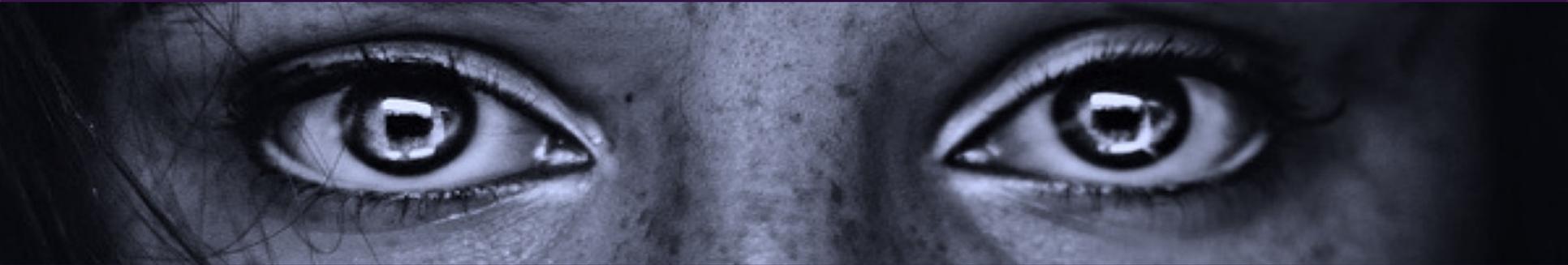


The Truth and Consequences about Strangulation during Sex

We will start promptly at 10:00 AM PST



strangulationtraininginstitute.com
allianceforhope.com



Casey Gwinn, Esq., President



- “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.”

Agenda

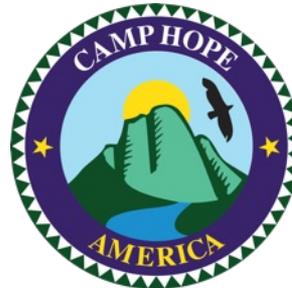
- Welcome, Context & Introductions (20 minutes):
 - Casey Gwinn, Esq., President
- What Does the Research Tell Us? (40 minutes):
 - Dr. Debby Herbenick
- Overcoming the Consent Defense (20 minutes):
 - Gael Strack, Esq., CEO
- Questions - Live or Answered in a Follow-up Email





NATIONAL CENTER ON
DOMESTIC VIOLENCE,
TRAUMA, AND
MENTAL HEALTH

ALLIANCE for **HOPE** INTERNATIONAL

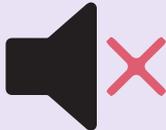


A few ZOOM tips to help make this training enjoyable:

BE ON TIME



MUTE YOURSELF



UTILIZE CHAT



- We are committed to starting and ending on time.
- We are using ZOOM webinar which means everyone will be muted and we cannot see you.
- Please make good use of the chat feature to send comments. But use the Q & A feature for specific questions.

A few ZOOM tips to help make this training enjoyable:

BE PRESENT



PRACTICE
SELF-CARE



- Throw yourself in, ask questions and learn as much as you can.
- During this presentation, we will likely share information may be difficult. We understand. Please take good care of yourself.

Gratitude

Thank You to the Office on Violence Against Women



Rosie Hidalgo
OVW Director



Kevin Sweeney
Program Manager

This project is supported all or in part by Grant No. 2016-TA-AX-K066 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.



Goals for the Training Institute

- Increase public **AWARENESS**
- Improve **POLICY** and **PRACTICE** among legal, medical, and advocacy communities;
- Improve **OUTCOMES** for victims
 - Immediate Safety,
 - Long Term Health
 - Offender Accountability to Prevent Homicides
- **EDUCATE** professionals working with strangled victims
- **MULTIPLY** field's capacity and expertise;





The Institute Team



FERNANDA ESPAÑA

PROGRAM MANAGER



JOE BIANCO

LAW ENFORCEMENT
SUPPORT COORDINATOR



YESENIA ACEVES

DIRECTOR OF CULTURE
& CREATIVE SERVICES



JESS KIMSEY

EVENT MANAGER



JILL BRING

PROGRAM ASSISTANT

Thank you for joining us.

In the chat - share your name, title and where you are from City, State and/or Country. Please use the Chat and Q & A Feature after this only as needed. We do not want the Chat to distract from this learning opportunity. We will answer questions at the end.

Impact of Porn, COVID & Social Media

It's now a sex thing throughout the culture...



Porn & Fifty Shades:

- Normalize Abuse
- Romanticize Aggression
- Minimize or Ignore Consent
- Encourage Unequal Power Dynamics

Healthy Relationships:

- Build Trust
- Prioritize Safety
- Respect Consent
- Value Equality



.38

#FIFTYSHADESOFLove

FTND.ORG

Blog Alert!

The screenshot shows the website for the Alliance for HOPE International. The header includes the organization's logo, a search bar, social media icons for Twitter, Facebook, and Instagram, a shopping cart icon with '(0)', and a 'LogIn' button. A navigation menu contains links for 'OUR BLOG', 'NEWS', 'HOPE HUB', 'CFJCN', 'SHOP NOW', and 'DONATE'. A prominent blue button labeled 'ESCAPE' with a right-pointing arrow is also visible.

The Concerning Trend Of Porn Romanticizing Strangulation

The alarming trend of the normalization of strangulation during sexual intimacy is dangerous—and possibly fatal. A domestic violence expert explains why.
By Casey Gwinn, Esq.

"I convinced my girlfriend to let me choke her during sex. I told her it would be fun and better sex for both of us. And then I didn't let go even when she asked me to. The look on her face when I was doing it was such a rush. It turned me on like never before... and who is she going to tell?"

I am honored to help lead the Training Institute on Strangulation Prevention with our founder, Gael Strack. The Institute is a program of our organization, Alliance for HOPE International. We are the leading research and training organization in the world on addressing non-fatal strangulation in domestic and sexual violence.

Strangulation, often called "choking," is external pressure to the neck that blocks blood flow, airflow, or both. It usually involves placing a hand or hands around another person's neck but can sometimes include an arm, a leg, or even a ligature of some kind.

Related: Does Mainstream Porn Fuel And Normalize Sexual Violence In Teen Relationships?

It takes as little as 4 pounds per square inch (psi) to block blood flow from the brain back to the heart in the jugular

TRAINING

- › Conferences and Events
- › Conference Hope Survey Reports
- › Online Resource Library

Give HOPE
DONATE ONLINE »



Yes, porn has had an impact

- COVID-19 – Porn sites provided free memberships in 2020; Porn use increased by 65% in 2020.
- 43% of men report watching porn every week.
- This week's research...
- 2,565,000 websites available with strangulation porn content.
- Just one website had 26,615,232 videos available.



Lily Peters



strangulationtraininginstitute.com



Creating Pathways to HOPE

Lily Peters

- 14-year-old suspect in Lily Peters killing told investigators he strangled and sexually assaulted her.
- Suspect is the child of a sex offender who is currently in custody for possession of child pornography.
- Suspect was exposed to graphic image porn

strangulationtraininginstitute.com



■ OPINION

Cosmo offers choking as a sexy way to relieve boredom of quarantine

"Breath play," otherwise known as "depriving your partner of oxygen during sex," has led to death, asphyxiation, strangulation, and choking injuries.

TRICKS
Just Use: You'll Be
e First Girl
naughty Enough
Try #43 on Him

5
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Culture Reframed

- Gail Dines, the feminist thinker and CEO of [Culture Reframed](#), believes strangulation has been normalised via two main routes.
- “For the men, it’s pornography and for the women, it’s in women’s magazines,” she says. “And both of these media genres legitimise it as a form of ‘play’.”
- She describes choking as a “number one standard act” on porn sites and says women look to porn to “see what men want and they see choking”.

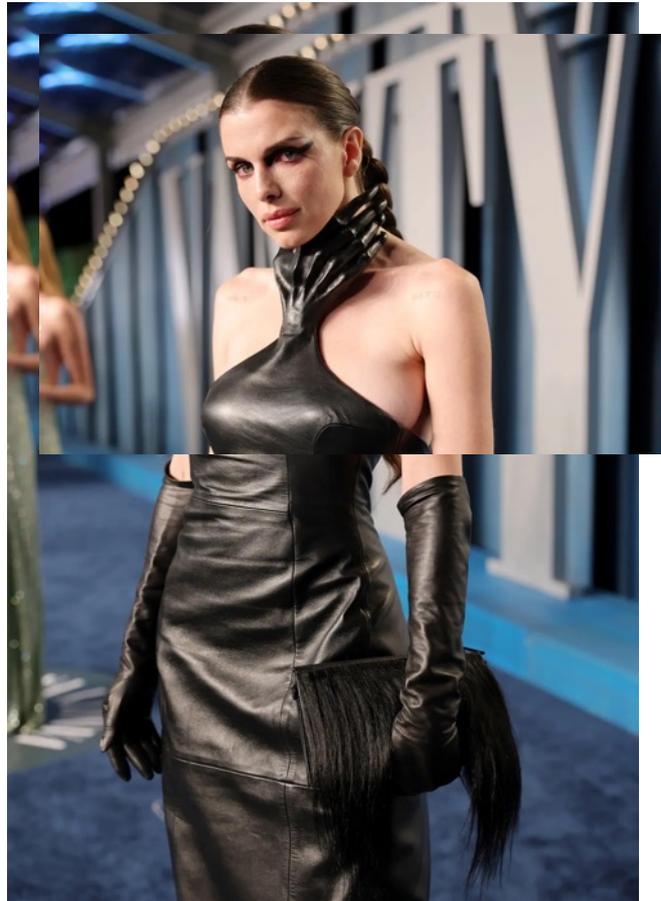


Impact of social media:

When he asks if you're sure you want him to choke you harder b/c he's worried that you might die



The Grip Dress at the Oscars worn by Julia Fox at the Vanity Fair Oscar Party



Teens and young adults are dying

Choking and kink seen as an 'acceptable' part of teen sex, but they're not without dangers

Lindy Washburn, NorthJersey.com Published 5:26 a.m. ET Dec. 19, 2019 | Updated 5:48 p.m. ET Dec. 22, 2019



CONNECT TWEET LINKEDIN COMMENT EMAIL MORE

This is the second in a series on teens, sex and social media. The series also looks at how social media has changed the way teens learn about, and engage in, sex, and how parents can talk to their kids about sex and pornography in the age of social media.

