RAWLS STATED WARE STARTED ARGUING W/ HER JUST AFTER MIDNIGHT, ACCUSING HER OF MESSING W/ WARE'S COUSIN. DURING THE ONSET OF THE ARGUEMENT SHE TOLD WARE SEVERAL TINES TO LEAVE. INSTEAD OF LEAVING, HE BEGAN PUNCHING HER IN THE BACK, AND BOTH ARMS, CAUSING SEVERAL BRUISES. WHEN SHE TRIED TO RETREAT, WARE GRABBED HER WRIST, CAUSING AN ABRASION, AND THREW HER TO THE FLOOR. AS SHE STARTED TO GET UP HE KNEED HER IN THE FACE, CAUSING SWELLING TO THE LEFT SIDE OF HER FACE, AND JAW. HE GRABBED HER BY THE HEAD, AND PUSHED HER TO THE FLOOR. HE SCRATCHED HER EAR PUSHING HER DOWN, THEN STARTED PUNCHING AND KICKING HER ON BOYH HER LEGS. THESE PUNCHES, AND KICKS CAUSED SEVERAL MORE BRUISES ON RAWLS' THIGHS, LOWER LEGS, AND ANKLES.

2008

PAGE 1 OF 2 — PEORIA POLICE DEPARTMENT - CRIMINAL REPORT

WARE USE. AT THAT POINT WARE STRUCK BURKS ON HER LEFT JAW APPROXIMATELY TWO TIMES. SHE YELLED FOR HIM TO STOP HITTING HER AND SHE TRIED TO GET AWAY FROM HIM AND HIT HIM TO KEEP HIM OFF OF HER. SHE SAID THAT WARE THEN SCRATCHED THE RIGHT SIDE OF HER FACE. SHE SAID THAT WARE THEN RAN UPSTAIRS AND TOOK HER LISTED CELL PHONE. SHE WENT UPSTAIRS AND WARE BEGAN TO CHOKE HER AND AT THAT TIME BURKS' FRIEND, BENNETT, SAW WARE CHOKING HER AND HOLLERED FOR WARE TO STOP AND WARE THEN RAN OUT OF THE APT. BURKS HAS VISIBLE SCRATCHES TO HER RIGHT CHEEK AND SLIGHT SWELLING ON HER LEFT JAW AREA WHICH SHE SAID IS SORE. SHE DENIED MEDICAL TREATMENT AND SAID THAT SHE WILL

PAGE 2 OF 2 — PEORIA POLICE DEPARTMENT - CRIMINAL REPORT - SUPPLEMENTAL REPORT - SUPPLEMENTAL REPORT

PEORIA COUNTY DOMESTIC VIOLENCE COURT DISPOSITION IN CASE 08-CM-1084, ONE COUNT OF DOMESTIC BATTERY, A CLASS A MISDEMEANOR. THE CASE WAS DISMISSED AS THE VICTIM FAILED TO APPEAR FOR TRIAL ON TWO SEPARATE OCCASIONS. RECEIVED FROM PEORIA COUNTY ASA WETTESTEEN.

2008, take 2

PAGE 4 OF 4 — PEORIA POLICE DEPARTMENT - CRIMINAL REPORT

I WAS DISPATCHED TO METHODIST ER ROOM 14 FOR A REPORT OF AN EARLIER ASSAULT. UPON MY ARRIVAL I MADE CONTACT WITH BURKS. I ASKED BURKS WHAT HAD HAPPENED. BURKS STATED THAT SHE WAS AT HOME EARLY SUNDAY MORNING AROUND 0300 HOURS. BURKS SAID SHE WAS THERE WITH HER SON AND MCKINLEY. BURKS SAID WARE SHOWED UP TO HER APARTMENT AND WANTED IN. BURKS STATED SHE WOULD NOT LET WARE INSIDE SO HE KICKED OPEN THE FRONT DOOR. BURKS SAID WHEN WARE ENTERED THE APARTMENT HE CAME UPSTAIRS TO A BEDROOM WHERE BURKS, MCKINLEY AND HER SON WERE SITTING ON A BED. BURKS SAID WARE STARTED PUNCHING HER IN THE FACE FOR NO REASON. BURKS SAID MCKINLEY GOT WARE TO STOP AND SHE FLED TO HER NEIGHBORS IN APARTMENT A TO CALL 911. BURKS SAID AFTER SHE CALLED 911 THE NEIGHBOR TOLD HER SHE COULD NOT WAIT IN THE APARTMENT BECAUSE HER BOYFRIEND WAS ON WORK RELEASE. BURKS SAID AS SHE WAITED FOR THE POLICE MCKINLEY LEFT THE APARTMENT. BURKS SAID AS SHE WAITED OUTSIDE FOR THE POLICE WARE GRABBED HER AND DRAGGED HER BACK INSIDE OF HER APARTMENT. BURKS SAID WARE BEGAN TO CHOKE HER AND PLACED HIS KNEE ON HER CHEST SO SHE COULD NOT CALL FOR HELP OR GET UP. BURKS SAID THAT WHILE WARE WAS CHOKING HER SHE COULD HEAR THE POLICE KNOCKING AT HER APARTMENT DOOR. BURKS SAID THE POLICE KNOCKED FOR ABOUT FIVE MINUTES BEFORE LEAVING.

DISPATCH RECORDS SHOW POLICE RESPONDED TO THIS LOCATION AT 0358 HOURS ON 06/08/08 AND CLEARED THE CALL 10-8 L, WHICH MEANS NO SUCH PERSON LOCATED.

BURKS STATED THAT SHE BLACKED OUT FROM THE LACK OF OXYGEN AND AWOKE SEVERAL HOURS LATER. BURKS STATED THAT WHEN SHE WOKE WARE KICKED HER IN HER STOMACH, PELVIC AREA AND LEGS SEVERAL TIMES. BURKS SAID SHE MANAGED TO GET AWAY FROM WARE AND GET A KNIFE FROM HER KITCHEN. BURKS SAID SHE GRABBED HER SON AND WAS ABLE TO FLEE FROM THE APARTMENT AND RUN TO HER SISTERS FOR HELP. BURKS SAID SHE WAITED A DAY TO GO TO THE HOSPITAL BECAUSE SHE KEPT FALLING IN AND OUT OF CONCISENESS. BURKS SAID SHE FINALLY CAME TO THE HOSPITAL THE NEXT DAY WHEN SHE WAS NOT IMPROVING.

BURKS HAD A BLACK EYE, BRUISES ON HER LEFT BREAST, LEFT SIDE, INNER THIGHS AND KNEES. BURKS STATED THAT SHE DOES NOT BELIEVE ANYTHING SEXUAL OCCURRED BETWEEN HER AND WARE. BURK WAS ALSO COMPLAINING OF HER HEAD HURTING AND WAS GOING TO HAVE A CT SCAN TAKEN. BURKS WAS PREGNANT AT THE TIME OF THE INCIDENT.

BURKS WAS EVALUATED BY DR. DUNAWAY AT THE METHODIST ER AND RELEASED WITH SEVERAL DEEP TISSUE BRUISES AND CONTUSIONS AND A HEAD INJURY.

THE LAB RESPONDED AND TOOK PHOTOS OF HER INJURIES. SEE SUP.

PAGE 2 OF 2 — PEORIA POLICE DEPARTMENT - CRIMINAL REPORT - SUPPLEMENTAL REPORT - SUPPLEMENTAL REPORT - SUPPLEMENTAL REPORT

PEORIA COUNTY DOMESTIC VIOLENCE COURT DISPOSITION IN CASE 08-CM-1346, ONE COUNT OF DOMESTIC BATTERY, A CLASS A MISDEMEANOR. PURSUANT TO A PLEA AGREEMENT IN CASE 07-CM-2029, THE CHARGE WAS DISMISSED. RECEIVED FROM PEORIA

42 Signs/Symptoms of Strangulation

Strangulation Signs and Symptoms: V Testimony

During/emotional	During/physical	After/sensations	After/visible injury
Felt like dying	felt need to urinate/defecate	trying to catch breath	red marks all over -
Moment of nothing	Could not hear anything	almost in shock	neck, arms , back
Thought I was dead	No sound or vision – all white	could not swallow	Hurt to talk
Thought it was overwith	Pressure 8-9 out of 10	throat inside tight	bruises on leg and thigh
Would fall if released	Pressure hurt	[illegible] breathe	Voice hoarse
	Felt pain from hands		Pain to throat, neck, leg
	Trying to get air		
	Felt limp like noo[illegible]	can't swallow	fingerprints/marks
	[illegible]	[illegible]	[illegible]
	Gasping for air	[illegible]	body throbbing
	[illegible] length		
	[illegible]	[illegible]	
	Tunneling/Room closing in	hurt to breathe	
	Urinated	shallow breath	
	Could not see/hear	throat felt closed	

How did we get that evidence?

I ASKED!!!

Just because they were strangled… doesn't make them an expert!

M

- **Blame themselves because they don't remember, lapses in memory.**
- **Blame themselves for being manipulated.**
- **Left confused**
- **Not validated**
- **Don't understand**

Lessons Learned

- Shift the focus away from "assault" and visible injury and to the unique dangers/risks of strangulation.
- Train EVERYONE and develop your evidence of strangulation.
- Charge your case strategically
- Start your education in Voir Dire and link it together with expert testimony from a "medical expert."

Lessons Learned Cont.

