A New Look At.....

Domestic Violence

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532 Consulting
And What About Us.....
Societal Beliefs
Strangulation
The Law ..... As it is Changing

Prior to 2009

Misdemeanor

Post 2009

3rd degree Felony

Why the change?
Past Decade

In the past 10 years, over 35 states have increased Strangulation from a Misdemeanor to a Felony
Fatality Risk Factors (Victims)

- Use of Weapons
- Threats to kills/commit suicide
- Attempts to cut off access to oxygen

These risk factors were identified in the late 80s, early 90s.
Fatality Risk Factors (Victims)


- Recent studies have found that in DV Homicides, 50% of victims had been strangled in the past by their murderer.
Risk Factors (Officers / Investigators)

- Two Studies by Municipal Police Departments

Conducted family history survey on offenders in Officer Involved Shootings

Over a 5 year period:
- 100% had a history of family violence
- 80% had a history of choking or strangulation
City of Irving

- We reviewed 100 cases of Strangulation that were filed with Dallas County in 2010-2012.
- Goal was to determine if cases were being successfully prosecuted as filed.
- Should be noted that of the 100 offenders identified in these cases, 42 had prior/subsequent domestic violence or other Felony charges in Dallas County.
Findings
Findings Breakdown
Strangulation Offense Includes:

- Impeding Normal Breathing
- Impeding Circulation of Blood
- Blocking Mouth or Nose
Basic Physiology

- Brain needs oxygen
- Oxygen is delivered by blood
- Oxygen gets into blood by respiration

Information adapted from: California Clinical Forensic Medical Training Center
Methods of Strangulation

Impairment of blood flow, airflow or both

- Compromised blood flow to brain
  - Compression of both carotid arteries

- Compromised airflow to the lungs
  - Suffocation - halts/impedes respiration
  - Smothering - obstructions of airflow into nose & mouth
  - Compressive Asphyxia - external limitation of chest motion

Information adapted from: California Clinical Forensic Medical Training Center
Physical Dangers of Strangulation can lead to following conditions:

- Asphyxia
  - Deprives tissue cells of oxygen
- Hypoxia
  - Loss of oxygen in the blood
  - Can cause seizures
- Tracheal Occlusion or Tracheal Fracture
  - Occlusion can occur with 33pp; fracture must be > 33pp
Physical Dangers of Strangulation can lead to following conditions:

**Laryngeal Injury**

- Occurs in 50% of the cases
- Nerve damage, hoarseness, loss of voice
- 33 fp of pressure can crush a larynx
Physical Dangers of Strangulation can lead to following conditions:

Vascular Occlusions

Carotid artery occlusion

Anterior of neck

11pp for 10 seconds
Physical Dangers of Strangulation can lead to following conditions:

**Vascular Occlusions**

- **Jugular Vein Occlusion**

  *Lateral neck*

  4.4 pp for 10 seconds
Is it possible to strangle someone to death in 4 minutes or less and not leave an external mark?
Police Officers

LVNR
Arm Bar

Injuries?
Difficult to Prosecute

- Initial Victim Response
- Delayed Victim Response
- Victim/Offender relationship
Manipulation.....

I love you, Baby
Manipulation.....

Let’s Talk about Love, Baby!
“Vic stated that SUS grabbed her and put his arm around her neck from behind, and choked her...I saw no visible injuries on VIC, and think she was being untruthful in an attempt to get SUS in trouble.”
VIC statement:
While wrestling over the keys ARR put his arm around her neck and began to squeeze which made it difficult for her to breath.

SUS statement:
When asked what happened ARR was very evasive and all he would tell me is that he and VIC had an argument. I noticed 2 small scratches on ARR arm but when asked how they got there all he would say was that he and VIC were involved in a struggle. I went back to talked with VIC and she stated she believed she did in fact scratch ARR while they were wrestling over her phone and when she was trying to get his arm from around her neck.
Difficult To Prosecute

Even if the reports are written very well, prosecution is difficult...
Def. became angry and covered her mouth with his hands. Def. then proceeded to pinch her nostrils shut with his fingers, making it difficult for her to breathe. She attempted to speak but Def. told her several times to "shut-up." Def. then stepped behind her, placed his right arm around her neck and squeezed her throat with his forearm. This impeded her breathing and caused her to feel pain. After a few seconds she fell to the floor, at which point Def. released his grasp. She then called 911. Def. attempted to choke her once before approximately one month ago.