Choking during sex, a practice once considered a fetish for adults who favor bondage and domination, is an increasing part of some young peoples' sex lives — and the recent death of a 19-year-old Hackensack woman shows its risks.

...ined with manslaughter in the death of Francis Garcia in

Share your feedback to help improve our site experience!

MORE STORIES



Gastrointestinal illness outbreak at Paramus nursing home
Dec. 21, 2019, 2:15 p.m.



Man killed on Grove Street in Hackensack
Dec. 22, 2019, 3:35 p.m.



Jersey City shooting exposes tensions among Greenville residents
Dec. 22, 2019, 4:56 p.m.



NJ's 7th medical marijuana site opening in Paterson
Dec. 20, 2019, 7:07 p.m.



New Zealand

Grace Millane trial: 'You can't consent to your murder,' prosecutor says in closing

Crown says 'reckless violence' is grounds for murder conviction in New Zealand while defence says suspect did not see choking as dangerous

Eleanor Ainge Roy in Auckland

@EleanorAingeRoy

Thu 21 Nov 2019 05.26 GMT





Rough Sex Defense has been banned in the UK (April, 2021)

Who are these guys?



The Strangulation Chronicles

What abusers say about their use of intimate partner strangulation

The following statements were made by men enrolled in community-based or jail-based batterer intervention programs. As these statements demonstrate, abusers employ strangulation for a variety of reasons just as they do for other forms or tactics of abuse.

We have found it useful to include in all strangulation trainings a discussion of the agenda of abusers so that both victims and professionals can spot early warning signs, conduct more accurate risk assessment and safety planning, enhance prosecution, and ensure more complete accountability and rehabilitation of offenders. The back stories behind many of these statements have provided important insights into the minds of abusers.

Agenda or function of intimate partner strangulation from Ending the Violence

- Gain Access
- Ensure compliance
- Discourage Reporting
- Silence
- Punish
- Intimidate
- Terminate



What do defendants say about strangulation after conviction?

- The Strangulation Chronicles:
- 3. No better way to get her full attention, especially when she realizes it could end her life in a snap, literally.
- 4. Once I put my hands around my girlfriend's throat, I remember becoming GOD. I literally had her life in my own hands. Now that's addictive.
- 8. The look of terror in her face is such a rush. She can't help but look at you. You're right there.
- 20. I got tired of yelling. With my hands around her throat I could whisper with the same effect.



What do defendants say about strangulation - after conviction?

- The Strangulation Chronicles:
- 9. You know what I did? I told her that I could give her the orgasm of a lifetime. I put my hands around her throat and told her to relax. Then I gave her what she wanted, but when I didn't let go afterward, the look of fear was awesome. And who is she going to tell?
- 10. Did you know that you can come this close to killing her and not leave a trace of evidence? How's that for the perfect crime?
- 15. We call it the "squeeze play." In baseball it's how you avoid getting tagged out. With your wife, it's how you avoid getting hooked up by the cops.
- 23. It's weird. Sometimes they're not in the mood [for sex]. But once you've used it during sex, [he demonstrates how he would squeeze her neck with both of his hands], they don't seem to say "no" anymore. Not sure why, but it works.



Strangulation is a Weapon of Choice

No visible injury. No probable cause to arrest. No accountability. Who will be next?

Could this guy be that guy?

Predator? Sadistic offender? Serial Rapist? Potential
murderer? Rage-filled misogynist?

The Tipping Point...

BDSM, Porn, the Choking Game, Sport...and now the culture...who should bear the risk of seriously injuring or killing you for sexual gratification...



Police ruled Heather Mayer's death a suicide.

The Truth and Consequences of Strangulation (“Choking”) During Sex

Debby Herbenick, PhD, MPH

Provost Professor, Indiana University School of Public Health-
Bloomington

Email: debby@iu.edu

Twitter/Instagram: @debbyherbenick

Acknowledgements

Colleagues & Students:

- Jane Fu, Jonathon Beckmeyer, Heather Eastman-Mueller, Dennis Fortenberr, Lucia Guerra-Reyes, Supriya Ingle, Rachel Kump, Megan Maas, Angel Muro, Annayelli Pacheco, Callie Patterson, Bryant Paul, Molly Rosenberg, Yael Rosenstock Gonzalez, Stephanie Sanders, Evan Theis, Sally Thomas, Eva Voorheis, Caroline Wagner, Maddi Whitcomb, Jodi Wilson, Paul Wright, Nelson Zounlome

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- IU School of Public Health – Bloomington
- Eunice Kennedy Shriver National Institute of Child Health & Human Development of the National Institutes of Health (R01HD102535; MPIs Herbenick and Fu).

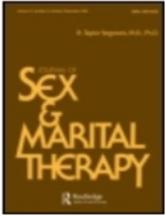
Content Warning

- Consensual and nonconsensual sex
- Non-fatal strangulation as part of sex
 - How this sexual practice is almost always called “choking” even though it is strangulation
- I will NOT show any images of people engaging in choking/strangulation nor will I show any images of assault or injury, though I will discuss potential for harm and injury



Changing Sexual Norms

- Having tracked US sexual health and behavior since 2008 – and college students’ sexual experiences since 2015 – I’ve been uniquely positioned to identify shifts in behaviors and norms.
- While working on the Emmy-nominated documentary *Hot Girls Wanted* – we were discussing behavioral trends.
- In 2016, we conducted a US nationally representative survey that included behaviors described, at the time, as being part of “pornographic sexual scripts”



Feeling Scared During Sex: Findings From a U.S. Probability Sample of Women and Men Ages 14 to 60

Debby Herbenick, Elizabeth Bartelt, Tsung-Chieh (Jane) Fu, Bryant Paul, Ronna Gradus, Jill Bauer & Rashida Jones

Feeling scared during sex

Respondents who indicated having engaged in oral, vaginal, or anal sex were asked, “*Thinking about your whole life, how many times have you felt like someone did something during sex that made you feel scared?*” Response options were as follows: never, 1 or 2 times, 3 to 5 times, 6 to 10 times, and more than 10 times. Those who indicated this had ever happened were asked, “*You said someone had done something during sex that made you feel scared. Can you share an example with us of something that happened that felt scary to you?*” and provided a textbox.

Participants' Stories Changed Everything for Me.

Choking

Twenty-three respondents described scary situations related to choking. Some referenced being choked, often with simple phrases like "started choking me" (Woman, 18), "choked me" (Woman, 25), or "Had hands around my neck" (Woman, 44). Some described feeling in danger: "I felt I was being strangled" (Woman, 55) and "Put their hand on my throat and was scared that they would actually choke me" (Woman, 51). One woman wrote, "Put his hands on my throat to where I almost couldn't breathe" (Woman, 44). Others described nearly or actually losing consciousness: "Choked me to almost passing out" (Woman, 50), "being choked until you black out" (Woman, 33), and "They wanted to try breath plugging me before i consented and I passed out" (Man, 31). One woman wrote, "My partner choked me repeatedly and my sexual partner became a little very rough during the act of penetration." One woman wrote, "during sex which made me feel scared." Other respondents described choking. A 58-year-old man wrote about a female partner who attempted to restrict her own: "wrapped her bra around my neck during climax."