- Turn your fact witness into your expert witness
- Sensory symptoms and trauma based investigation.
- Charts/Organization (DWI)
- **Use a Expert** to explain lack of injuries and connect signs and symptoms to strangulation
- Defensive strategies and Using "weakness" to your advantage (defensive injuries, trauma reactions)
- Closing Arguments and get the emotion

Educate in Voir Dire

Voir Dire

- FV Stuff
- Levels of Assault
  - What makes an assault more serious (SBI, weapon, strangulation)
  - History of strangulation (past: murder or class A; aggravated assault)
- Ways strangulation is **more serious** than just bodily injury?
- Context of FV, how is **strangulation used by the abuser**?
- Neck anatomy and pressure (hand dynamometer)
  - Pressure: Handshake example
  - Neck vulnerability: Child on back example

Voir dire should be an education that the jury gives themselves…

…and that your evidence then becomes consistent with.

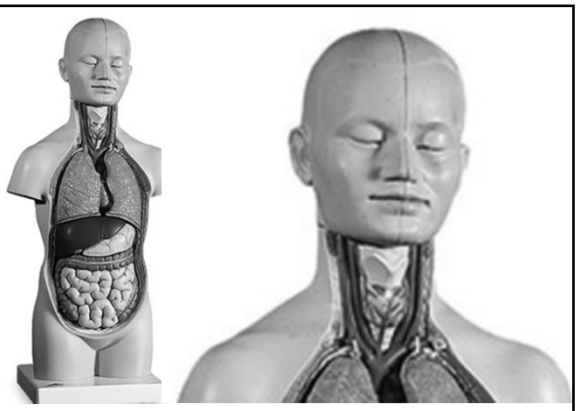
Voir Dire

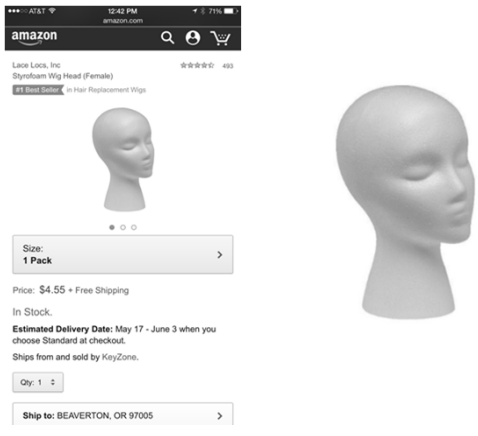
- **Involvement in Mixed Martial Arts**
  - **Military or Law enforcement?**
  - **Anyone ever been choked out?**
  - **Visible injury? What?**
  - **Have them describe feeling of helplessness**
  - **Have them describe sensations (visual, auditory, body/head)…shifts their focus to s/s!**
  - **…these will match up with V's s/s**
- **Educate about pressure.**
- **Educate about how vulnerable the neck is to touch.**
- **How the structures in the neck feed the brain.**

Visible Injury

- **Find out who expects it/wants it/requires it to convict.**
- **Have the jury explain why:**
  - **It's unlikely**
  - **Isn't necessary**
  - **Refocus them on the kind of assault and how it differs from traditional assault (why and how is strangulation so dangerous)**
  - **But if it exists, it must be super bad!**

Charts, Visual Aids & Organization





Hand Dynamometer

Strangulation Signs and Symptoms: V Testimony

During/emotional	During/physical	After/sensations	After/visible injury
Felt like dying	felt need to urinate/defecate	trying to catch breath	red marks all over -
Moment of nothing	Could not hear anything	almost in shock	neck, arms , back
Thought I was dead	No sound or vision – all white	could not swallow	Hurt to talk
Thought it was overwith	Pressure 8-9 out of 10	throat inside tight	bruises on leg and thigh
Would fall if released	Pressure hurt	Hurt to breathe	Voice hoarse
	Felt pain from hands		Pain to throat, neck, leg
	Trying to get air		
	Felt limp like noodle	can't swallow	fingerprints/marks
	Blurry to white/no vision	hurt to breathe	redness
	Could not hear anything	pain to neck/throat/head	
	Gasping for air	body throbbing	
	Had no strength		
	Not sure LOC	neck tender	
	Tunneling/Room closing in	hurt to breathe	
	Urinated	shallow breath	
	Could not see/hear	throat felt closed	

What do we do with these non-visible injuries?

Expert: Chart

- Provide the jury with support for each element
- Make a copy of the signs/symptoms chart offered into evidence through various testimony and have the expert go through each one, identifying what that particular S/S is evidence of:
  - **Airflow = A**
  - Blood flow = **B**
  - Pain/Bodily Injury = **P**
- Offer into evidence!!!

CHART IT!

Strangulation Signs and Symptoms: V Testimony

During/emotional	During/physical	After/sensations	After/visible injury
Felt like dying	felt need to urinate/defecate B	trying to catch breath A	red marks all over -
Moment of nothing	Could not hear anything B	almost in shock	neck, arms , back
Thought I was dead	No sound or vision – all white B	could not swallow A	Hurt to talk
Thought it was overwith	Pressure 8-9 out of 10	throat inside tight A	bruises on leg and thigh
Would fall if released	Pressure hurt P	Hurt to breathe P	Voice hoarse
	Felt pain from hands P		Pain to throat, neck, leg
	Trying to get air A		
	Felt limp like noodle B	can't swallow A	fingerprints/marks
	Blurry to white/no vision B	hurt to breathe A	redness
	Could not hear anything B	pain to neck/throat/head A/P	
	Gasping for air A/B	body throbbing P	
	Had no strength B	Hoarse voice A	
	Not sure LOC B	neck tender P	
	Tunneling/Room closing in B	hurt to breathe A	
	Urinated B	shallow breath	
	Could not see/hear B	throat felt closed A	
		Hurt to talk A	

State's Exhibit

WHY

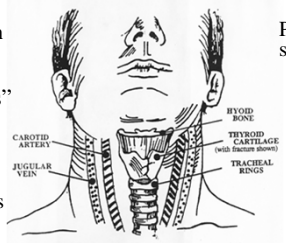
Connect the dots for the jury.

Need to catch breath

"Black spots"

Face red/flushed

"Going to pass out"



Painful to swallow

Headache

Raspy voice

Neck Pain

Visible marks on neck

Difficulty Breathing

Dizzy

Trouble swallowing

Bloody Red eyeballs

Swelling in neck

Pain with respiration at anterior of neck

"Seeing Stars"

Pain worse with movement

These are your injuries!

Closing Arguments

Closing Arguments

- Shift focus from victim blaming to **offender accountability**.
- You don't have to get them to relate to your victim, but you do have to help them understand her.
  - Through the filter of DV and the lens of a victim…
- Victims do what need to do to stay safe in that moment:
  - That's why she called the police that night.
  - That is why she isn't here to day to testify.

Your goal is to get the jury to see who the defendant really is and can be…

Closing Argument

- Confront the obvious and use things to your advantage.
- Enlarge your chart: link and categorize for the jury.
- Link voir dire to S/S testimony to expert testimony
- Take them there.
- Emotional appeal (what she experienced as an almost homicide victim) and explain trauma.

Examples

Thank you!!

- The pressure on her neck that night and another type of pressure here this week.
- He may be letting her breathe today, but he isn't letting her go.
- He didn't kill her that night, or else we would be here on an attempted murder. But he showed her that he can and that he will.
- Lost control because he wasn't in control (P&C)
- V's always thinking of their own personal safety. The same reason she told the truth that night is the same reason she lied for him today.
- Punishment: escalation.

EXPERT WITNESSES

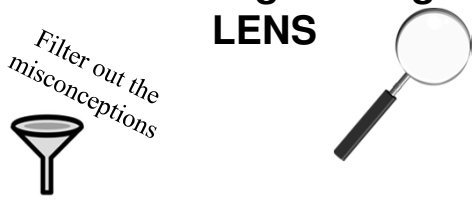
HOW do experts help juries?

- **TRANSLATOR for the jury**
- **NORMALIZE behavior that might otherwise be misinterpreted and hurt credibility.**
- **CONVERT OBSTACLES into powerful evidence.**
- **CONNECT the dots.**
- **Turn doubt into conviction.**

The Translator

WHY

They help the jury see the case through the right LENS



Purpose of Experts in Strangulation

For your jury to understand:

- The Evidence
- The Dynamics
- The Trauma

…as well as you do.

Since you can't get up there and testify, someone has to do it for you.

FV Experts on Strangulation

- Can discuss escalation in violence with strangulation as key.
- Strangulation in the context of the power and control dynamic.
- Strangulation to obtain compliance.
- Lethality statistics.
- Minimizing and lack of belief.
- Trauma related to strangulation and Stages

Medical Experts: Strangulation

HARD SCIENCE

WHAT is a "Strangulation Expert?"

- Someone who understands the anatomy of the neck, body and blood and airflow.
- Someone who has reviewed medical articles relevant to strangulation.
- Someone who can communicate this on a basic level to a jury.
- Someone who the jury likes.

