



Annual Resource: 2020 In Review

Dear Friends,

Like so many of you over the past year, 2020 represented a time of constant pivoting for the Training Institute on Strangulation Prevention. From the creation of the Institute's Sneak Peek of the Week, to the first ever virtual Advanced Course on Strangulation Prevention, our hearts are filled with gratitude for the opportunity to stay connected to so many of you during a time of great uncertainty. As a small token of our appreciation, the Institute is so excited to share with you a very special collection of resources, articles, webinars, and updates from 2020 that we hope will assist you in your life-saving work.

Over the past year, the [Training Institute on Strangulation Prevention](#) (Institute) stayed focused on our core strategic directions and worked closely with our National Partners and Advisors from the Medical, Legal and Advocacy Committees. The top themes for 2020 included:



- [The VOICES of survivors, what they need from the criminal justice system and how we advocate even more for the strangled victim](#)
- [Bail reform and how it impacts domestic violence and sexual assault victims](#)
- Understanding the rage of stranglers and how to supervise them
- [Understanding the use of the chokehold is a form of deadly force](#)
- Educating ourselves and others about the prevalence of internal injuries and how to quickly screen, assess, diagnose and treat TBI and other internal injuries through domestic violence/strangulation forensic exams and the use of imaging

We received many cases from victims needing legal assistance through our Justice Project, which works on both non-fatal and fatal strangulation cases, unsolved cases and pending cases. The Justice Project is working with Cindy Caswell to seek #JusticeforLibby, her daughter who was tragically murdered. To learn more about this case, please view our recent [press conference](#).

Additionally, we are closely following California case publication. Inspired by [FVAP's appellate program](#) which helps advocate for publication of domestic violence cases (which means that these cases become good legal precedent), we are tracking strangulation cases through the entire state. Almost all strangulation cases are unpublished, which means there is little precedential law for courts to rely on right now. We are also keeping an eye on new and emerging statutory and case law in the US. To view our latest updates in your state, please visit our [Legislation Map](#).



The Institute was proud to host the first ever virtual Master's Course and class #22 of our first virtual Advanced Course in 2020. Today, there are over 2,750 graduates of our four-day Advanced Course, who go on to implement new laws or protocols, start task forces, and so much more. Professionals who attend the Advanced Course become the agents of change in their community. 2020 also marked the launch of our [HOPE Hub Online Learning Platform](#) which includes several courses produced by the Institute, including courses on bail reform and strangulation 101.

We are very excited to embark on what is shaping up to be another FULL year with our growing team who you can learn more about [here](#). As communities begin to safely reopen and vaccinations become more available, we are thrilled to join many of you again for in person trainings. We still plan to offer plenty of webinars and virtual training options including the October Advanced Course which will take place every Friday for five Fridays in a row. We also look forward to hosting another Expert Testimony Course this winter or early Spring at the latest. Please stay tuned to the [Upcoming Trainings](#) page on our website where we will announce course and registration updates.

As we dive into 2021, our hearts are filled with gratitude for the honor and opportunity to work with all of you. Your commitment to serving survivors while pivoting through a period of great challenge inspires us every single day.

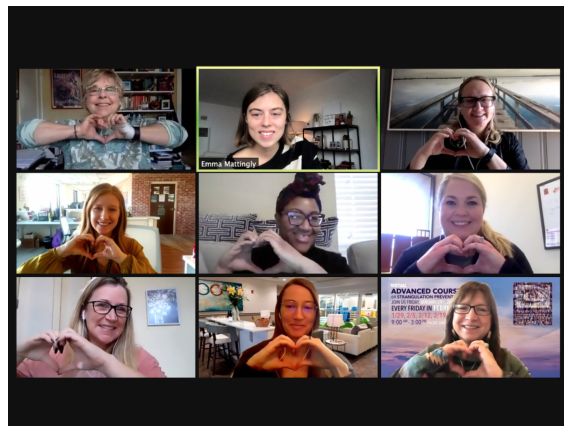
Always with Great HOPE,
Gael Strack and Casey Gwinn



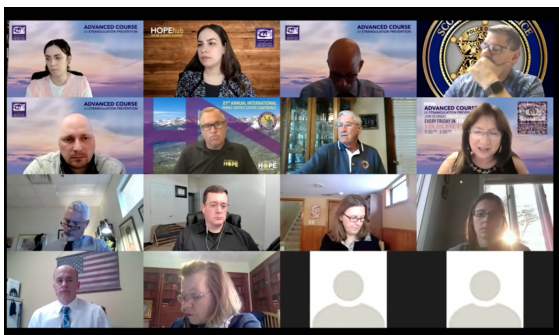
Updates From Our Advisory Committees

Advocacy Advisory Committee

The Advocacy Advisory Committee saw a year of great growth in 2020 thanks to the leadership of co-chairs Michelle Morgan and Joyce Bilyeu, along with the organizational support of Program Assistant Emma Mattingly. The committee recruited a talented group of new members and homed in on their top priorities which include creating two subcommittees to focus on the production of a standardized strangulation safety plan and an advocacy toolkit. The committee also created a new document “**ASK and DO MORE**” to aid advocates in their work with survivors.