Aggression

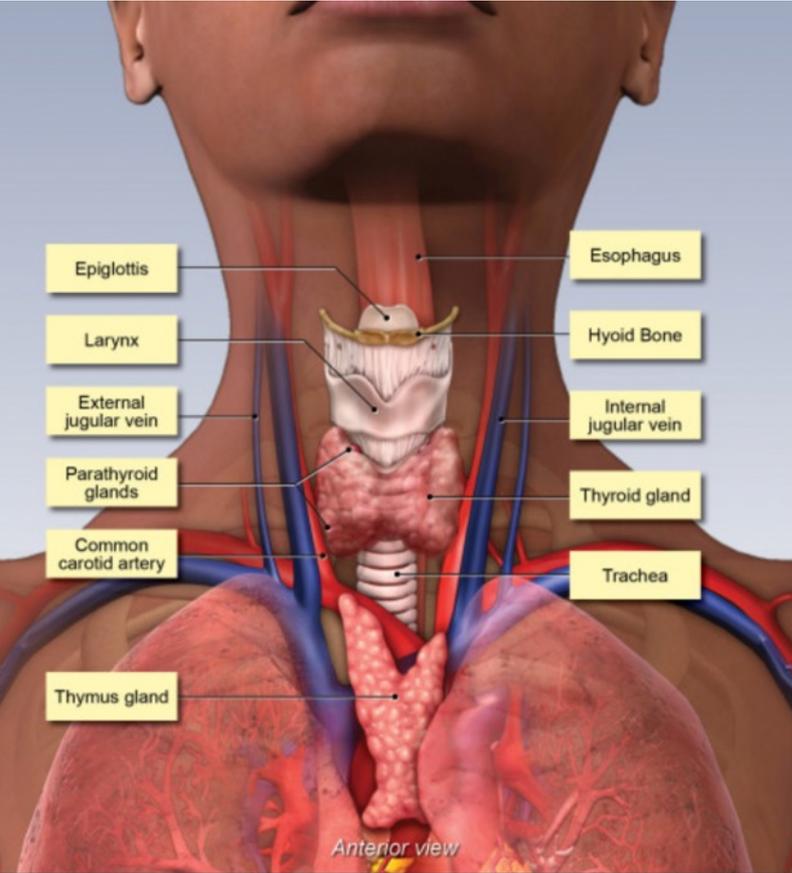
Some respondents described their partners' anger or aggressive behavior: "Angry/violent behavior during sex" (Woman, 60), "The man I was with was really angry and I was afraid he would be too rough" (Woman, 37), "pulling hair so hard it pulled my head back" (Woman, 30). Others described certain aspects of sex as too rough or aggressive: "Went down on me aggressively" (Woman, 42), "just gotten a little rougher than I thought it should" (Woman, 54), "he bit my clitoris very hard" (Woman, 48), and "got very aggressive, screamed at me, pulled my hair" (Woman, 52). For one respondent, the aggressive behavior may have even started when they asked their partner to stop, "Too aggressive when I said to stop" (Woman, 35). A 56-year-old woman wrote, "bit my breast."

Some respondents indicated that the person enjoyed and/or was aroused by their being in pain. For example, a 60-year-old woman wrote "long ago ... someone i was dating, after several months we finally had sex and he got physically rough to the point i was in pain and he seemed to enjoy me being in pain ... that ended that." A 42-year-old woman wrote, "Rough sex. ... He

Overview

- **Survey Research**
 - Three U.S. nationally representative surveys
 - Three campus-representative student surveys
- **Interviews** with 45 young adults who had experienced consensual and/or non-consensual choking/strangulation
- **Content analysis** of social media memes
- **Content analysis** of media articles about choking
- **Neurological research** involving women who have and have not been choked
- Papers available upon request (debby@iu.edu)





What is “Choking”?

- Usually consensual
- Using hands, limb, or a ligature (tie, cord, belt) to press or squeeze the neck
- May intend to restrict blood flow or air flow, but 1/3 are unsure what they’re doing
- *External pressure to the neck that may close off air passages and blood vessels is strangulation whereas internal blockages of the airway is choking.
- People tend to call strangulation “choking.”
 - Pornography, Cosmo, Men’s Health, Women’s Health, various TV shows, celebrities

Choking/Strangulation is Now Mainstream & Prevalent



- Overwhelmingly described as “consensual” even if little or no verbal communication occurs
- Prevalence among young US adults:
 - **Nationally**: About 40% of US women ages 18-24 have been choked
 - **College students**: Of those w/any partnered sexual experience, 64% of women, 29% of men, & 56% of trans* & nonbinary students had been choked

Choking/Strangulation is Frequent

National & Campus-Representative Surveys:

- 1 in 3 young adult women had been choked during their most recent vaginal sex

College Students:

- 34% of women college students and 6% of men college students had been choked more than five times

Choking/strangulation is highly prevalent between women and men, and even more prevalent between same-gender/sex partners (e.g., two women or two men)

Where do young people learn about choking/strangulation?

Friends

Partners

Pornography

Magazines & their websites (Cosmo, Women's Health)

Fanfiction

Mainstream TV shows

Mainstream movies

Social media – TikTok videos, memes

Stand Up

“I don't want to die... But I also don't want to be sure I'm going to live”.

– Comedian Ali Wong



Social Media Memes: Grappling with Sexual Aggression, Harm, and Assault

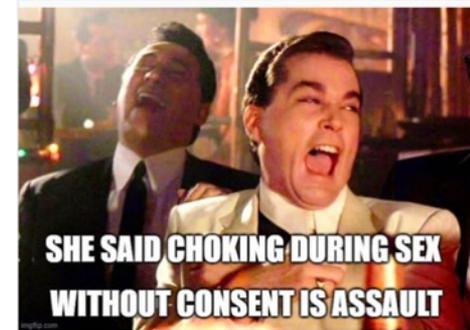
When you made him angry earlier just so he can choke you with both hands during sex



girls who like to be choked, tied up, and slapped during sex are also the ones who cry when you yell at them



When the choking went a bit too far but you're happy she opened her eyes again



Herbenick, D., Guerra-Reyes, L., Patterson, C., Wilson, J., Rosenstock Gonzalez, Y. R., Voorheis, E., Whitcomb, M., Kump, R., Theis, E., Rothman E. F., Nelson, K. M., & Maas, M. K. (In press). #ChokeMeDaddy: A content analysis of memes related to choking/strangulation during sex. *Archives of Sexual Behavior*.

Sexual Choking/Strangulation and Health

- Our understanding of the health risks of strangulation is largely from IPV and DV research and, to a lesser extent, the child/adolescent “Choking Game” (pass-out, space monkey, fainting game)
- Yet, **each kind of strangulation is engaged in differently**
 - IPV/DV strangulation associated with coercive control, threat to harm, intent to harm or kill
 - Sexual strangulation is generally about sexual pleasure, novelty, exploration, and adventurousness (but does go wrong)
 - However, sexual strangulation/choking also tends to be much more frequent and is done at a range of intensities
- Thus, we sought to examine health risks of sexual choking/strangulation

Sources: Herbenick, D., Patterson, C., Beckmeyer, J., Gonzalez, Y. R. R., Luetke, M., Guerra-Reyes, L., ... & Rosenberg, M. (2021). Diverse sexual behaviors in undergraduate students: Findings from a campus probability survey. *The journal of sexual medicine*, 18(6), 1024-1041.

Burch, R. L., & Salmon, C. Rough Sex and Pornography Preferences: Novelty Seeking, Not Aggression. *The Journal of the Evolutionary Studies Consortium*.

Physical Responses to Being Choked/Strangled During Sex*

*The vast majority of these experiences were described as consensual

Table 4 Lifetime experiences of physical responses from being choked by gender

Responses	Total	Men	Women	Trans* and gender expansive	<i>p</i> value
	% (<i>n</i>)				
Difficulty swallowing	38.9 (559)	25.8 (109)	44.0 (427)	51.7 (24)	< .001
Watery eyes/eyes teared up	37.2 (535)	27.1 (115)	41.0 (398)	78.2 (22)	< .001
Could not speak	37.6 (540)	27.0 (114)	41.9 (406)	44.2 (20)	< .001
Felt like I couldn't breathe	43.0 (617)	32.9 (139)	46.7 (452)	58.0 (26)	< .001
Gasped for air	33.4 (478)	19.3 (81)	38.5 (373)	52.8 (24)	< .001
Neck hurt/neck pain	18.5 (266)	14.0 (59)	19.8 (192)	32.4 (15)	.004
Coughed	25.7 (369)	21.8 (92)	27.0 (262)	33.9 (15)	.068
Neck swelled up during or shortly after being choked	3.6 (52)	3.6 (15)	3.5 (34)	7.9 (4)	.331
Bruises on neck	14.8 (211)	10.4 (43)	16.5 (160)	18.6 (8)	.015
Peed/urine leaked out, without meaning to	1.4 (20)	1.6 (7)	1.3 (12)	2.0 (1)	.831
Felt a head rush	43.8 (626)	38.1 (161)	45.6 (440)	56.9 (26)	.011
Other responses*	1.8 (20)	2.8 (9)	1.4 (10)	2.9 (1)	.256
<i>Alterations in consciousness (AIC)</i>					
Vision got blurry	11.9 (171)	6.8 (28)	13.6 (131)	24.9 (11)	< .001
Lost vision/couldn't see	4.0 (58)	2.7 (11)	4.4 (42)	9.1 (4)	.078
Felt dizzy or lightheaded, like I might pass out	15.2 (217)	11.6 (49)	16.1 (156)	26.9 (12)	.012
Lost consciousness/pass out	2.6 (38)	1.5 (6)	3.1 (30)	3.3 (1)	.216
Any AIC	18.8 (268)	13.7 (57)	20.3 (196)	33.4 (15)	.001
Total number of physical responses, mean (SD)	3.3 (3.4)	2.5 (2.7)	3.6 (3.6)	4.7 (4.2)	< .001

Example Responses:

Couldn't breathe (43%)

Couldn't speak (38%)

Neck pain (19%)

Neck swelling (4%)

Neck bruising (15%)

Involuntary loss of urine (2%)

Euphoria or other pleasurable sensations (80%)

Example Responses:

Alterations in consciousness:

Blurred vision (12%)

Vision loss (4%)

Dizzy or lightheaded, like I might pass out (15%)

Lost consciousness/passed out (3%)

Any of these: 19% (20% women, 33% trans* + nonbinary, 14% men)

Association Between Method & Responses

- People who were typically choked at greater intensities and/or greater frequencies were more likely to report physical responses from having been choked, as were those who had ever been choked with a limb or ligature