Double the Pleasure

- Biggest challenge was finding someone to play and having the money to pay them to testify!
- Jury wants a medical person talking to them: unbiased, down to earth, they are worth their weight in gold.
- If you train your medical responders (EMS, SANE, ER staff) you get the benefit of:
  - Better documentation (don't assume they are)
  - Easier access to an expert at trial
  - Hearsay exceptions

Qualifications

- Prepare them (articles, etc)
- Focus on knowledge of anatomy and evaluations of relevant structures.
  - –Paramedic: Hangings
  - –ABC's and Oxygenation and Perfusion
  - –Talk to your expert and shape your questions

Using Expert in Trial

- Qualifications (base on anatomy, not DV Strangulation)
- Definitions: Asphyxiation. Choking vs. Strangulation, Methods of Strangulation
- Misconceptions and Expectations (pressure, visible injury, missed and misunderstood)
- Relevant neck anatomy and functions (offer diagram into evidence)
- Pressure (psi) and Injury (soft tissue, blood flow)
- Relevant factors

Using Expert in Trial

- Blunt force trauma (like hit with a bad in knee with soft tissue or bone damage) vs Strangulation (obstruction of blood /oxygen to brain and organs)
- Strangulation and Death (can cause, can have no external VI, autopsy)
- Delayed Death by Strangulation
- Pain without visible injury (funny bone example)
- Explain how each sign/symptom relates to strangulation and how
- Connect each s/s to the elements of impeding blood flow/air flow
- Specific issues in case: scream/talk but not breathe

Visible Injury

- Prosecutor: *"Can you describe to the jury the difference between an event like manual strangulation and how it is different than something like the blunt force trauma where someone takes a bat and hits you in the neck?"*
- Expert: *"For example, the bat injury, it is a one-time hit, so yeah, you will get bruises, you will get fractures, but you are not going to get the unconsciousness or the blood loss to the brain because you don't squeeze the blood vessels when you get hit by a bat. You just injure the surrounding tissues.*

Case Specific Issue

- Her neck was too fat
- She could scream/talk but couldn't breathe
- He is covered in injuries
- She has self-inflicted injuries
- Lack of memory
- Just one breath (perspective)

Jury Feedback

Jury Feedback

*"Both the paramedic and the social services expert played **key roles** in our decision. From my perspective here is what really made the case for me personally… **The paramedic provided an invaluable link between the testimony of the witness and the nature of the assault illustrated by connecting the symptoms with the causes (A/B).** "*

*"The young man from EMS was very enlightening on the human anatomy. His **descriptions of how strangulation affects the human body** and what are the common symptoms the victim may experience was very helpful."*

Kelsey,

This is the most uphill case I've had in years. She's recanted 3 times, once to defense investigator, and physical evidence is scant. I'll let you know how it goes.

-Brett, ADA

Kelsey:

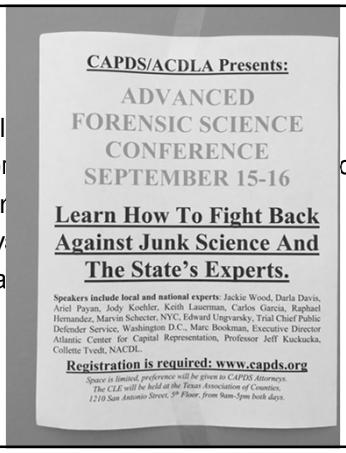
I recently tried a case where the victim recanted to law enforcement, my office and on recording to the public defender investigator. Her visible injuries consisted of a one-inch scratch on her neck and a small bruise on her back near the shoulder.

The officer used a specialized form to document internal symptoms, and I called an ER doc to educated the jury and explain what it all meant. I used your skills and techniques and the jury convicted in 2 hours.

Thanks for your help!
Brett

Be prepared for a fight!

- Call
- "Sor o rebut)
- Hirir
- Priv
- Atta


CAPDS/ACDLA Presents:

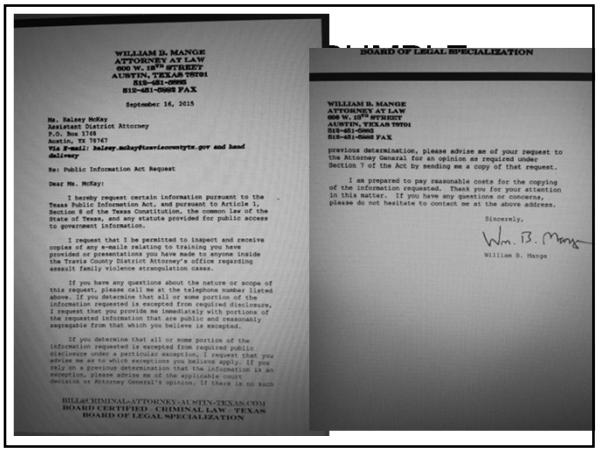
ADVANCED FORENSIC SCIENCE CONFERENCE SEPTEMBER 15-16

Learn How To Fight Back Against Junk Science And The State's Experts.

Speakers include local and national experts: Jackie Wood, Darla Davis, Ariel Payan, Jody Koehler, Keith Lauerman, Carlos Garcia, Raphael Hernandez, Marvin Schecter, NYC, Edward Ungvarsky, Trial Chief Public Defender Service, Washington D.C., Marc Bookman, Executive Director Atlantic Center for Capital Representation, Professor Jeff Kuckucka, Collette Tvedt, NACDL.

Registration is required: www.capds.org

Space is limited, preference will be given to CAPDS Attorneys.
The CLE will be held at the Texas Association of Counties.
1210 San Antonio Street, 5th Floor, from 9am-5pm both days.



WILLIAM B. MANGE
ATTORNEY AT LAW
600 W. 10TH STREET
AUSTIN, TEXAS 78701
512-481-0966
512-481-0968 FAX

September 16, 2015

Ms. Haley McKay
Assistant District Attorney
P.O. Box 1748
Austin, TX 78767
Via E-mail: haley.mckay@traviscountytx.gov and hand delivery

Re: Public Information Act Request

Dear Ms. McKay:

I hereby request certain information pursuant to the Texas Public Information Act, and pursuant to Article 1, Section 8 of the Texas Constitution, the common law of the State of Texas, and any statute provided for public access to government information.

I request that I be permitted to inspect and receive copies of any e-mails relating to training you have provided or presentations you have made to anyone inside the Travis County District Attorney's office regarding assault family violence strangulation cases.

If you have any questions about the nature or scope of this request, please call me at the telephone number listed above. If you determine that all or some portion of the information requested is excepted from required disclosure, I request that you provide me immediately with portions of the requested information that are public and reasonably segregable from that which you believe is excepted.

If you determine that all or some portion of the information requested is excepted from required public disclosure under a particular exception, I request that you advise me as to which exceptions you believe apply. If you rely on a previous determination that the information is an exception, please advise me of the applicable court decision or Attorney General's opinion. If there is no such

BILL@CRIMINAL-ATTORNEY-AUSTIN-TEXAS.COM
BOARD CERTIFIED - CRIMINAL LAW - TEXAS
BOARD OF LEGAL SPECIALIZATION

BOARD OF LEGAL SPECIALIZATION

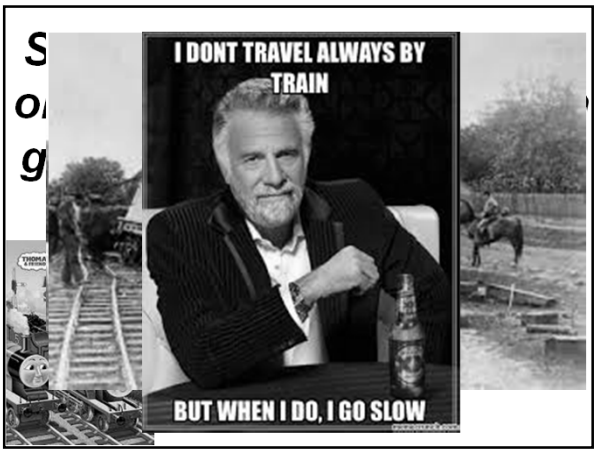
WILLIAM B. MANGE
ATTORNEY AT LAW
600 W. 10TH STREET
AUSTIN, TEXAS 78701
512-481-0966
512-481-0968 FAX

previous determination, please advise me of your request to the Attorney General for an opinion as required under Section 7 of the Act by sending me a copy of that request.

I am prepared to pay reasonable costs for the copying of the information requested. Thank you for your attention in this matter. If you have any questions or concerns, please do not hesitate to contact me at the above address.

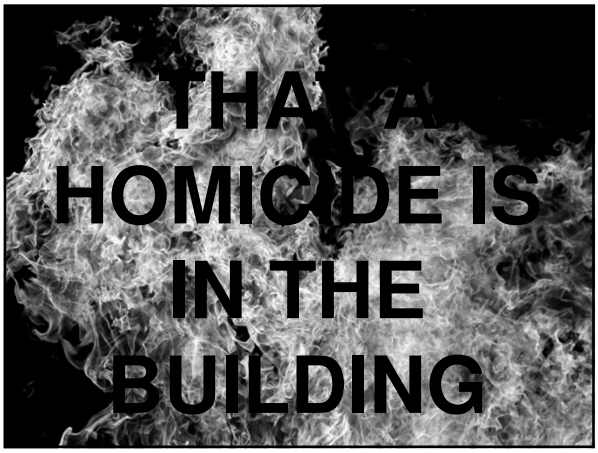
Sincerely,

William B. Mange



STRANGULATION

IS THE FIRE ALARM



What we have quickly learned is that every chain in the link has to be strong, otherwise it breaks.

What part of this chain are you?

Train EVERYONE

- **They will be who is teaching your victim**
- Make them care, teach them anatomy, correct misconceptions and show them how to gather the evidence.
- Dispatch
- First responders (FTO's, law enforcement and medical, Fire department, EMS)
- Hospital staff and SANE nurses
- Dispatchers, Pre-trial, Probation, CES, Parole
- All law enforcement levels (including prosecutors, judges)
- Shelter Staff and Advocates
- CPS, Forensic Interviewers, APS

Closing Thoughts

Questions

Input?