Legal/Law Enforcement Advisory Committee



The Legal/LE Advisory Committee, led by co-chairs Jerry Fineman and Lt. Dan Rincon, and organized with the help of Program Assistants Grace Shuman and Fernanda España, saw a very busy year. The Committee grappled with the impacts of COVID-19 in the court

room, making recommendations for remote access and sentencing, monitoring case law and advocating for pending legislation related to the use of the chokehold and domestic violence strangulation exams. Jerry

Fineman developed [5 Myths of Strangulation that Prosecutors Need to Overcome in Court](#). Multiple members of the Legal Committee were involved in updating [California's Manual on the Investigation and Prosecution of Strangulation Cases](#). The Honorable Judge Lee Chitwood of Virginia produced a [new bench card](#) that outlines 12 things every judge needs to know when faced with non-fatal strangulation cases which inspired Florida to produce their own bench card that outlines [15 things every judge needs to know](#). Dan Rincon worked with a new subcommittee to create new specialized strangulation police reporting forms that were peer reviewed by the Medical and Advocacy Committees and we look forward to sharing them with you soon. The Legal/LE Committee also formed two new subcommittee as well. One is focused on mass correlation between cop killers and strangulation; the other subcommittee is busy recruiting civil legal experts.

Medical Advisory Committee

The Medical Advisory Committee, led by Dr. Smock, Dr. Green, Diana Faugno and Barbra Bachmeier, and organized by Program Manager Karly Gersberg worked hard to review new research and articles pertaining to near and non-fatal



Dr. Bill Green
Medical Director
California Clinical Forensic
Medical Training Center



Dr. Ralph Riviello
Professor & Chair
Dept. of Emergency
Medicine, UT Health,
San Antonio, Texas



Dr. Bill Smock
Police Surgeon of LMPD
& Medical Director, The
Institute of Clinical
Forensic Medicine and
Nursing

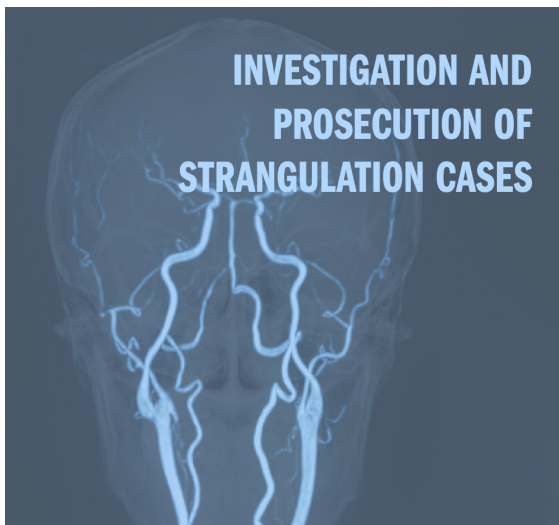


Dr. Mike Weaver
Medical Director, St. Luke's
Hospital's Sexual Assault
Treatment Center, Kansas
City, Missouri

strangulation. For the first time, the Institute was able to provide free credits for physicians for our updated [webinar on Imaging](#). The group is now working on updating the adult, pediatric, and TBI bibliographies, the adult imaging recommendations, and the Dear Doctor Letter. They are publishing a new pediatric imaging guidelines as well. The committee is also working on a new protocol for the DV Strangulation Exam for California.

What's New from 2020?

Top Resources from 2020



CDA Manual



12 Things Every Virginia Judge Should Know When Faced with **NON-FATAL STRANGULATION**

1 VIRGINIA CODE. Under Virginia Code Section **18.2-51.6** any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally, and unlawfully applying pressure to the neck of such person resulting in the wounding or bodily injury of such person is guilty of strangulation. Strangulation is a class six felony, punishable by a term of imprisonment of one to five years.

2 CASE LAW. In *Dawson v. Commonwealth*, **63 Va. App. 429** (2014), the Virginia Court of Appeals held that bodily injury should be given its everyday, ordinary meaning and means "any **bodily hurt whatsoever**"-internal or external. See also *Bicks v. Commonwealth*, **290 Va. 470** (2015). "Victim need not experience any observable wounds, cuts, or breaking of the skin."