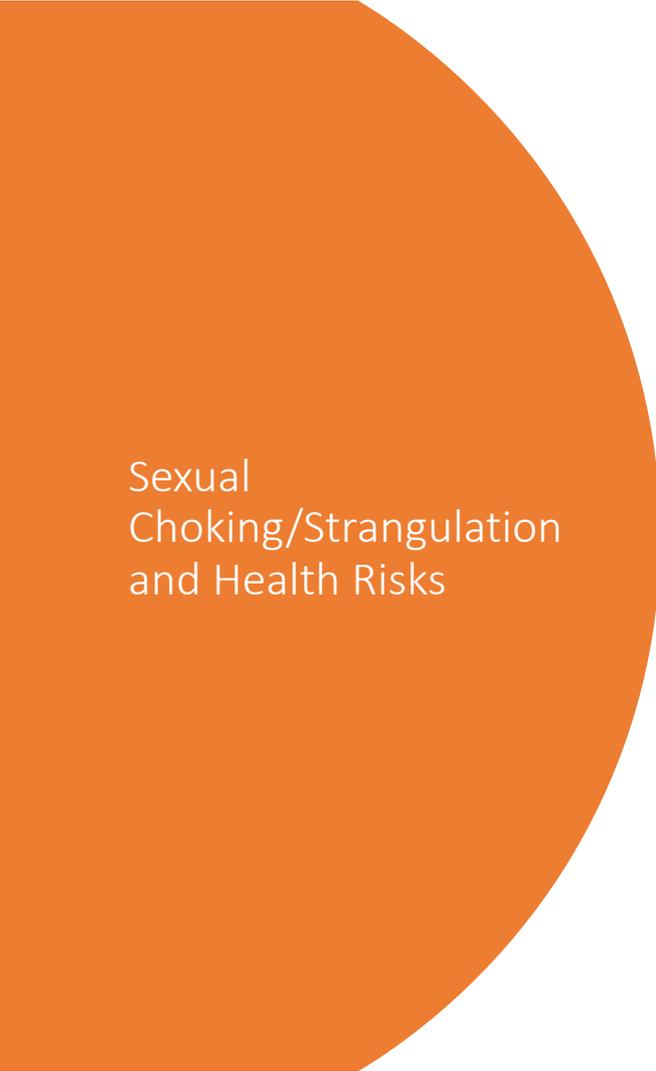


Consistent with other campus-representative & US nationally representative surveys, sexual choking/strangulation was prevalent and frequent in this study.

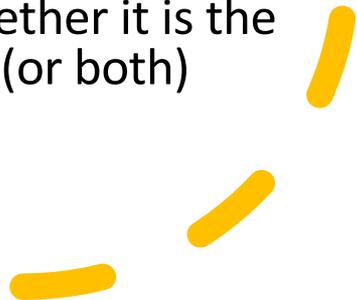
Contrary to media assertions that choking is “safe,” we observed a broad range of physical responses to having been choked/strangled during sex, including those associated with poorer mental health and cognitive function and others considered to be life-threatening

Also, difficulty breathing/speaking has implications for consent and withdrawal of consent

Prospective research is needed as is research in other populations (e.g., sexual and gender minorities, adolescents, internationally)



Sexual
Choking/Strangulation
and Health Risks

- A history of having been choked/strangled is associated with poorer mental health, but directionality is unclear
 - Pilot data, using blood biomarkers & fMRI, suggests differences between young adult women who have not been choked and those who have been choked recently & frequently
 - Further research is needed to understand whether these mental health issues predispose people to engage in choking or whether it is the choking that affects mental health (or both)
- 

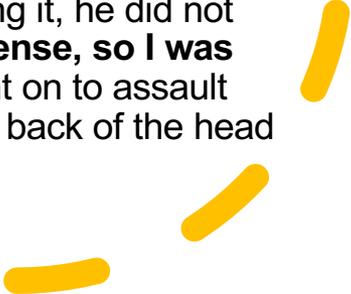
Choking/Strangulation, Consent, and Assault

- Because choking/strangulation has become so mainstream, people often presume interest/acceptance of it
- Although most young people in our studies describe choking/strangulation as consensual, they don't often discuss it first in practice
- Some accept it without wanting or enjoying it
- In the US and internationally, there are reports of sexual assault in which the hook-up itself was consensual but the choking (and other forms of rough sex) were not
- College and community sexual assaults involving choking/strangulation are on the rise.

College Students' Descriptions of Scary Sexual Situations

"I've only had one "sexual" situation in my life and I didn't know what I was walking into. I went to the dorm of this guy who I met at a friend of mine's frat and there was just a lot of pressure for me to have sex with him. I did not and he was somewhat respectful of that but the whole thing was weird. **Like, we were making out and he started choking me without asking and then asked if it was okay so I said fine, because what else do you do?** And then later when I told him I didn't want to have sex and he kept saying "We could do it for real" and when I said no **he started dry humping me like really hard . . . like it just felt angry and was so uncomfortable.** When that was done he got up and turned the light on and as I was leaving he said, "I hope that was all okay," and I just didn't know what to say."

"I consented to have sex, but I did not consent to being hit or choked. When I verbally stated I was not enjoying it, he did not listen. **I am trained in martial arts and self-defense, so I was able to stop the choke.** I later found out he went on to assault several other girls, including punching one in the back of the head and almost knocking her out."



An Interview with a Male College Student:

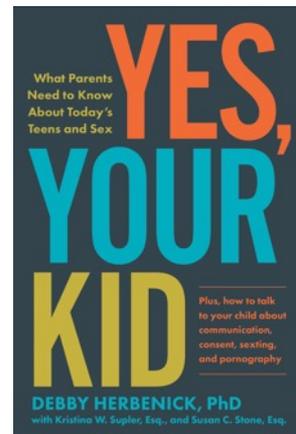
- So her vocality drops down, but she's still very animated during sex. **And then for that to stop, for her eyes to like shut and for that to stop, I mean, it, it, it makes me stressed out even now. It was, it was scary.** I, um, let go immediately, stopped the sex immediately. I stopped everything and I probably pulled out too. I'm not sure, um, because at that point I just kind of held still, just kind of looked at her and she was back in like a second and a half, like it was, it was almost instantaneous. Um, I, and I, **I cried later because of how terrified I was, but I didn't cry then because I think I was mostly concerned with making sure she was okay.** Um, and she said like, "Yeah, it's fine. Here's what you did wrong." The sex was over for the night . . . but she was, she was okay. **She just explained what went wrong and how just that next time [to try choke her differently], um, but she could see that I was very visibly shaken.**

Prevention: Young Children

- Offer building blocks that have nothing to do with sex
- Some of these are common ways parents have always talked with young children
- “Heads and necks are sensitive.”
- “We don’t put anything around people’s necks.”
- “We always have to make sure people can breathe.”

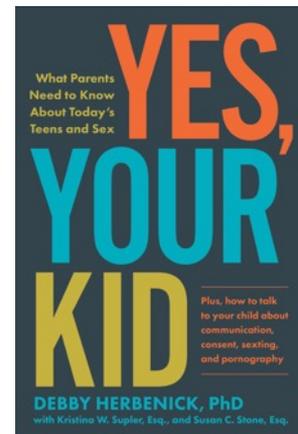
Emphasize:

- “Even if your friend says they’re okay with you (hitting/kicking them), we still don’t hurt other people.”
- Conversations with friends’ parents about digital access while at their home
- Asking kids not to look at other people’s phones or devices
 - “Even if your friend or their older brother/sister want to show you something online, let them know that we have a rule against that.”



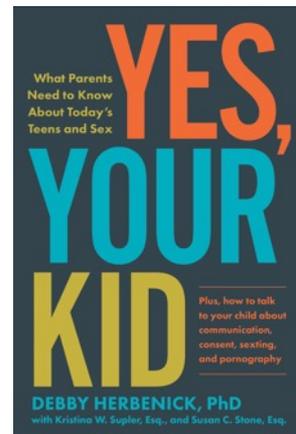
Prevention: Tweens and Teens

- Many young people learn about choking/strangulation from pornography & social media.
- Schools commonly give out tablets or require school work to be done using Internet sources, but don't balance this with education on digital health and safety or pornography literacy
- Parents need guidance on how to talk with their children about pornography
 - Delay connected device access as long as possible
 - Discuss digital access for play dates and sleepovers
 - Consider collecting phones/devices when friends come over
 - No phones/devices in bedrooms (helps with sleep too) or returned after homework is done
 - Saying "Just like TV has shows and movies for grown-ups and some of them can be scary for children, the Internet mostly has things for grown-ups on it."
 - Consider age-appropriate conversations about pornography and that the kinds of sex depicted tend to be aggressive and potentially harmful
- Parents: **Direct conversations with teenagers** who a parent believes has likely seen pornography or is dating/perhaps making out with others
 - Choking/strangulation often begins now at the "making out" stage



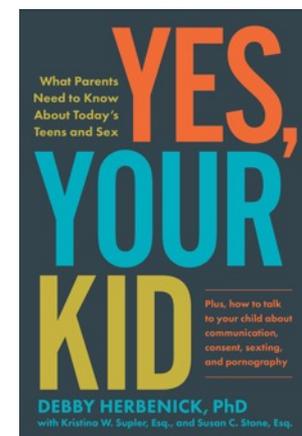
Prevention: Older Teenagers & Young Adults/College Students

- Try to remain calm, supportive, approachable
- Provide information and be clear that you love them and just want them and those around them to stay safe and healthy
- Offer frank information
- Let them know that choking is a form of strangulation and what the health effects of strangulation include
- Ask them not to engage in this behavior
- Let them know that if someone asks them to “choke” them, they can (and should!) say no and relay the risks (including emotional risks, physical risks, legal risks)
- Also: share that there are many other (safer) ways to be intimate with a partner