My Contact

Kelsey McKay

Kelsey.mckay@traviscountytx.gov

Resources

- **Strangulation Supplement**
- **www.strangulationtraininginstitute.com (has an online training for officers along with other resources, including medical references).**
- **Article published in The Texas Prosecutor: Jan-Feb 2014 edition (online copies available on the TCDAA Website), or can be emailed.**
- **IDVSA, The Voice and Cadet Video**
- **AVS & Strangulation Supplements**
- **Expert Witness Transcripts**
- **Alaska's Guide**
- **4-hour recorded cadet training**
- **Expert simulation and transcript**
- **Advanced course in Ft. Worth (October)**

App: Document It!

Document It! is an app that was designed by the Training Institute on Strangulation Prevention to help women document their incidents and references of an event. Users are encouraged to gather as much detail as possible using a mobile application and submit the evidence to law enforcement officers or to an attorney with a click of a button.

Train EVERYONE

- **They will be who is teaching your victim**
- Make them care, teach them anatomy, correct misconceptions and show them how to gather the evidence.
- Dispatch
- First responders (FTO's, law enforcement and medical, Fire department, EMS)
- Hospital staff and SANE nurses
- Dispatchers, Pre-trial, Probation, CES, Parole
- All law enforcement levels (including prosecutors, judges)
- Shelter Staff and Advocates
- CPS, Forensic Interviewers, APS

Closing Thoughts

Questions

Input?

With proper training and education we can all improve our ***evaluation***, ***documentation***, ***investigation***, and ***prosecution*** of strangulation cases with immediate results.

App: Document It!

Document It! is an app that was designed by the Training Institute on Strangulation Prevention to help women document their incidents and references of an event. Users are encouraged to gather as much detail as possible using a mobile application and submit the evidence to law enforcement officers or to an attorney with a click of a button.

My Contact

Kelsey McKay

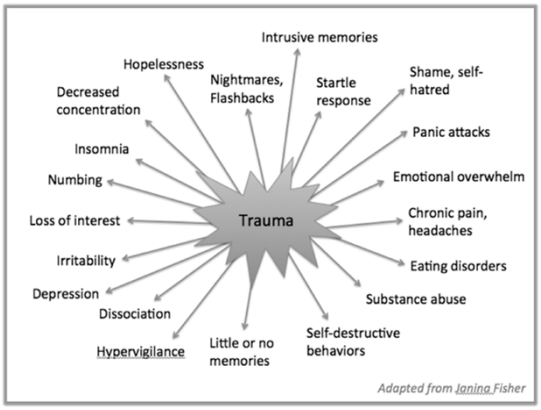
Kelsey.mckay@traviscountytx.gov

Resources

- **www.strangulationtraininginstitute.com (has an online training for officers along with other resources, including medical references).**
  - **Pediatric Strangulation Webinar**
- **Article published in The Texas Prosecutor: Jan-Feb 2014 edition (online copies available on the TCDAA Website), or can be emailed.**
- **IDVSA, The Voice and Cadet Video**
- **DV/Strangulation ppt by Jen Markowitz from Aequitas: http://www.aequitasresource.org/trainingDetail.cfm?id=50**
- **AVS & Strangulation Supplements**
- **Expert Witness Transcripts**
- **"Finding Jenn's Voice" Viewing**
- **Alaska's Guide**
- **4-hour recorded cadet training**
- **Expert simulation and transcript**

Domestic Violence: Translating Trauma

Kelsey McKay, JD
Assistant District Attorney
Travis County, Texas
Kelsey.mckay@traviscountytx.gov



WWWW&W

- Who?
- What?
- When?
- Where?
- Why?

WHY

They help the jury see the case through the right LENS

Filter out the misconceptions

M

WHY

Turning weaknesses into strengths

Consensual Sex
Showering after Rape
Suicidal
Meeting up with defendant

The Approach of the Police Officer

- What evidence is there other than the testimony of the victim?
- How can I prove this case six months from now if the victim does not show up in court?
- What evidence exists that I have never gathered before?
- If this was a circumstantial evidence homicide case, how would I prove it?

The Approach of the Prosecutor

- How can I prove this case if the victim does not testify in this case?
- What evidence exists that I have never used before?
- If this was a circumstantial evidence homicide case, how would I prove it?
- Judges need information…prosecutors are the conduit!!!!!

Are You Putting a Target on Her Chest?

- Who presses charges?
- Who decides the disposition?
- If she says no to prosecution, do you…dismiss? Reduce the charge?
- If she is hard to deal with, do you...
  - Plan less for her safety?
  - Think more of the batterer?
- Does it matter if she never says "thanks?"

Evidence-Based Prosecution

- 911 tapes and printouts
- Child witness statements
- Neighbor witness statements
- Medical records
- Paramedic/EMT statements
- Prior police reports/Prior Incidents
- Restraining order declarations
- Booking records/Jail Calls
- **Communications from the suspect**
- Videotaped/Audio taped interviews with the victim
- Don't Forget the Defendant's…

HOW do experts or our lens help juries?

- **TRANSLATOR for the jury**
- **NORMALIZE behavior that might otherwise be misinterpreted and hurt credibility.**
- **CONVERT OBSTACLES into powerful evidence.**
- **CONNECT the dots.**
- **Turn doubt into conviction.**

From: Richard
Sent: Saturday, February 18, 2012 1:13 PM
To: Kelsey McKay
Subject: The State of Texas Vs. Vondrick Ware Cause No. D1DC11904099, CC4 Judicial District

Dear Kelsey,

…I also found the testimonies of the two expert witnesses to be very helpful. … I found the expert witness from Victims Witness Service helpful in determining patterns of behavior of both the victim and the perpetrator of family violence. Both witnesses cemented your case in the juror's mind from what I observed. …

It was a pleasure to serve even though this case spotlighted the darker elements in our society.
Highest Regards,
Richard

Ware Trial, January 2012:

"The social services expert drew a clear connection between the profile of an abuser in an abusive relationship and the actions that occurred in the case. ***The connections established by both of these people was instrumental in validating what we already knew at that point. It really served to shore up any reservations.*** *"*

WHERE

- *Where could you be using experts that you aren't?*
  - **To explain <u>trauma</u>**
  - **To explain <u>dynamics</u> (both V and D)**
  - **To explain "consent"**
  - **Punishment**
  - **Pretrial & evidentiary hearings**
  - **To explain <u>strangulation</u>**

M

TRAUMA

Where it hurts our cases:

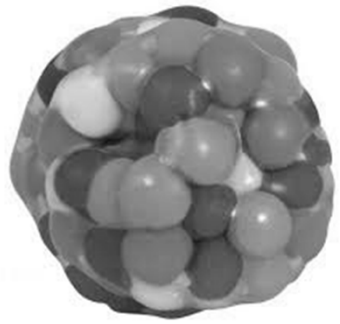
- Victim behavior (all over the place)
- "Inconsistent" Statements or memory issues
- Unsympathetic victim appearance or testimony

Other Observations:

"Ms. J couldn't remember much of what happened to her as if her mind was blank or unsure."

Other Observations:

"V was difficult to follow and did not flow linearly."



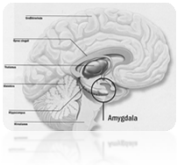
TRAUMA

How to fix it:

- Show how it was a trauma (make the jury experience it)
- Have an EXPERT explain it
- Neurobiology of trauma
- Use that traumatic response of EVIDENCE of the crime

Forensic Experiential Trauma Interview

Russell Strand



- Acknowledge their trauma/pain/difficult situation
  - What are you able to tell me about your experience?
    - Tell me more about . . .
  - What was your thought process during this experience?
  - What are you able to remember about…the 5 senses
  - What were your reactions to this experience
    - Physically
    - Emotionally
  - What can't you forget about your experience?
  - What was the most difficult part of this experience for you?
  - Clarify other information and details…after you facilitate all you can about the "experience"
  - Closing

Emotional & Trauma Evidence

Why do we care about the emotion?

INTENT
CREDIBILITY
MOTIVATION TO CONVICT

Mental & Emotional Condition
Four stages described by victims in their last moments of alertness

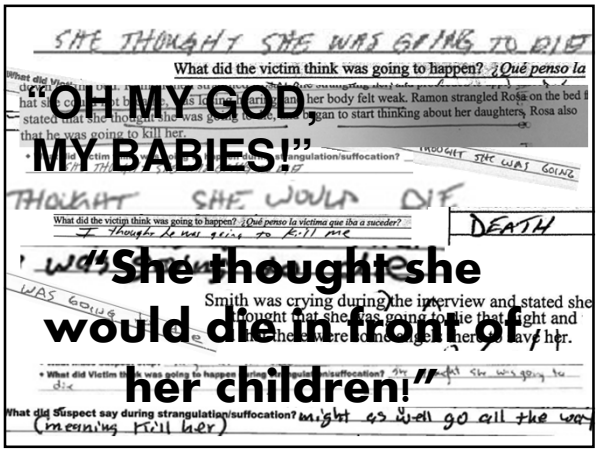
© Training Institute on Strangulation Prevention www.strangulationtraininginstitute.com

Not only corroborates how serious the strangulation event was, gives inherent credibility to her account that night and proves intent.

Thoughts of a homicide victim

Documenting Emotion

- **Always ask, *"What did you think was going to happen during the strangulation?"***
- ***"At what point did you know…"***



"OH MY GOD, MY BABIES!"

"She thought she would die in front of her children!"

Understand **trauma reactions** and the impact that strangulation can have on how victims may present after they have been strangled.