3 BAIL. Under Virginia Code Section **19.2-1208.14**, a Judge shall presume, subject to rebuttal, that no condition or combination of conditions will reasonably assure the appearance of the defendant or the safety of the public if the defendant is charged with strangulation - the presumption against bail only applies if the parties are family or household members.

takes **4** pounds of pressure to block the jugular vein, **11** pounds to block the carotid arteries, and **33** pounds to block the trachea.⁴ Opening a can of soda only requires **20** pounds of pressure.⁵

6 IMPACT TO THE BRAIN. Strangulation is a form of asphyxia that usually deprives the victim's brain of oxygen. Millions of brain cells die every second the brain is deprived of oxygen.⁶ The consequences of this include, but are not limited to, loss of memory, inability to concentrate, behavior changes, brain damage, and difficulty speaking.⁷ Judges should not expect the victim to describe this near-death experience calmly and chronologically.

7 LANGUAGE. Many court participants use the word "choke" rather than the correct legal and medical term "strangulation." Strangulation is external compression of the neck that can impede blood flow (oxygen) to or from the brain or direct air compression. Judges should focus on the facts described-not the terminology.⁸

8 LETHALITY. In almost every lethality assessment, strangulation is a high-risk factor for lethality. The most dangerous domestic violence offenders strangle their victims.⁹ The next step may be homicide; the violence will not decrease.¹⁰

Virginia and Florida Bench Cards



Imaging Toolkit

- D** Help **DOCUMENT** the abuse
- O** Take the time to **OBSERVE** the victim for subtle signs and symptoms of strangulation and suffocation
- M** Encourage the victim to seek **MEDICAL ATTENTION**
- O** **OFFER HOPE** by educating victims about their rights, local resources, and the science of Hope
- R** Make sure to conduct a **RISK ASSESSMENT**
- E** **EDUCATE** the victim and others about the seriousness, lethality and long-term consequences of non-fatal strangulation assault

ASK & DO MORE

FIVE MYTHS ABOUT STRANGULATION

Prepared by Gerald Fineman, Assistant District Attorney, Riverside County, and Dr. William Gre

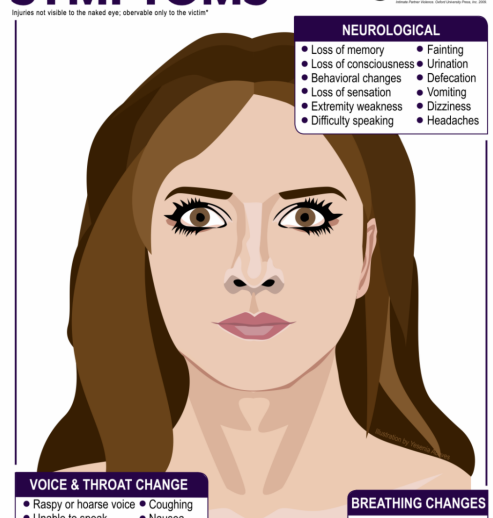
MYTH 1	MYTH 2	MYTH
STRANGULATION AND CHOKING ARE THE SAME THING	STRANGULATION ALWAYS LEAVES VISIBLE INJURIES	IF THE VICTIM CANNOT SPEAK, SCREAM OR BREATHE, THEY ARE NOT BEING STRANGULATED
FACT STRANGULATION is the external application of physical force that impedes either air or blood to or from the brain. CHOKING is an internal obstruction of the airway by a foreign object.	FACT Studies show that over half the victims of strangulation lack visible external injury. A victim without visible external injury can still die from strangulation.	FACT Since strangulation involves obstructing blood flow, a person can have complete obstruction and stop breathing until the moment they die from lack of oxygenated blood flow to the brain.
SOLUTION Use a diagram	SOLUTION Demonstrate cutting off blood flow to your fingertips by	SOLUTION Again, grab your

Five Myths About Strangulation



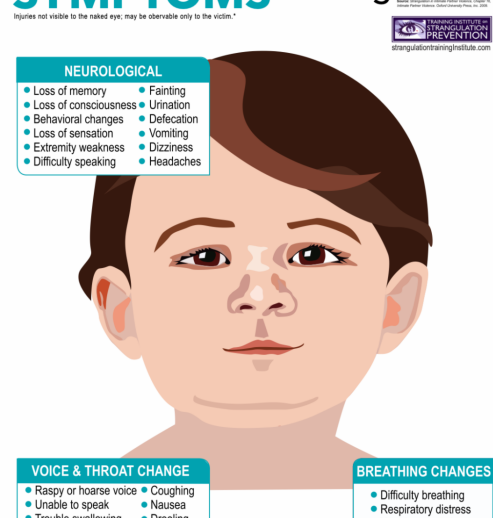
HOPE Hub Online Learning Academy

SYMPTOMS of Strangulation



Esperanza (Signs Only and Symptoms Only of Strangulation)