Potential Harm Reduction Strategies Being Considered in the Field

- Controversial & as of yet untested, but what young adults seem to be most open to
 - Avoid high risk sexual behaviors, opt for lower risk sex
 - For those who choose to engage in “choking” (despite recommendations to avoid this high-risk practice), consider doing it very rarely
 - Use safe words/safe gestures & clear consent/communication
 - Very light/gentle pressures (*though be clear: even light pressures can injure or kill)
 - Avoid pressing on the neck; some young people say they instead lightly press on the collarbone
 - Using one hand (vs. two hands or a ligature, which increases risk)
 - Only with established, trusted partners
 - Only when both partners are sober (no alcohol or drugs)
 - Only after having discussed one another’s health histories and trauma histories
 - Learning CPR and First Aid as well as neck anatomy
- See: WebMD: <https://www.webmd.com/sex/what-is-sexual-asphyxiation> & In the Know <https://www.intheknow.co.nz/choking/>

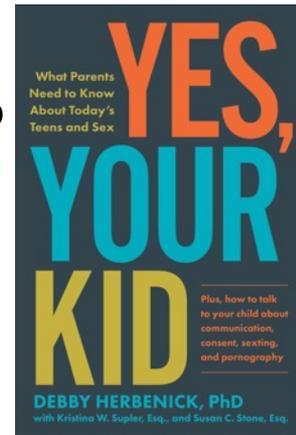


Summary

- Sexual choking is a form of **strangulation** and is never zero-risk
 - **There is always a risk of injury or death, including “silent” health consequences**
- Sexual choking has become mainstream and normative among young people
- Widely depicted in pornography and also in social media memes, mainstream TV shows, online articles, and discussed between friends and partners
- **Parents, educators, and violence prevention experts need to join the conversation**
- Talk with teenagers and young adults about rough sex and choking/strangulation
- Discuss the health consequences
- Encourage critical thinking among young people (why these behaviors? Who can get hurt?)
- Encourage open communication, clear consent, and avoiding high-risk behaviors

Resources

- The Light Project:
<https://thelightproject.co.nz/>
- Youth & young adult focused resources:
<https://www.intheknow.co.nz>
- Yes Your Kid: What Parents Need to Know about Today's Teens and Sex (available for pre-order)



For More Information: Debby Herbenick, debby@iu.edu

- Herbenick, D., Fu, T., Patterson, C., Rosenstock Gonzalez, Y.R., Luetke, M., Svetina Valdivia, D., Eastman-Mueller, H., Guerra-Reyes, L., & Rosenberg, M. (2021). Prevalence and characteristics of choking/strangulation during sex: Findings from a probability survey of undergraduate students. *Journal of American College Health*. Published online on July 9, 2021.
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- Herbenick, D., Fu, T.C., Kawata, K., Eastman-Mueller, H., Guerra-Reyes, L., Rosenberg, M. & Svetina Valdivia, D. (2022). Non-fatal strangulation/choking during sex and its associations with mental health: Findings from an undergraduate probability survey. *Journal of Sex & Marital Therapy*.
- Herbenick, D., Guerra-Reyes, L., Patterson, C., Rosenstock Gonzalez, Y.R., Wagner, C., and Zounlome, N. (2021). “It was scary, but then it was kind of exciting”: Young women’s experiences with choking during sex. *Archives of Sexual Behavior*.
- Hou, J., Huibregtse, M. E., Alexander, I. L., Klemsz, L. M., Fu, T. C., Rosenberg, M., ... & Kawata, K. (2023). Structural brain morphology in young adult women who have been choked/strangled during sex: A whole-brain surface morphometry study. *Brain and behavior*, e3160.

Thank You & Questions

Gael Strack, J.D. CEO and Co-Founder

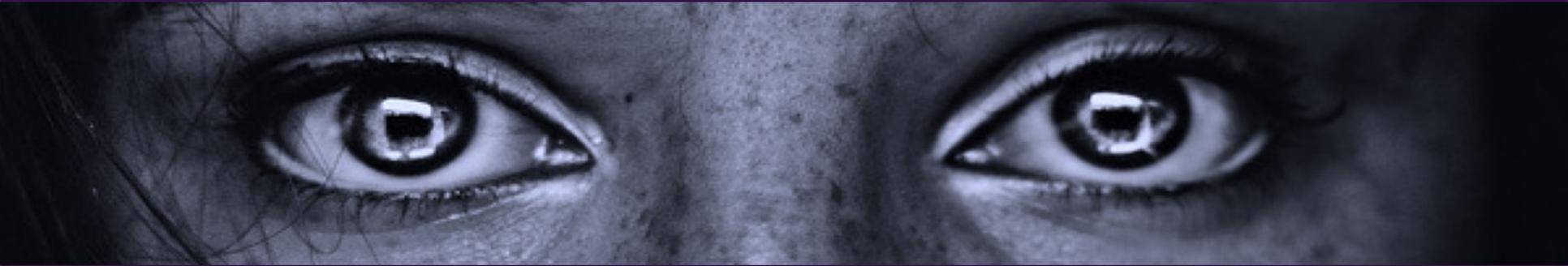


“Our study proved it – most victims of strangulation will not have visible external injuries. The lack of injuries and the lack of training caused the criminal justice system to minimize strangulation. We failed victims. But now we know – it’s lethal. There are serious immediate and long-term health consequences.”



Overcoming the Consent Defense

Gael Strack, CEO & Co-Founder



strangulationtraininginstitute.com
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1. Education is key

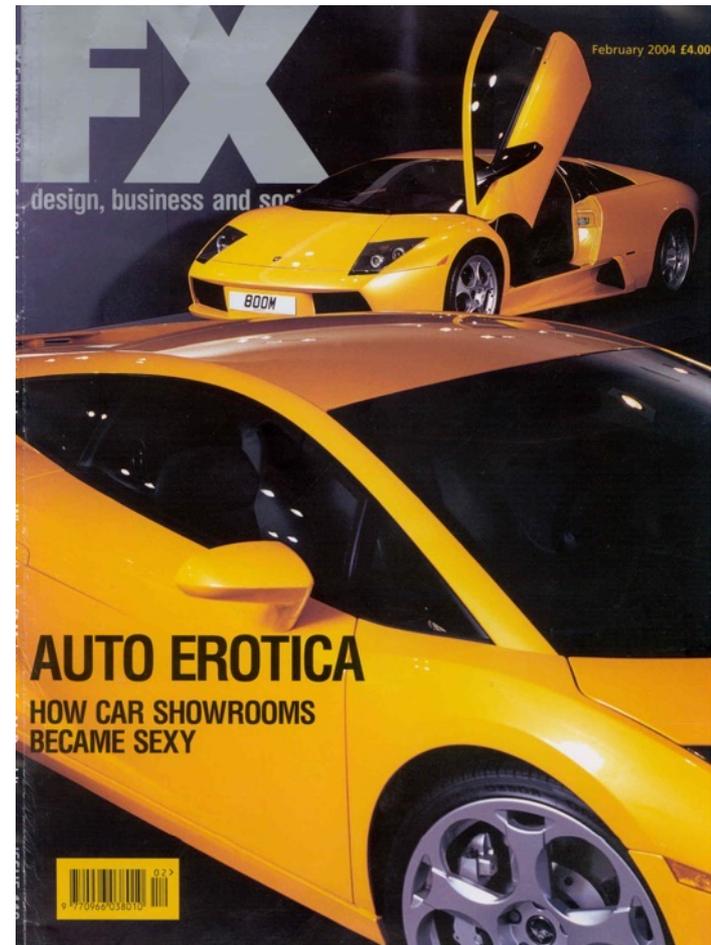
We need to educate ourselves first.

Dr. Hawley

"It's a guy thing."

Autoerotic Asphyxia

- Autoerotica
 - Sexual asphyxia during solo masturbation
 - Evidence of a ligature mark
 - Look for evidence at the scene
 - Ligature set ups: ropes, chains, blindfolds, and gags



Diana Gonzalez, 19, Murdered on 10-12-10 in San Diego

College homicide victim identified as National City teen

BY DEBBI BAKER, KRISTINA DAVIS AND JANINE ZÚÑIGA

ORIGINALLY PUBLISHED OCTOBER 13, 2010 AT 6:52 A.M., UPDATED OCTOBER 13, 2010 AT 10:21 P.M.

SAN DIEGO — Homicide detectives are investigating the death of a 19-year-old woman whose body was found in a men's bathroom at San Diego City College on Tuesday night, two weeks after she told police her estranged husband had kidnapped her from the campus.

Police have named Diana Gonzalez's husband, Amando Gabriel Perez, as a "person of interest" in the case. The couple has a 10-month-old daughter.

Gonzalez, who lived in National City, obtained a temporary



/ GONZALEZ FAMILY PHOTO

Diana Gonzales



Diana Gonzalez Strangulation Prevention Act of 2011

Passed unanimously despite initial opposition from the
National Coalition for Sexual Freedom

What does the National Coalition for Sexual Freedom have to say about consent, BDSM and the Law?

Bondage and Discipline, Dominance and Submission, Sadism and Masochism

Case Law

- To date, there is not a single appellate court decision anywhere in this country that has accepted consent as a defense in an assault or abuse prosecution arising from BDSM conduct.
- Since any harmful act that does not fit into the “athletic” or “medical” exception is, by definition, criminal, unless the inflicted injury is not serious, assessment of the seriousness of the victim’s injury determines the outcome of many cases involving consensual harm.