Don't be scared of the trauma and emotion.

DOCUMENT IT!

Quotes: Documenting the Emotion

- "*He was putting all his power into choking her, his eyes wanted her dead*"
- "*She could see the life leaving her body*"
- "*He didn't look like himself, it wasn't him in his eyes*"
- "When asked how hard he squeezed her throat Rosario stated '*hard enough to scare me, hard enough to let me know he was in control.*"

Reason to Use an Expert…

So your closing argument makes sense…

DYNAMICS

Where it hurts our cases:

- Victim isn't cooperative
- Victim behavior
- Incidental vs Contextual Violence
- Abuser manipulates the system
  - –Role play

Minimization in the System

- Trauma minimization
- Lack of injury minimization
- Lack of "believing me" minimization
- Cycle of Violence minimization
- **…so, how does the first person she talks to after this near death experience react?**

You are gonna have to calm down!

Do you want a paramedic?

…for your asthma?

She says she is having an asthma attack?!?

SOMEONE CHOKED ME!

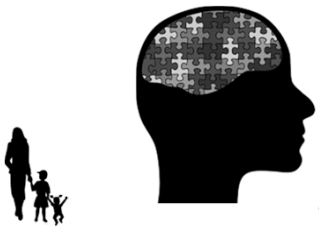
Wait, ma'am, did you say someone choked you?

No, they were having a DV. She is having an asthma attack…. he pushed her.

OK, where is the person that pushed you?

I'M PREGNANT

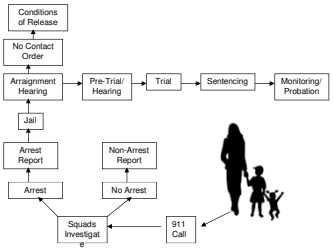
"He was much more convincing when he lied, than I was when I was truthful. I was no match."



Why she called 911: "I just wanted it to stop…"

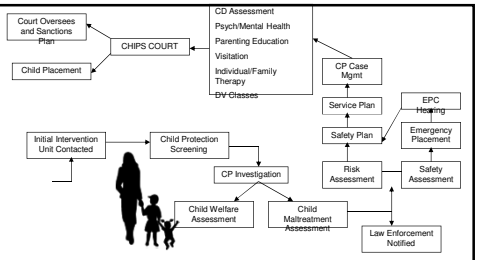
- I didn't want all this
- I don't even know what this is

Praxis – Rural Technical Assistance on Violence Against Women



DOMESTIC VIOLENCE/ ARREST INCIDENT

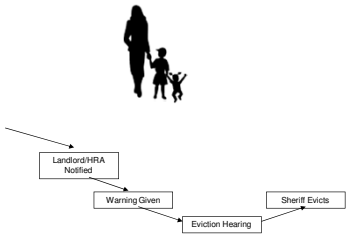
Praxis – Rural Technical Assistance on Violence Against Women



CHILD PROTECTION MAP

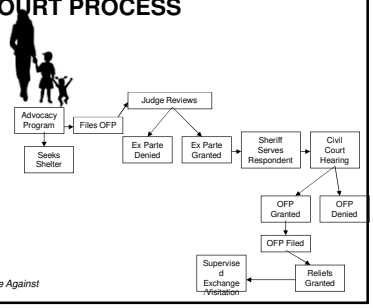
Praxis – Rural Technical Assistance on Violence Against Women

HOUSING MAP

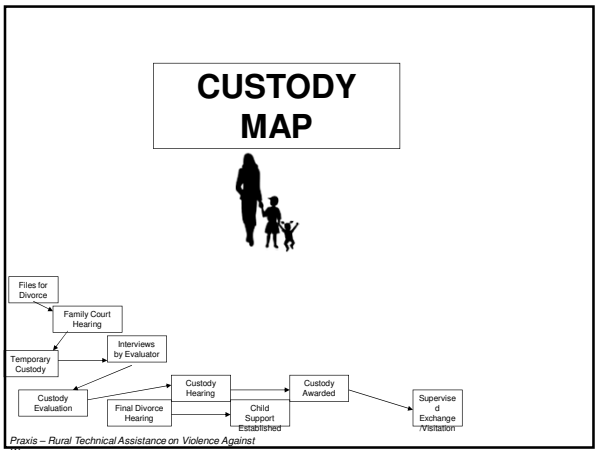


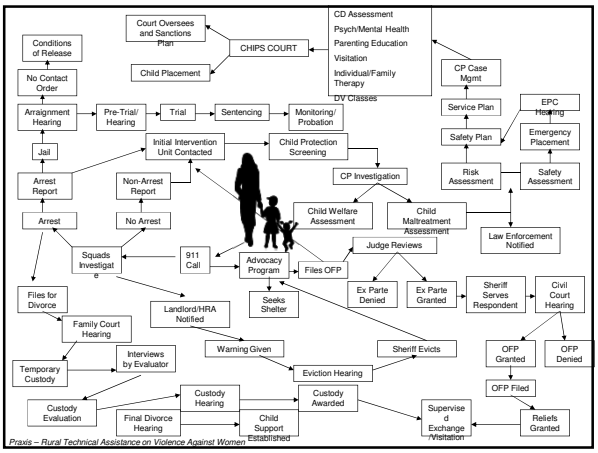
Praxis – Rural Technical Assistance on Violence Against Women

ORDER FOR PROTECTION – CIVIL COURT PROCESS



Praxis – Rural Technical Assistance on Violence Against Women





Minimization

"Victim also reported that she feels that suspect will not kill her even though he strangles her frequently. She stated that if he does kill her she feels that it will be by accident because he did not stop strangling her in time."

The more pressure we put on the victim the more power we give the abuser…

- To manipulate HER!
- To manipulate US!
- To manipulate the CRIMINAL JUSTICE SYSTEM!

<u>Why we prosecute not only DESPITE but BECAUSE</u>

American Bar Association Research Study

- Did the victim want the court to just let him go? Yes 4%/No 96%
- Did the victim want him to go to court for what he did? Yes 55%/ No 45%
- Did the victim think it was good the case was prosecuted? Yes 90%/No 10%
- Would the victim call the police if he harmed her in the future? Yes 79%/No 11%/Maybe 10%
- Overall conviction rate, 96%
- Jury Trial Conviction Rate on Misdemeanor DV Cases: 70%

American Bar Association Research Study

- Still with the defendant? Yes 83%/No 17%
- Has the D threatened to harm you since his conviction? Yes 14%/No 86%
- Has the D damaged your property since his conviction? Yes 8%/No 92%
- Has the D been physically violent with you since his conviction? Yes 9%/No 91%
- Has the D been verbally or emotionally abusive since his conviction? Yes 37%/No 63%

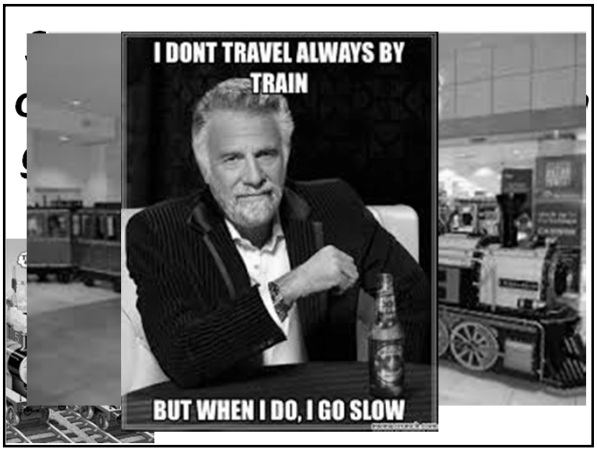
DYNAMICS

How and expert can fix it:

- Explain it
- Convert "negative" victim behavior into safety planning and strategy.
  - –Turns weakness into respect.

Why didn't she call the police or tell the police?

"He was much more convincing when he lied, than I was when I was truthful. I was no match."



Why does she stay?

"The hope I had of him changing never died"

"Because if I left he would kill me"

"I did leave, he just wouldn't leave me"

"Because he managed to convince me I did it to myself"

"Because I was ashamed"

"We are brainwashed into believing the pain is deserved, that begging for life is normal, that we are unworthy of anything else"

"Because he said no one would believe me, and I believed no one would believe me"

"He said it wasn't abuse"

#WhyIStayed

"Because he would take my kids"

Highest risk of homicide?

- When she leaves the relationship.

Separating from an abuser increases a victim's risk of being killed by 75%.

-U.S. Department of Justice

At all times victims are making safety assessments/planning. ***They ask themselves, what is the safest thing for me to do?***

- **Its why they call the police that night, and its why they don't come to court that day.**
- **Sex after an assault.**

Other Behaviors

- Not telling first responders about assault, denying assault, delay in report.
- Getting him out on bond.
- Behavior towards law enforcement/prosecutors.
- Jail calls and visits.
- Constant contact

Self preservation dominates all her decisions

Why does she contact him?

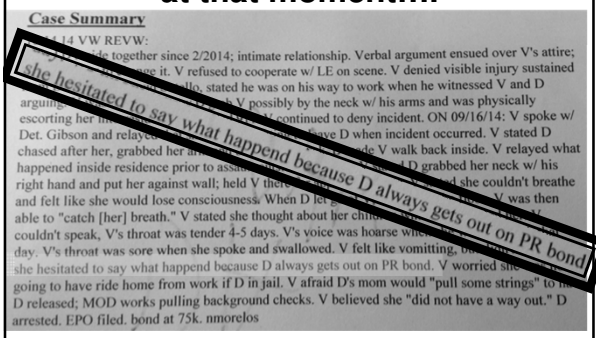
"If he goes quiet and I don't know what's going on, it's like swimming with a shark and the fin disappears… I have no idea where he's going to pop up or what he's up to."