VIC began to cry while giving her testimony, and appeared to be sincere in making her outcry.
Evidence

Sensory Detail

Purple Cards
Mechanisms

- What happened?
- 1 hand/2 hand/something else
- Did they hold you from the front or back?
- Where did you feel pressure?
- What positions were you both in?
- Could you breathe/talk/scream?
Pressure/Pain Scale

- Scale of 1-10
  - 1 = no pressure/discomfort/pain
  - 5 = moderate pressure/discomfort/pain
- Comparative
  - What did it feel like? Could you scream if you wanted to?
    - “I felt like my head was going to explode”
    - “I felt a rush of blood to my head”
Visual Changes

- What did you see?
- Stars?
- Black & white?
- Anger?
- Madness?
Loss of Consciousness

- Loss of memory?
- Wake up lying down?
- Unexplained bump on head?
- Dizzy?
- Incontinence

- LOC can occur within 10 seconds
- Only takes 11 pounds of pressure
What were you thinking about?

- Disbelief?
  - Shows what stage they are in for facing death...
  - Disbelief > Belief > Primal > Resignation
- Thoughts of Children?
- Thoughts of fighting?
- Thoughts of Death?
Voice Changes

- Occur in 50% of cases
- Does your voice sound different?
- Get video/audio recording
Swallowing Changes

- Sore throat
- Hurts to eat?
- Hurts to drink?
Coughing/Vomiting

- Were you coughing?
- Did you vomit?
- Do you feel nauseous?
- Did you spit up anything?
- Headaches?
- What happened after SUS let go?
Control of Bodily Functions

- Did anything else happen to your body?
- Normalize that sometimes people lose control of bodily functions and ask if they had any incontinence or loss of bowel control?
Injuries

- More than 50% of cases have NO VISIBLE INJURIES AT ALL.
- 35% have visible injuries that cannot be photographed well.
- 15% have visible injuries that can be photographed well.

- How does neck feel?
- Do you have pain anywhere?
Breathing

- Any changes to breathing during the assault?
- Any changes to breathing after the assault?
  - Shortness of breath?
  - Shallow breathing?
Visible Injuries

- **Petechiae**
  - Can occur anywhere above the point of strangulation.
  - Look behind ears
  - Look under eyelids

- **Abrasions**
  - **Redness**
  - **Bruising**

Check the victims face, eyes, nose, ears, mouth, chin, chest, shoulders.
Additional Questions

- How long did they hold your throat?
- Was there shaking?
- Did the choking start and start again?
- What did they say when they were choking you?
  - Nobody can keep you safe, I wish you were dead
- How did it stop?
  - Kids screaming/someone walked in/fought them off
Injuries

- Encourage victim to notify if injuries show up later.
Some Injuries just appear later……

- There is always a need for follow up pictures
Three Days Later...
Medical

- Victim can develop problems leading to airway obstruction for up to 36 hours following strangulation.

- Victim could be eligible for CVC to cover medical expenses...if they remain cooperative in the investigation.
The Other Victims
“Domestic Violence poses a serious threat to children’s emotional, psychological, and physical wellbeing, particularly if the violence is chronic.”
How are they exposed:

- Hear
  - Threats
  - Name calling

- See
  - Beating
  - Belittling
  - The aftermath
Effects: Short Term

- Generalized anxiety
- Sleeplessness
- Nightmares
- Difficulty concentrating
- High activity levels
- Increased aggression
- Increased anxiety about being separated from a parent
- Intense worry about their safety or the safety of a parent
Effects: Long Term

- Physical health problems

- Behavior problems in adolescence (e.g., juvenile delinquency, alcohol, substance abuse)

- Emotional difficulties in adulthood (e.g., depression, anxiety disorders, PTSD)
“Children may learn that it is acceptable to exert control or relieve stress by using violence, or that violence is linked to expressions of intimacy and Affection.”
A New Look

*Keeping Children Safe Without Holding Mothers Responsible for “Failure to Protect” Safe and Together*

David Mandel, M.A., LPC

*Perpetrator Pattern - Based Approach*
A New Look

- Combined With

- Giving full credit to adult domestic violence survivors
A New Look …..

- Cross System Collaboration in Domestic Violence

- Sounds very similar to a

- MDT

Batterers and the Lives of Their Children by David Mandel
www.endingviolence.com Safe and Together Blog