SYMPTOMS of Strangulation



Baby HOPE (Signs Only and Symptoms Only of Pediatric Strangulation)

Top Webinars from 2020



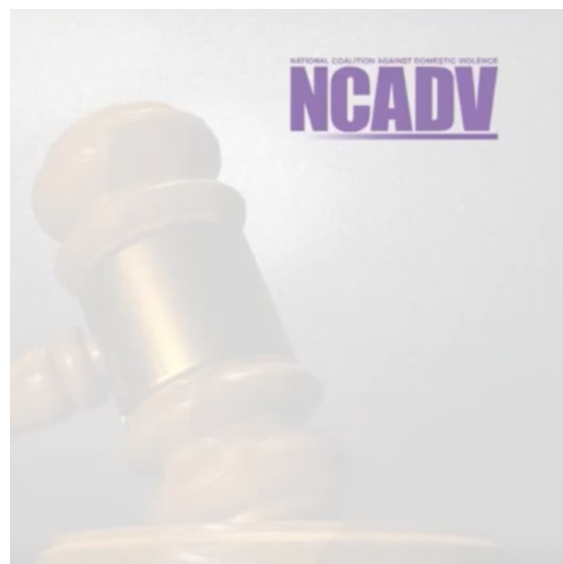
What We Learned in 2020

This Annual webinar from the Training Institute on Strangulation Prevention presented by Gael Strack, JD, Casey Gwinn, JD and Bill Smock, MD discusses the Institute's lessons learned, best practices, new research, and resources available for family violence and sexual assault professionals



What Civil Attorneys Need to Know About Strangulation

In coordination with the American Bar Association, the Institute was honored



What Advocates Need to Know about Strangulation

The Institute joined [NCADV](#) to address how professionals can help survivors

to create this four part webinar. Click here to view parts [1](#), [2](#), [3](#), or [4](#)

understand the seriousness and lethality of non-fatal strangulation



2020 Imaging Recommendations

The Institute hosted our second webinar on [Imaging Recommendations](#) for the patient who has been strangled with leading forensic experts in the field

Advanced Course Reunions

In this two part series, the Institute joined the alumni of the Advanced Courses [1-10](#) and [11-21](#) to discuss the attendees' achievements, challenges, and questions after applying lessons from the course towards work in the field

Top Facebook Live Videos from 2020



- [Five Myths on Strangulation with Jerry Fineman](#)
- [Bail Reform with Casey Gwinn](#)
- [Conversation on Chokeholds with Dr. Smock](#)
- [Consent Defense with Gael Strack and Rachael Frost](#)
- [Justice for Libby Press Conference with Gwinn, Frost, Smock, and Strack](#)
- [VOICES of Survivors with Casey Gwinn](#)
- [Role of EMS with Dr. Worden](#)
- [Reflections on George Floyd with Casey Gwinn](#)
- [Updates and New Resources with Gael Strack](#)
- [A Message on HOPE with Casey Gwinn](#)

New Strangulation Laws from 2019 & 2020

- [Louisiana](#) (strangulation is a violent crime)
- [Maryland](#) (DV Strangulation law)
- [Minnesota](#) (presumption against child custody)
- [Montana](#) (CPS to protect victim)
- [New Jersey](#) (enhanced criminal penalties)
- [Oklahoma](#) (strangulation is a violent crime)
- [Texas](#) (strangulation training for law enforcement)
- [Washington](#) (pending- forensic exams for strangled DV victims)
- [West Virginia](#) (added torso or chest to strangulation statute)

What's On Our Reading List from 2020?