"The truth is I'm in more danger out here in the streets w/o him-than I am with him around me."

- V is being followed-she gets talked to constantly by the men at the homeless shelter. "they are always trying me, if i say the wrong thing-they are going to take me in an alley and rape me."
- V is on Hope Alliance Wait List and SafePlace, but she doesn't have a phone. V and D were working with w/ the VA and there was a promise for housing within a couple of days.

V continued to state, "I'm in more danger w/ him being in jail, then I am w/ him out of jail."

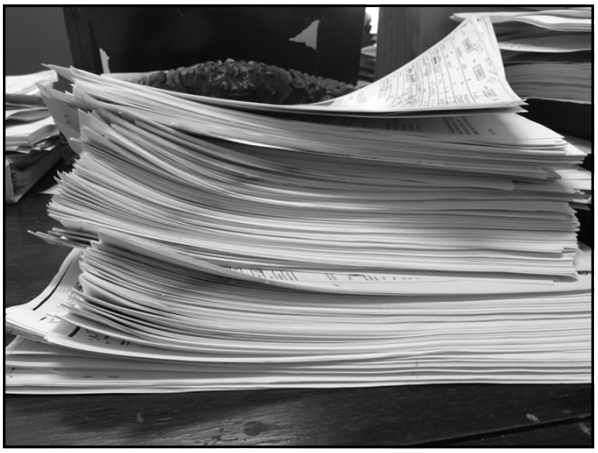
V has to do what is safe for her at that moment….


Case Summary

14 VW REVW:

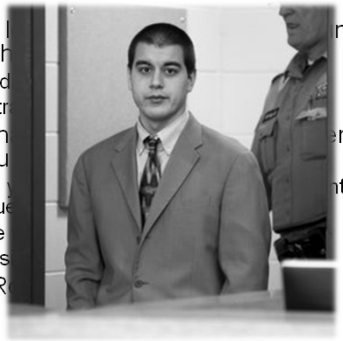
de together since 2/2014; intimate relationship. Verbal argument ensued over V's attire; ge it. V refused to cooperate w/ LE on scene. V denied visible injury sustained llo, stated he was on his way to work when he witnessed V and D argu V possibly by the neck w/ his arms and was physically escorting her continued to deny incident. ON 09/16/14: V spoke w/ Det. Gibson and relayed ave D when incident occurred. V stated D chased after her, grabbed her de V walk back inside. V relayed what happened inside residence prior to ass D grabbed her neck w/ his right hand and put her against wall; held V the d she couldn't breathe and felt like she would lose consciousness. When D le V was then able to "catch [her] breath." V stated she thought about her chil couldn't speak, V's throat was tender 4-5 days. V's voice was hoarse whe day. V's throat was sore when she spoke and swallowed. V felt like vomitting, b she hesitated to say what happend because D always gets out on PR bond. V worried she going to have ride home from work if D in jail. V afraid D's mom would "pull some strings" to D released; MOD works pulling background checks. V believed she "did not have a way out." D arrested. EPO filed. bond at 75k. nmorelos

she hesitated to say what happend because D always gets out on PR bond



Punishment

- Don't l nt in punish
  - Hold
  - To tr
- So wh n notice or you
  - Are y ntify the issue
  - Use
  - Clos
- Eric R



106

Jury recommends 99 years for Eric Robertson in assault

CRIME & LAW

By Jazmine Ulloa - American-Statesman Staff

Posted: 9:08 p.m. Friday, Dec. 5, 2014

A Travis County jury on Friday recommended a total of 99 years in prison for Eric Robertson on four felony offenses in the attack of a housekeeper last year at a downtown Austin hotel.

Robertson, 21, was found guilty of burglary of a habitation with intent to commit sexual assault, attempted aggravated sexual assault and two counts of aggravated assault. Jurors asked that he be sentenced to 60 years in prison on the first offense, and 18 years in prison, 10 years in prison and 18 years in prison, respectively.

Burg of Habitation = 60
Att. Sex. Assault = 18
Agg Assault = 10
Agg Assault = 18

TOTAL = 106

DYNAMICS

How and expert can fix it:

- Convert "negative" V behavior into safety planning and strategy
- **Incidental vs Contextual Violence**
- **Abuser manipulation**

Rationale for Forfeiture

"The Constitution gives the accused the right to a trial at which he should be confronted with the witnesses… if a witness is absent by his **own wrongful procurement**, he cannot complain if competent evidence is admitted to supply the place of that which he kept away…"

- Giles

WHY Evidence Based Prosecution?

- We need to let domestic violence victims to what will keep them safe.
- Because we shouldn't make the abuser pick the outcome.
- Because it's the right thing to do.
- Because we are capable of doing, with extra effort and training.
- Especially important in jurisdictions without Family Justice Centers.

Common Obstacles

- Victim testifying for the defendant through recantation, minimization or claiming she assaulted him.
- Defense attacks her credibility: she is crazy/drug-addict/vindictive/unlikable, etc.
- Defendant hiding victim, unable to call her as a witness at all.
- "Angry" victim.

Solutions

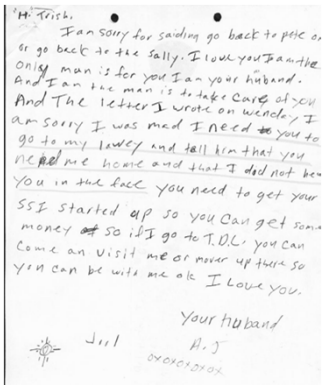
- Victim testifying for the defendant through recantation, minimization or claiming she assaulted him.
  - Look for holes, look back to what she said that night and why she may have changed her story.
- Defense attacks her credibility: she is crazy/drug-addict/vindictive/unlikable, etc.
  - This doesn't exclude the possibility that she was also assaulted.
  - Does the link even make sense? (i.e., how does being a prostitute mean that you would make up an assault)
  - Yet he is still with her?
- Defendant hiding victim, unable to call her as a witness at all.
  - Prepare your forfeiture by wrongdoing by investigating it from the start. Assume she won't be available and make sure law enforcement asks the questions when she will answer them.
- **Always call and expert!**

Wrongful Procurement (DV)

- Taking away/destroying victim's phone
- Telling victim to dismiss charges
- Telling victim not to come to court
- Threat to hurt/kill if victim calls police
- Threat to hurt/kill if victim comes to court
- Threat to deport if victim…

Wrongful Procurement (DV)

- Repeatedly calling victim
- Repeatedly following victim
- Telling victim he loves her
- Telling victim he wants to marry her
- Telling victim he will change
- Telling victim he will go to rehab



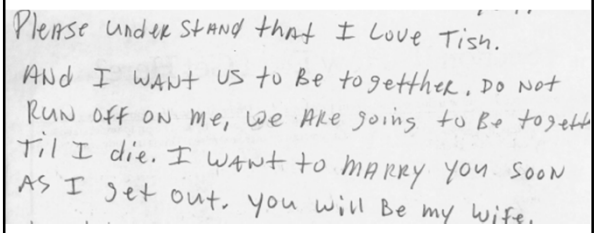
H Trish.

I am sorry for saiding go back to pete or go back to the Sally. I love you I am the only man is for you I am your husband. And I am the man is to take care of you And The letter I wrote on wendy, I am sorry I was mad I need ~~to~~ you to go to my lawey and tell him that you ne~~ed~~ me home and that I did not ha you in the face you need to get your SSI started up so you can get some money ~~at~~ so if I go to T.D.C. you can come an visit me or move up there so you can be with me ok I love you.

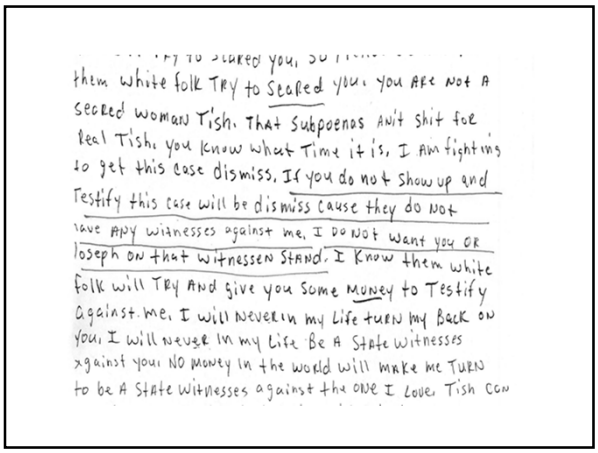
Your husband

Jill A.J

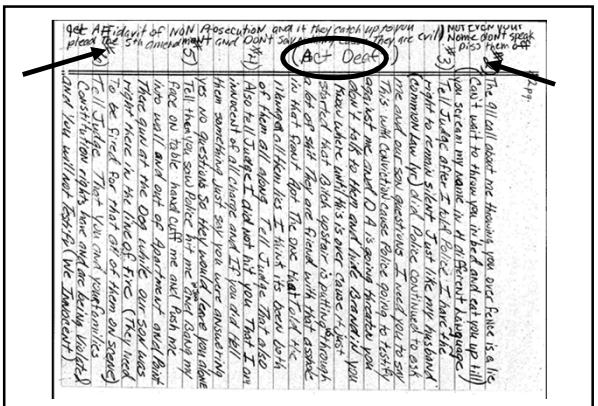
OXOXOXOXOX



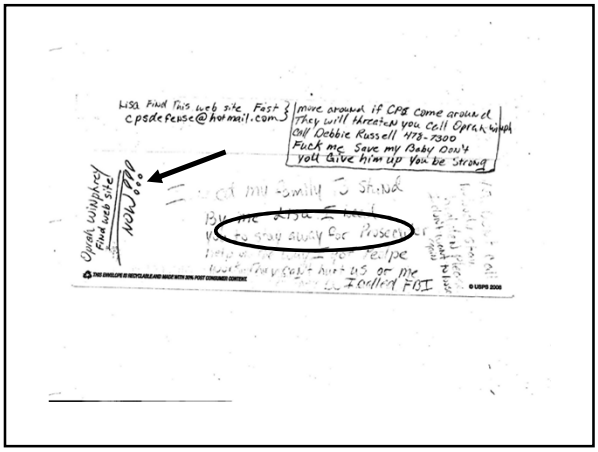
Please under stand that I Love Tish.
And I want us to be togetther. Do not
Run off on me, we are going to be togetth
Til I die. I want to marry you soon
As I get out. you will be my wife.