Case Law

- In most BDSM assault cases, the testimony of a complaining witness (the injured person) is central to the case, and often there is conflict on the issue of consent between the defendant and the complaining witness.
- However, **even where both participants agree that the acts in question were consensual, the courts have held that consent cannot be a defense**
- Commonwealth v. Appleby, 380 Mass.296, 311, 402N.E.2d 1051,1061 (Mass. 1980).



Case law - Policy

- As a matter of public policy, a person cannot avoid criminal responsibility for an assault that causes injury or carries a risk of serious harm, even if the victim asked for or consented to the act
- (See, e.g., *State v. Brown*, 154 N.J.Super. 511, 512, 381 A.2d 1231, 1232; *People v. Samuels*, 250 Cal.App.2d 501, 513-514, 58 Cal.Rptr. 439, 447, cert. denied, 390 U.S. 1024, 88 S.Ct. 1404, 20 L.Ed.2d 281; *Commonwealth v. Appleby*, 380 Mass. 296, 402 N.E.2d 1051; *Iowa v. Collier*, 372 N.W.2d 303).



What does the penal code say:

- The exceptions to the general rule that consent is a defense to battery, and specifically is a defense available in cases “involving sexual overtones”, are as follows:
- (1) *Where the defendant goes beyond acts consented to;*
- (2) *Where it is against public policy to permit the conduct or resulting harm even though it is consented to, as, as where there are no sexual overtones and the battery is a severe one which involves a breach of the public peace, as well as, an invasion of the victim’s physical security;*
- (3) *Where consent is ineffective as where it is obtained by fraud or from one lacking legal capacity to consent;*
- (4) *Where a deadly weapon is employed;*
- (5) *Where death results; or,*
- (6) *Where the battery is atrocious or aggravated. [Helton 624 N.E.2d at 514, citing Jaske v. State, 539N.E.2d 14, 18 (Supreme Court Indiana 1989).]*



Fast Forward – What does the medical community say?

Use of the vascular neck restraint has been banned unless it is deadly force

Why? People die

AMERICAN ACADEMY OF NEUROLOGY POSITION STATEMENT (June 9, 2021)

“The medical literature and the cumulative experience of neurologists clearly indicate that restricting cerebral blood flow or oxygen delivery, **even briefly**, can cause **permanent injury to the brain**, including stroke, cognitive impairment, and even death. Unconsciousness resulting from such maneuvers is a manifestation of **catastrophic global brain dysfunction**.”

Largest association of neurologists
and neuroscience professionals with
36,000 members





American College of
Emergency Physicians®

ADVANCING EMERGENCY CARE 

POLICY STATEMENT

Approved October 2021

Strangulation and Neck Compression

The American College of Emergency Physicians (ACEP) recognizes that
S
i, **the act of neck compression in any context,** S
of
intimate partner and sexual violence, child and elder abuse, and interpersonal,
non-malicious martial arts and policing tactics as well as intentional hanging
and self-strangulation.

2. Continue to Know Literature, the Law & the Trends

Fortunately your strangulation does not include “without consent”

Seven Articles in 2021:

- Diverse Sexual Behaviors in Undergraduate Students, (Herbenick, et al, 2021)
 - 43% had choked a partner, 47.3% had been choked
- Non-Fatal Strangulation/Choking During Sex and Its Associations with Mental Health, (Herbenick, et al, 2021)
 - Reports of depression or poorer mental health
- What is Rough Sex, Who Does it, and Who Likes it? (Herbenick, et al, 2021)
 - Most common behaviors - choking, hair pulling and spanking.
- Pornography Consumption and Sexual Choking, (Wright, et al, 2021)
 - Porn leads to exposure of sexual choking which leads to sexual choking and the belief it is safe and consent is not necessary



Seven Articles in 2021:

- “If their Face Starts Turning Purple, You are Probably Doing Something Wrong”: Young Men’s Experiences with Choking During Sex” (Herbenick, et al, Dec 2021)
 - Learning it from porn, partners, friends and media
 - Choking is associated with sex & they think its safe
 - Some like the power, others uncomfortable
 - They know when something is wrong and could go wrong
 - Unaware of the long-term health consequences
- Prevalence and characteristics of choking/strangulation during sex: Findings from a probability survey of undergraduate students” (Herbenick, et al, July 2021)
- “It Was Scary, But Then It Was Kind of Exciting”: Young Women’s Experiences with Choking During Sex” (Herbenick, et al, May 2021)



3 Articles in 2022

- Frequent and Recent Non-Fatal Strangulation/Choking During Sex and Its Association with fMRI Activation During Working Memory Tasks (Huibregtse, et al, 2022)
- Pornography and Women's Experiences of Mixed-Gender Sexual Choking/Strangulation: Eroticization Mediates, Perceived Similarity Moderates (Wright, et al, 2022)
- Don't Just Randomly Grab Someone's Neck During Intercourse: An Analysis of Internet Articles about Choking/Strangulation during Sex (Herbenick, et al, 2022)



No consent where V is strangled

- **People v. Lay, 66 Cal.App.2d 889 (1944)**
- Where defendant in his attempt to rape prosecutrix choked her every time she screamed, prosecutrix had right of free choice of what she might consider the lesser of two evils, and her choice of submission rather than possible strangulation did not show consent.
- The rule that to constitute rape there must have been the most vehement exercise of every physical means or faculty within female's power to resist penetration and a persistence in such resistance until offense is consummated does not apply in California.



You cannot consent to strangulation (Aggravated Assault)

- **US v. Bygrave (1997) 46 MJ 491**
- One cannot consent to an act which is likely to produce grievous bodily harm or death." [United States v. Outhier, 45 M.J. 326, 330 \(1996\)](#).
- Thus, while under certain circumstances consent may be a defense to simple assault, [Joseph, 37 M.J. at 396 n. 5](#), consent is generally not a valid defense to aggravated assault.
- We note that aggravated assault is not a crime like rape, in which lack of consent is an element of the offense. See Art. 120(a), UCMJ, [10 USC § 920\(a\)](#). Moreover, the very nature of the offense invalidates, as a matter of law, any consent that has been given.
- Aggravated assault, of course, differs from simple assault in that the perpetrator has used a "means or force likely to produce death or grievous bodily harm." Art. 128(b)(1)



BDSM is permissible but not strangulation

- **State v. Dudas, 391 Wis.2d 494 (2020)**
- Strangulation is inherently dangerous because when a person is strangled, unconsciousness may occur within seconds and death within minutes (citing to Strack/Gwinn).
- Wisconsin does not prohibit consensual BDSM, but it does prohibit strangulation.



Statutes that include “without consent”

- Florida - against the will of the other (2007)
- Virginia - without consent (2012)
- Pennsylvania - affirmative defense if victim consented (2016)
- West Virginia - without consent (2016)
- Kentucky - without consent (2019)



Consent is not relevant to strangulation.

- **State v. Stone, 324 Or.App. 688 (2023, Oregon)**
- D strangled V with a cord. Wrapped the cord 3x around her neck. He tightened the cord, gently. V lost consciousness and fell to the floor.
- D then dragged the V to the bedroom and handcuffed her to closet rod. V testified she did not consent.
- D testified V consented. They were into BDSM. He was careful to watch if she tapped out or struggled and V did not lose consciousness. He perceived she was enjoying it. D admitted he knew strangulation is dangerous and could cause death.
- D testified his intent was to deprive the V of air only to the point that it was pleasurable and not to the point of unconsciousness or injury.
- D claimed the trial court erred by telling the jury in response to a jury question that "there is no consent or non-consent portion or element to the crime of strangulation."



The Trends

First Campus Consultation involving the Porn Defense

- College students were making out
- V wakes up, unsure what happened
- Pressure to her neck, without her consent
- Sexually assaulted, without her consent
- Delayed report - a couple of hours
- Suspect was very naïve, inexperienced, thought that is what he was supposed to do
- College Police were seeking advice - unusual
- Suggested ask/check for porn
- Sent them all the articles
- Not a legal defense





Dr. Green recently testified: "consensual" strangulation carries all the same risks as "abusive" strangulation. The bodily tissue at risk doesn't know or care about the underlying intent.



Consider calling an expert – if it really becomes an issue

3. Identify or eliminate it at the scene

Where did this happen? Did it happen during sex? Who's idea was it?

How Victims of Strangulation Survived: Enhancing the Admissibility of Victim Statements to the Police When Survivors are Reluctant to Cooperate

Patrick Q. Brady¹, Ashley K. Fansher² ,
and Sara B. Zedaker² 

Violence Against Women
1–26

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Key & New Findings

- 130 Cases of NFS were analyzed
- Only 6% of perpetrators stopped strangling victims on their own which suggests that strangulation should be investigated as an attempted homicide until evidence proves otherwise
- 39.3% involved multiple strangulations in the same incident
- .8% involved strangulation during sex
- 35.8% felt the urge/lost control of bodily functions
- 29.1% recanted/refused to cooperate
- 48.9% had no visible injuries



Just ask.



allianceforhope.com

Some potential questions:

- Where did this happen?
- What were you doing when this happened?
- Was pressure being applied on your neck during sex?
- Who's idea was it?
- Did you know it was going to happen?
- Did you consent to it?



In the chat, please
make your suggestions
how we can ask without
shaming or blaming.



If fear is in the room, there is
no consent.

Lt. Mark Wynn, Ret. Nashville Police Department.



4. Was there really consent or staged consent?

Contract? Safe word? Knowledge of dangerousness?