Top Medical Articles

- [Dysphagia After Strangulation](#)
- [Women's stories of non-fatal strangulation: Informing the criminal justice response](#)
- [Strangulation Injuries](#)
- [Domestic Violence Report TBI Edition](#)
- [Blunt cerebrovascular injury: The case for universal screening](#)
- [Domestic and family violence, non-lethal strangulation, and social work intervention in the emergency department](#)
- [New Perspectives on Risk Factors for Non-fatal Strangulation and Post-assault Imaging](#)
- [Accounting for Multiple Nonfatal Strangulation in Intimate Partner Violence Risk Assessment](#)
- [There is more to the mechanism of unconsciousness from vascular neck restraint than simply carotid compression](#)

- [Prosecutorial Response to Nonfatal Strangulation in Domestic Violence Cases](#)
- [Non-fatal strangulation: in physical and sexual assault](#)
- [The Killing of Women in "Sex Games Gone Wrong": An Analysis of Femicides in great Britain 2000-2018](#)
- [Getting Away With Murder? A Review of the "Rough Sex Defense"](#)
- [Suicidal ligature strangulation: a systemic review of the published literature](#)

Gael's Favorite Case Law

- [People v. Roberts](#) (victim died three days after strangulation with coup contra coup injury)
- [State of Connecticut v. Lewis](#) (okay to pat down a strangler for firearms. Reinforces that stranglers are dangerous)
- [State of Louisiana v. McGinnis](#) (great police investigation)
- [State of Ohio v. Conant](#) (brief LOC is serious physical harm)
- [State of Texas v. Dowling](#) (complainant's testimony sufficient and powerful victim statement)
- [State of Utah v. Aires](#) (same sex strangulation case. "It is well settled strangulation constitutes sufficient evidence of force likely to cause death or serious bodily injury")
- [State of Washington v. King](#) (forfeiture by wrongdoing case)
- [State of Washington v. Till](#) ("I can't breathe" means partial obstruction)
- [State of Wisconsin v. Dudas](#) (BDSM is legal but not strangulation)

In the News

- **January:** [The fatal, hateful rise of choking during sex](#)
- **February:** [It takes a village: how domestic violence cases are handled in Mesa County](#)
- **March:** [Spotting the signs of strangulation could save a life. But they're not always obvious](#)
- **April:** [Citing little used law, Harris County DA wins major battle in bail fight](#)
- **May:** [Pandemic shutdowns are leading to more extreme domestic violence. We cannot let it continue](#)
- **June:** [Delaware legislators introduce bill to criminalize police chokeholds](#)
- **July:** [Non-fatal strangulation needs to be a more serious offense](#)
- **August:** [Ban on police choke holds moves forward in California Senate](#)
- **September:** [Domestic violence survivor speaks out after finding out ex-husband could be released from jail](#)
- **October:** [Early numbers suggest domestic violence homicides may be on the rise around the country](#)
- **November:** [It's strangulation, not choking](#)
- **December:** [Aisha's law: law enforcement, survivor urge attention to strangulation in domestic violence bill](#)

Institute Stats from 2020

**125,651
WEBSITE HITS**



**OVER 10,000
PEOPLE TRAINED**



**OVER 125,000
VIEWS ON
FACEBOOK**



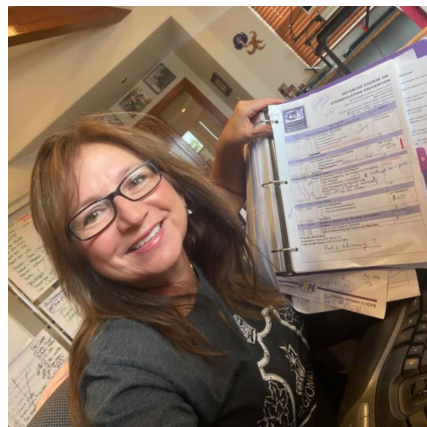
**152 CUSTOM
BROCHURES
CREATED**



Upcoming Trainings

- **April 28, 2021:** Virtual 1 Day Strangulation Prevention (Dixon, IL)
- **May 5 - 7, 2021:** Virtual 3 Day Strangulation Prevention (New Jersey State)
- **May 6, 2021:** Virtual Keynote Speech
- **May 11, 2021:** Virtual 1 Day Strangulation Prevention (Sacramento, CA)
- **May 13, 2021:** Virtual Keynote Speech (Fort Worth, TX)
- **May 25, 2021:** Virtual Keynote Speech (Kansas IAFN)
- **June 1 - 24, 2021:** 4 Day Strangulation Prevention (Minneapolis, MN)
- **June 25, 2021:** Virtual 1 Day Strangulation Prevention (Wilmington, DE)
- **August 10, 2021:** Virtual 1 Day Strangulation Prevention (Plummer, ID)
- **August 27, 2021:** Keynote Speech (Contra Costa, CA)
- **October 1, 8, 15, 22, and 29, 2021:** Virtual 4 Day Strangulation Prevention
- **November 4, 2021:** Virtual 1 Day Strangulation Prevention (Pennsylvania IAFN)

Please visit our [Upcoming Trainings Page](#) for training contact/registration information



Thank you to our Affiliated Partners!



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