... try to scared you, so ...
them white folk TRY to Scared you. you ARE Not A
secred woman Tish. That Subpoenas ANit shit for
Real Tish. you know what Time it is. I AM fighting
to get this case dismiss. If you do not show up and
Testify this case will be dismiss cause they do Not
have ANY witnesses against me. I DO NOT want you OR
Joseph on that Witnessen Stand. I Know them white
folk will TRY And give you Some Money to Testify
against me. I will Never in my Life turn my Back on
you. I will never in my Life Be A State witnesses
against you. NO Money in the world will make me TURN
to be A State Witnesses against the one I Love. Tish Con



get Affidavit of NON Prosecution, and if they catch up to you NOT EVEN YOUR
please take 5th amendment and DON'T sayin ... they are civil Name don't speak
(#1) (#2) (#3) (Act Deat) (#4) (#5) (#6) (#7) (#8) (#9) (#10) (#11) (#12) (#13) (#14) (#15) (#16) (#17) (#18) (#19) (#20) (#21) (#22) (#23) (#24) (#25) (#26) (#27) (#28) (#29) (#30) (#31) (#32) (#33) (#34) (#35) (#36) (#37) (#38) (#39) (#40) (#41) (#42) (#43) (#44) (#45) (#46) (#47) (#48) (#49) (#50) (#51) (#52) (#53) (#54) (#55) (#56) (#57) (#58) (#59) (#60) (#61) (#62) (#63) (#64) (#65) (#66) (#67) (#68) (#69) (#70) (#71) (#72) (#73) (#74) (#75) (#76) (#77) (#78) (#79) (#80) (#81) (#82) (#83) (#84) (#85) (#86) (#87) (#88) (#89) (#90) (#91) (#92) (#93) (#94) (#95) (#96) (#97) (#98) (#99) (#100) (#101) (#102) (#103) (#104) (#105) (#106) (#107) (#108) (#109) (#110) (#111) (#112) (#113) (#114) (#115) (#116) (#117) (#118) (#119) (#120) (#121) (#122) (#123) (#124) (#125) (#126) (#127) (#128) (#129) (#130) (#131) (#132) (#133) (#134) (#135) (#136) (#137) (#138) (#139) (#140) (#141) (#142) (#143) (#144) (#145) (#146) (#147) (#148) (#149) (#150) (#151) (#152) (#153) (#154) (#155) (#156) (#157) (#158) (#159) (#160) (#161) (#162) (#163) (#164) (#165) (#166) (#167) (#168) (#169) (#170) (#171) (#172) (#173) (#174) (#175) (#176) (#177) (#178) (#179) (#180) (#181) (#182) (#183) (#184) (#185) (#186) (#187) (#188) (#189) (#190) (#191) (#192) (#193) (#194) (#195) (#196) (#197) (#198) (#199) (#200) (#201) (#202) (#203) (#204) (#205) (#206) (#207) (#208) (#209) (#210) (#211) (#212) (#213) (#214) (#215) (#216) (#217) (#218) (#219) (#220) (#221) (#222) (#223) (#224) (#225) (#226) (#227) (#228) (#229) (#230) (#231) (#232) (#233) (#234) (#235) (#236) (#237) (#238) (#239) (#240) (#241) (#242) (#243) (#244) (#245) (#246) (#247) (#248) (#249) (#250) (#251) (#252) (#253) (#254) (#255) (#256) (#257) (#258) (#259) (#260) (#261) (#262) (#263) (#264) (#265) (#266) (#267) (#268) (#269) (#270) (#271) (#272) (#273) (#274) (#275) (#276) (#277) (#278) (#279) (#280) (#281) (#282) (#283) (#284) (#285) (#286) (#287) (#288) (#289) (#290) (#291) (#292) (#293) (#294) (#295) (#296) (#297) (#298) (#299) (#300) (#301) (#302) (#303) (#304) (#305) (#306) (#307) (#308) (#309) (#310) (#311) (#312) (#313) (#314) (#315) (#316) (#317) (#318) (#319) (#320) (#321) (#322) (#323) (#324) (#325) (#326) (#327) (#328) (#329) (#330) (#331) (#332) (#333) (#334) (#335) (#336) (#337) (#338) (#339) (#340) (#341) (#342) (#343) (#344) (#345) (#346) (#347) (#348) (#349) (#350) (#351) (#352) (#353) (#354) (#355) (#356) (#357) (#358) (#359) (#360) (#361) (#362) (#363) (#364) (#365) (#366) (#367) (#368) (#369) (#370) (#371) (#372) (#373) (#374) (#375) (#376) (#377) (#378) (#379) (#380) (#381) (#382) (#383) (#384) (#385) (#386) (#387) (#388) (#389) (#390) (#391) (#392) (#393) (#394) (#395) (#396) (#397) (#398) (#399) (#400) (#401) (#402) (#403) (#404) (#405) (#406) (#407) (#408) (#409) (#410) (#411) (#412) (#413) (#414) (#415) (#416) (#417) (#418) (#419) (#420) (#421) (#422) (#423) (#424) (#425) (#426) (#427) (#428) (#429) (#430) (#431) (#432) (#433) (#434) (#435) (#436) (#437) (#438) (#439) (#440) (#441) (#442) (#443) (#444) (#445) (#446) (#447) (#448) (#449) (#450) (#451) (#452) (#453) (#454) (#455) (#456) (#457) (#458) (#459) (#460) (#461) (#462) (#463) (#464) (#465) (#466) (#467) (#468) (#469) (#470) (#471) (#472) (#473) (#474) (#475) (#476) (#477) (#478) (#479) (#480) (#481) (#482) (#483) (#484) (#485) (#486) (#487) (#488) (#489) (#490) (#491) (#492) (#493) (#494) (#495) (#496) (#497) (#498) (#499) (#500) (#501) (#502) (#503) (#504) (#505) (#506) (#507) (#508) (#509) (#510) (#511) (#512) (#513) (#514) (#515) (#516) (#517) (#518) (#519) (#520) (#521) (#522) (#523) (#524) (#525) (#526) (#527) (#528) (#529) (#530) (#531) (#532) (#533) (#534) (#535) (#536) (#537) (#538) (#539) (#540) (#541) (#542) (#543) (#544) (#545) (#546) (#547) (#548) (#549) (#550) (#551) (#552) (#553) (#554) (#555) (#556) (#557) (#558) (#559) (#560) (#561) (#562) (#563) (#564) (#565) (#566) (#567) (#568) (#569) (#570) (#571) (#572) (#573) (#574) (#575) (#576) (#577) (#578) (#579) (#580) (#581) (#582) (#583) (#584) (#585) (#586) (#587) (#588) (#589) (#590) (#591) (#592) (#593) (#594) (#595) (#596) (#597) (#598) (#599) (#600) (#601) (#602) (#603) (#604) (#605) (#606) (#607) (#608) (#609) (#610) (#611) (#612) (#613) (#614) (#615) (#616) (#617) (#618) (#619) (#620) (#621) (#622) (#623) (#624) (#625) (#626) (#627) (#628) (#629) (#630) (#631) (#632) (#633) (#634) (#635) (#636) (#637) (#638) (#639) (#640) (#641) (#642) (#643) (#644) (#645) (#646) (#647) (#648) (#649) (#650) (#651) (#652) (#653) (#654) (#655) (#656) (#657) (#658) (#659) (#660) (#661) (#662) (#663) (#664) (#665) (#666) (#667) (#668) (#669) (#670) (#671) (#672) (#673) (#674) (#675) (#676) (#677) (#678) (#679) (#680) (#681) (#682) (#683) (#684) (#685) (#686) (#687) (#688) (#689) (#690) (#691) (#692) (#693) (#694) (#695) (#696) (#697) (#698) (#699) (#700) (#701) (#702) (#703) (#704) (#705) (#706) (#707) (#708) (#709) (#710) (#711) (#712) (#713) (#714) (#715) (#716) (#717) (#718) (#719) (#720) (#721) (#722) (#723) (#724) (#725) (#726) (#727) (#728) (#729) (#730) (#731) (#732) (#733) (#734) (#735) (#736) (#737) (#738) (#739) (#740) (#741) (#742) (#743) (#744) (#745) (#746) (#747) (#748) (#749) (#750) (#751) (#752) (#753) (#754) (#755) (#756) (#757) (#758) (#759) (#760) (#761) (#762) (#763) (#764) (#765) (#766) (#767) (#768) (#769) (#770) (#771) (#772) (#773) (#774) (#775) (#776) (#777) (#778) (#779) (#780) (#781) (#782) (#783) (#784) (#785) (#786) (#787) (#788) (#789) (#790) (#791) (#792) (#793) (#794) (#795) (#796) (#797) (#798) (#799) (#800) (#801) (#802) (#803) (#804) (#805) (#806) (#807) (#808) (#809) (#810) (#811) (#812) (#813) (#814) (#815) (#816) (#817) (#818) (#819) (#820) (#821) (#822) (#823) (#824) (#825) (#826) (#827) (#828) (#829) (#830) (#831) (#832) (#833) (#834) (#835) (#836) (#837) (#838) (#839) (#840) (#841) (#842) (#843) (#844) (#845) (#846) (#847) (#848) (#849) (#850) (#851) (#852) (#853) (#854) (#855) (#856) (#857) (#858) (#859) (#860) (#861) (#862) (#863) (#864) (#865) (#866) (#867) (#868) (#869) (#870) (#871) (#872) (#873) (#874) (#875) (#876) (#877) (#878) (#879) (#880) (#881) (#882) (#883) (#884) (#885) (#886) (#887) (#888) (#889) (#890) (#891) (#892) (#893) (#894) (#895) (#896) (#897) (#898) (#899) (#900) (#901) (#902) (#903) (#904) (#905) (#906) (#907) (#908) (#909) (#910) (#911) (#912) (#913) (#914) (#915) (#916) (#917) (#918) (#919) (#920) (#921) (#922) (#923) (#924) (#925) (#926) (#927) (#928) (#929) (#930) (#931) (#932) (#933) (#934) (#935) (#936) (#937) (#938) (#939) (#940) (#941) (#942) (#943) (#944) (#945) (#946) (#947) (#948) (#949) (#950) (#951) (#952) (#953) (#954) (#955) (#956) (#957) (#958) (#959) (#960) (#961) (#962) (#963) (#964) (#965) (#966) (#967) (#968) (#969) (#970) (#971) (#972) (#973) (#974) (#975) (#976) (#977) (#978) (#979) (#980) (#981) (#982) (#983) (#984) (#985) (#986) (#987) (#988) (#989) (#990) (#991) (#992) (#993) (#994) (#995) (#996) (#997) (#998) (#999) (#1000)