Is this a BDSM relationship?

Is there a contract?

California & New York

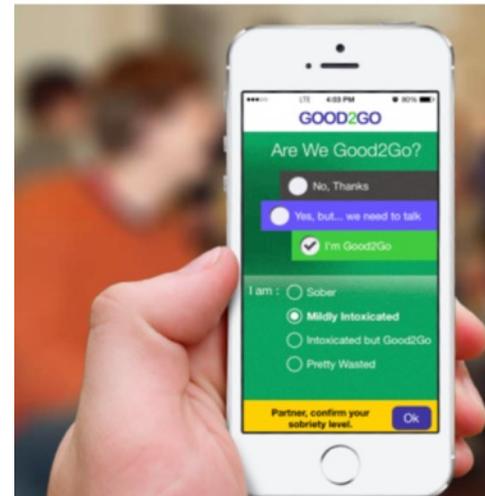
- All college campuses in California and New York require both parties to obtain consent for sex
- The law applies only on college campuses.
- At its heart is a simple concept: instead of "No Means No," it's "Yes Means Yes."

Consensual Sex: There's an App for That

by Amanda Hess



5.1k



Last June, Reason's Robby Soave **called for an iPhone app** that would clear up pesky he-said, she-said rape cases by recording "mutual consent" to engage in sexual activity before two people do the deed: "Maybe they would have to input a password and then touch phones, or something?" he proposed. Last week, his prayers were answered: The **Good2Go**



Remember: The Defendant must testify



Mail 3:03 PM 27% independent.co.uk

INDEPENDENT

News > UK > Home News

'Strangulation obsessed' man jailed for killing drunken schoolgirl

'He knew it was dangerous, that is what turned him on'

Rebecca Flood | Friday 21 July 2017 19:51 BST | 7 comments

1 shares

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Cross examination will be key.

Did he know it was dangerous?

Did she consent?

Was there a contract?

Was there informed consent?

Was there a relationship? What type of relationship? P/C? Dominance?

Any priors?

Intent can be inferred?

How far did it go? LOC? Urination? Defecation?

What happened afterwards?

Did the V call the police?

D's subsequent actions?

Any knowledge of dangerousness?

BDSM education? Prior training? Martial arts? Admissions?

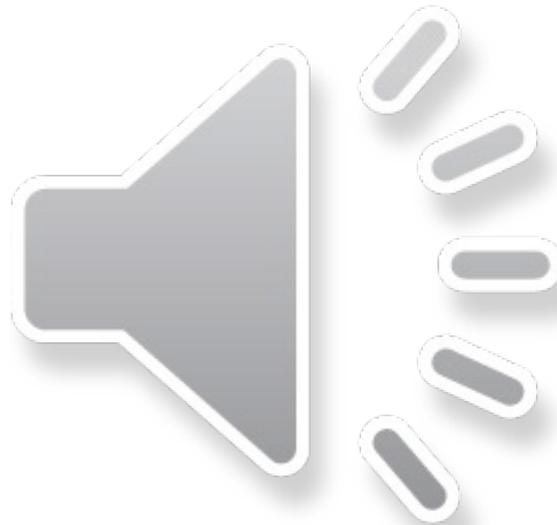
Did they cuddle
afterwards or did she
call 911?

FN testified about NFS, P&C and the impact of trauma & LEO testified about DV Dynamics

- **People v. Bottenfield, 2017 WL 6547077**
- D strangled V 2x, LOC, duct tape over mouth, wrists and ankles. V escaped and called 911. Guilty of 236, 273.5, GBI under PC12022.7, prior strike. Sentenced 14 years.
- **Officer Light** responded, saw injuries around ankles, eyes were red and bloodshot and redness around her neck. He immediately had V transported.
- V reported prior DV and strangulation but not reported. No report of sex play with D to Officer.
- Treating physician ordered CTA, discovered **carotid dissection**. V in ICU and hospitalized for 2 days
- D claimed she consented to be strangled but no evidence introduced.
- V recanted. 1000 jail calls used to impeach V's trial testimony - "I was in the ICU - you did this to me. V visited D in jail frequently and talked to him every day.
- **Forensic Nurse Jayne Cohill** called as expert in NFS & Trauma. She was prevented from testifying about Lethality Risk of 750% but great testimony about NFS, power & control & trauma.
- **Sgt Dennis Prizmitch** from Sacramento County Sheriff's Dept testified as an expert in DV - great job. Jail calls also used to establish cycle of violence/DV dynamics and consciousness of guilt



911 Call



Could this guy be that guy?

Predator? Sadistic offender? Serial Rapist? Potential
murderer?

5. Utilize the power & control wheel

Help you determine who has power & control in the relationship

6. Conduct a risk assessment

High risk victims do not get a choice

7. Encourage medical treatment and/or forensic exam?

Any injuries? Sadistic behavior?

DDA used evidence of petechiae to prove lack of consent

- **Comm. v Best (2015, PA) WL 9435137**
- Def strangled a prison guard to the point of loss of consciousness then raped her.
- D claimed it was consensual sex.
- D testified that the victim “asked him to choke her for her own erotic pleasure”
- Photos of the victim’s red eyes not prejudicial and substantiated the victim’s statement that she was strangled to LOC and then raped her.
- Guilty



8. Conduct a suspect exam

Any injuries? Evidence victim defended herself?

The Suspect Exam

- We do it all the time in sexual assault cases.
- Why?
 - To obtain evidence that could be destroyed
 - Suspect's clothing
 - Offensive/Defensive Injuries
 - Corroboration
 - DNA evidence (hands, body, genitals)
 - Other vital trace and on-trace evidence



Self-Defense: 65% (Harm, 1981)



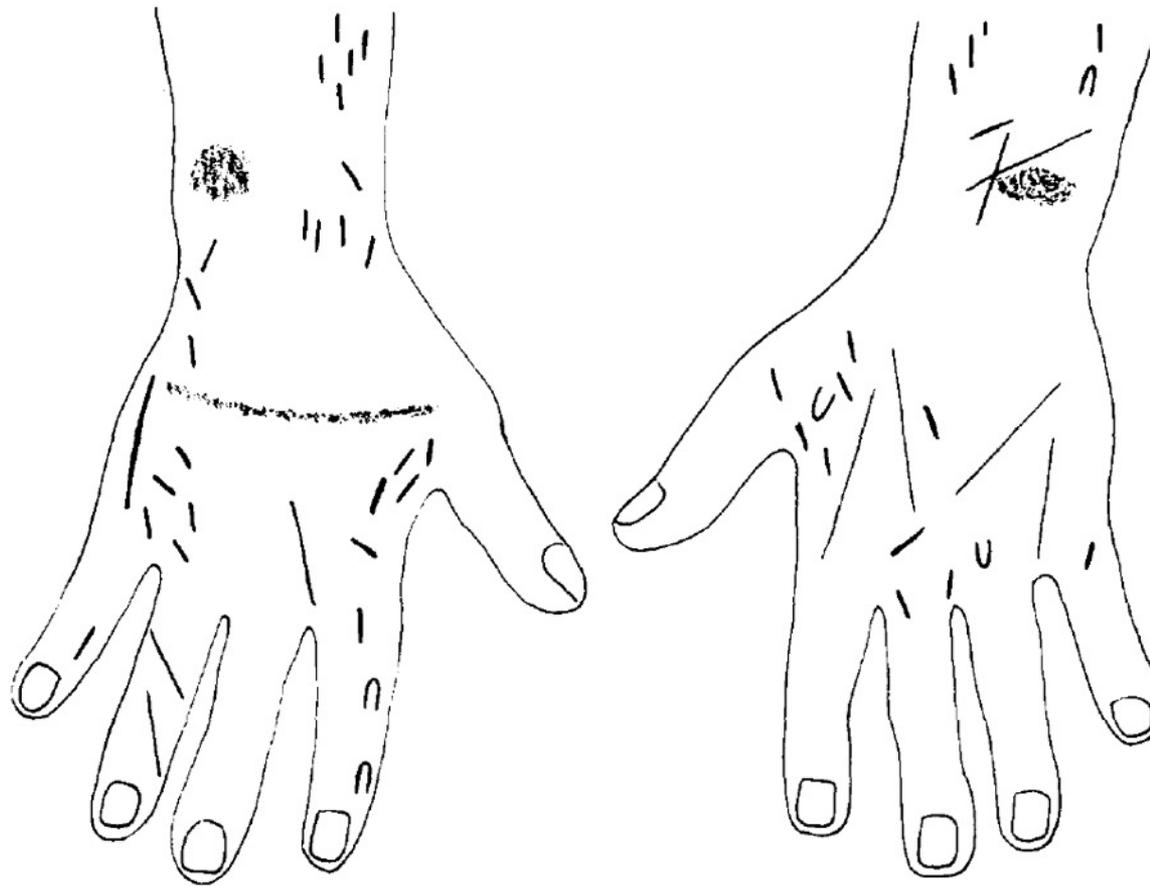


Fig. 11. Schematic presentation of all the injuries on the hands of 13 throttlers found at examination after throttling. For interpretation of signs see Fig. 9.

For that reason, there were many injuries on knees and lower legs. No less than 3 of 13 rapists were bitten on the hand by the victim.