USA Find This web site Fish 3 cpsdefense@hotmail.com
move around if CPS come around
They will threaten you call Oprah with
Call Debbie Russell 478-7300
Fuck me Save my Baby 2004
you Give him up You be strong
Oprah winfrey Find web site
Don't ... Fist

Stalking

- What objectively may not appear be threatening or cause a reasonable person to have fear… in the context of the relationship becomes threatening.
- Dynamics need to be explained so her subjective fear is legitimized.

Minimization

"Victim also reported that she feels that suspect will not kill her even though he strangles her frequently. She stated that if he does kill her she feels that it will be by accident because he did not stop strangling her in time."

V stated that "he never chokes me too long, like he knows when to let go." She also shared that D has told her he strangles her because it "leaves less marks compared to hitting."

How an expert can help

Strangulation is used in the context of DV, not usually to kill the victim, but to show the victim that the abuser is capable and willing to kill her at any given point in time.

"Whenever V was about to pass out, D would let go just enough to allow V to gasp for air, and then would continue strangling V. She believed he was going to kill her. V stated that it looked like D was enjoying strangling her and described his eyes as having a 1,000 yard stare. She described the pain as being so bad that she hoped she would die just to make it stop. He told her, bitch tonight is the night."

Sex Aslt & CONSENT

- Intimate partner relationships always an issue.
- Victim may not even define it as rape.
- She didn't fight back.
- Experts can give context to consent.
  - Safety decision
  - Strategic decision
  - Better than a beating

"Consensual" Sex After Assault

"I have another case I am asking you to review . I'm on the fence with this one, primarily because the victim is uncooperative (does not want to get suspect in trouble, according to report) and the Officer documenting that the victim was not clear w/her answers about the event and how the assault happened. However, the victim does report being strangled for approx. 30 seconds, blacking out, seeing stars, and "could not breathe". In addition to this, the victim also reports the suspect broke her phone (interference w/emergency phone call) and would not let her leave the apt (unlawful restraint), with the entire incident lasting from 630a-300p. ***What's also odd is that the victim reports having consensual sex with the suspect before he let her go.*** *Photos were taken, showing injury to her lip (busted) and arm (scratches). Also, I did speak with her and she scheduled to come in for interview, but did not show. I've also tried to call her and sent a contact card, to no avail. I have enough pc for assault w/inj, but not certain regarding the strangulation and other charges. Please advise regarding how to proceed with the strangulation."*

DV/Trauma Experts on Strangulation

- Can discuss escalation in violence with strangulation as key.
- Strangulation in the context of the power and control dynamic.
- Strangulation to obtain compliance.
- Lethality statistics and history.
- Minimizing and lack of belief.
- Trauma related to strangulation and stages

"She likes rough sex" defense…

- Three questions
- TPC, 22.06 (Consent as Defense to Assaultive Conduct): (a) The victim's effective consent or the actor's reasonable belief that the victim consented to the actor's conduct is a defense to prosecution … if (1) **the conduct did not threaten or inflict serious bodily injury**;

BSDM Website

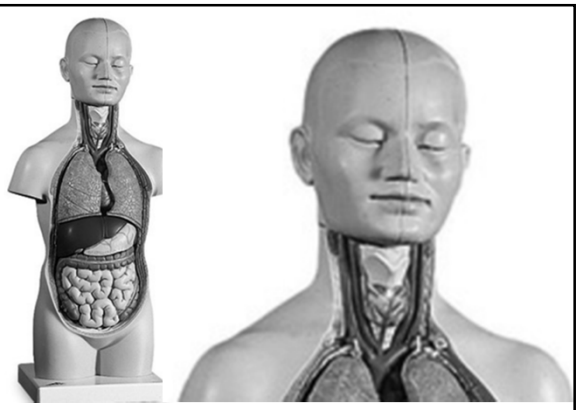
https://ncsfreedom.org/key-programs/consent-counts/consent-counts/item/580-consent-and-bdsm-the-state-of-the-law.html

- "Not a single appellate court decision anywhere has accepted consent as a defense in an assault or abuse prosecution arising from BDSM conduct"
- Acknowledge that breath control and certain other play would fall within risk of serious harm.
- They cite to case law:
  - "Even where both participants agreed that the acts in question were consensual, the courts have held consent cannot be a defense" Commonwealth v. Appelby.
  - "As a matter of policy, a person cannot avoid criminal responsibility foran assault that causes injury or carries a risk of serious harm even if the victims asked for or consented to the act" People v. Duffy.

Qualifications

- Prepare them (articles, etc)
- Focus on knowledge of anatomy and evaluations of relevant structures.
  - Paramedic: Hangings
  - ABC's and Oxygenation and Perfusion
  - Talk to your expert and shape your questions

PROPS



www.mooremedical.com Mini Torso Model

Hand Dynamometer

Jury Feedback

*"Both the paramedic and the social services expert played **key roles** in our decision. From my perspective here is what really made the case for me personally… **The paramedic provided an invaluable link between the testimony of the witness and the nature of the assault illustrated by connecting the symptoms with the causes (A/B).** "*

Gonzalez Trial, May, 2012:

"[Eric] Pack was an awesome witness for you. Not only was he very credible (and his passion for his work moving), ***his ability to explain the anatomy of the neck and what makes up strangulation was incredibly helpful*** *in understanding the components of the case that you had to prove.* ***When you were able to match Mr. Pack's comments to what the victim described experiencing, you buttoned up the state's case****."*

LESSONS

- Train and collaborate.
- Learn from your experts.
- Prepare them. Prepare yourself.
- Protect them.
- Don't abuse them.

WHO

- Medical: SANE, ER doctors/nurses, Paramedics, Detectives, First responders, Medical examiner, etc.
- DV/Trauma: Victim advocate (for LE or DA), shelter, University.

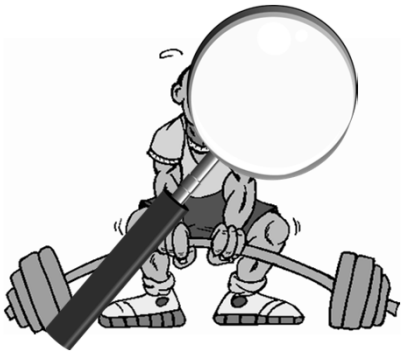
HOW to find them,
HOW to train them, &
HOW treat them!

RESOURCES

- Transcripts
- TDCAA article on strangulation
- Strangulation Supplement
- Online training for officers (and resources for all): www.strangulationtraininginstitute.com
- IDVSA First responder training video.
- Russell Strand (webinar, conferences)
- Lundy Bancroft (abusers)

Resources

- **Strangulation Supplement**
- **www.strangulationtraininginstitute.com (has an online training for officers along with other resources, including medical references).**
- **Article published in The Texas Prosecutor: Jan-Feb 2014 edition (online copies available on the TCDAA Website), or can be emailed.**
- **IDVSA, The Voice and Cadet Video**
- **AVS & Strangulation Supplements**
- **Expert Witness Transcripts**
- **Alaska's Guide**
- **4-hour recorded cadet training**
- **Expert simulation and transcript**
- **Advanced course in Ft. Worth (October)**



Kelsey.mckay@traviscountytx.gov

Margaret.bassett@austin.utexas.edu