Injuries on Suspects/Stranglers

Rapists

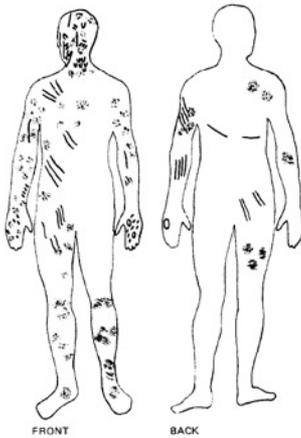


Fig. 10. Schematic presentation of all injuries on 13 injured rapists found at examination after rape. For interpretation of signs see Fig. 9.

TABLE 8

Types of injuries found on body regions of the same number of injured assailants - 13 throttlers and 13 rapists at examination after homicidal throttling or rape

Region of body	Nail marks		Bite marks		Non specific bruises and scratches		Σ^*	
	T**	R	T	R	T	R	T	R
Face and neck	2	5	0	0	1	3	3	7
Trunk and upper arms	3	7	0	0	3	6	4	10
Forearms and hands	10	4	0	3	3	3	11	7
Legs	0	1	0	0	1	4	1	5
S***	11	11	0	3	7	8	13	13

* Σ = Total of throttlers or rapists with injuries of given regions.
 **= Number of 13 throttlers (T) and 13 rapists (R) with given injuries on given regions.
 ***S = Total of throttlers or rapists revealing given injuries.

Non-Rapist

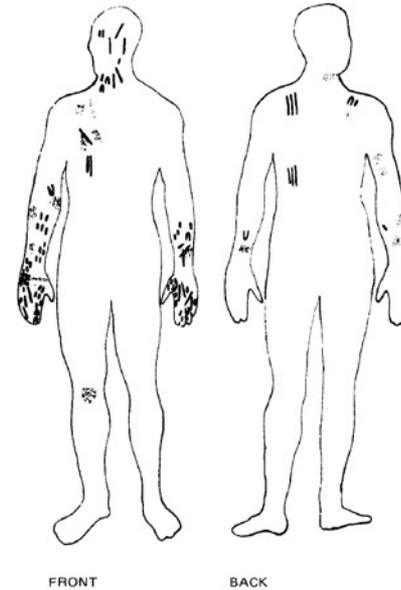


Fig. 9. Schematic presentation of all injuries on 13 injured throttlers found at examination after throttling. Short lines: impressions. U-shaped: claws. Long lines: scratches. Gray areas: non-specific injuries. Circles: bite marks.

9. Prior relationships?

Prior bad acts is admissible to show intent

State v. Jones (2012, Ohio)

135 Ohio St.3d 10

- Evidence of other crimes, wrongs, or acts is not admissible to prove” a defendant's character as to criminal propensity. [Evid.R. 404\(B\)](#). “It may, however, be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.” *Id.* {¶ 186} \
- T.J.'s testimony was admissible to prove lack of mistake or accident. **Jones told police after he was arrested, “[A]ll I'm going to say about this is that it was an accident.”**
- Thus, T.J.'s testimony was material because Jones claimed that he had accidentally killed Yates, and the testimony was therefore properly offered by the state in its case-in-chief to prove absence of accident.



10. Create a timeline of fabrication

When did this defense come up? After arrest? Education by jail mates? Jail calls? After meeting with Defense Attorney?

Create a timeline

- 911 call - no mention of consent
- Police report - no mention of consent
- Detective - no mention of consent
- Advocate - no mention of consent
- Defendant get arraigned, talks to an attorney, victim stops returning phone calls - victim now mentions the consent defense



This defense will come up in non-fatal & fatal cases.

We believe it is time to ban the "rough sex" defense in the US as well. Thank you to the UK for leading the way.

Hidden Homicides: Overcoming the Challenges of STAGED Crime Scenes: Oct. 16-20, 2023



New PSA now available

Help us educate others

Yellow Heart Committee PSA

Thank you, N'Dea Johnson

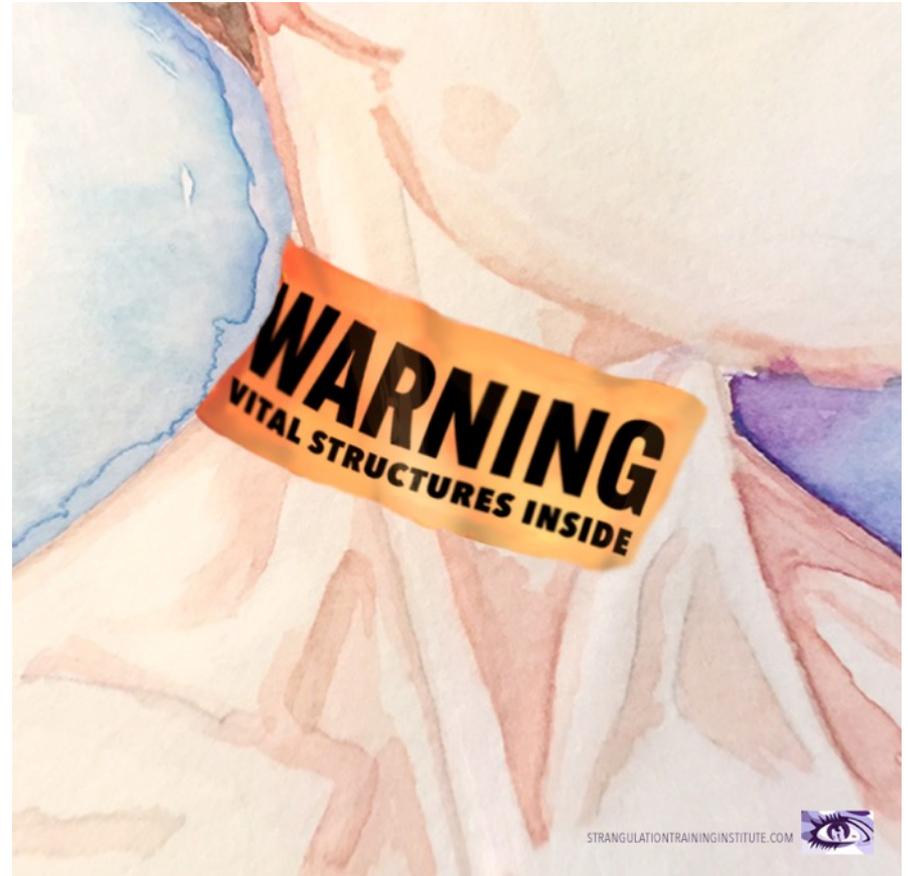
www.yellowheartcommittee.org



Let's educate everyone
around us

The neck needs a warning label.

- If the neck could talk, what would it say?
- Be gentle?
- Handle with care?
- OR
- Hands off?
- Do not touch?
- Not going to risk it.



Questions?

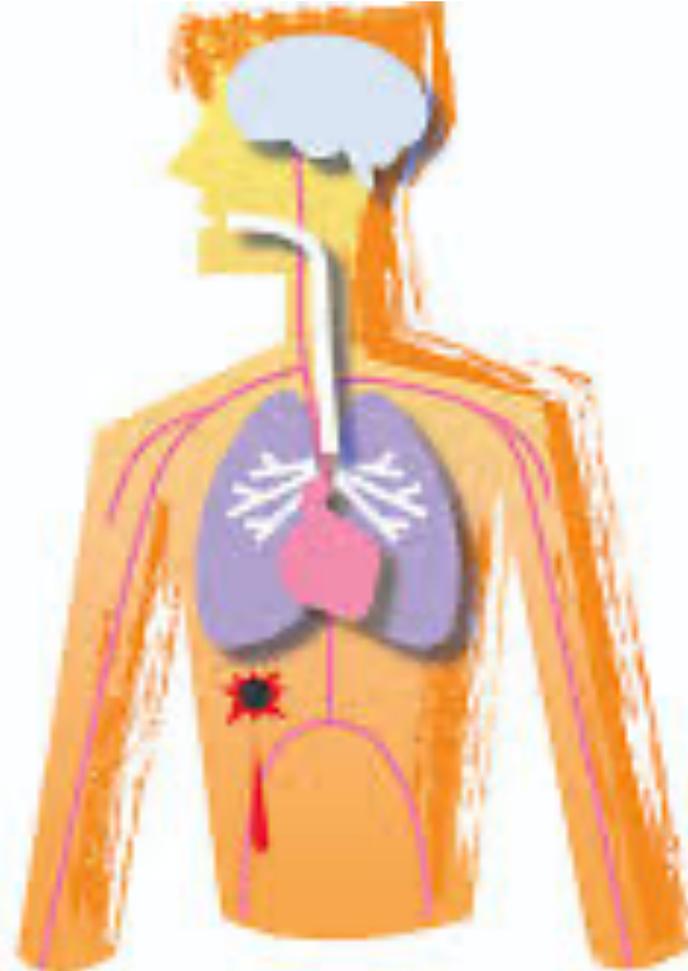
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What's next?

Understanding Gunshot Injuries with Dr. Smock - August 29, 2023



The Masters' Course, Class 3 (for graduates of Advanced Course) August 30-31, 2023



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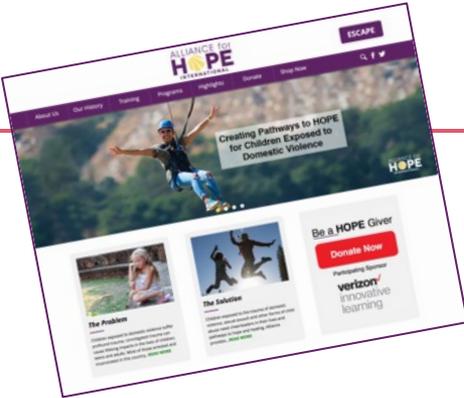
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Thank you, OVW, for
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