



CHESTER COUNTY DISTRICT ATTORNEY'S OFFICE

TELEPHONE: 610-344-6801  
FAX: 610-344-5905

THOMAS P. HOGAN  
DISTRICT ATTORNEY

201 W. MARKET STREET, SUITE 4450  
POST OFFICE BOX 2748  
WEST CHESTER, PA 19380-0991

October 27, 2016

**PRESS RELEASE**

**Representative Corbin's Strangulation  
Bill Becomes Law**

Pennsylvania State Representative Becky Corbin and Chester County District Attorney Tom Hogan announced that Representative Corbin's strangulation bill has been enacted into Pennsylvania law. The bill makes strangulation a free-standing criminal offense in Pennsylvania. Strangulation is often a problem in domestic violence cases.

Representative Corbin stated, "Medical experts and police describe strangulation as an especially cruel form of assault. Victims can slip in and out of consciousness, experiencing fear and terror each time they regain consciousness until the attacker relents. It is a crime most often carried out by someone who knows the victim intimately. Pennsylvania has now joined 35 other states in recognizing strangulation as the violent crime it truly is."

District Attorney Hogan stated, "Representative Corbin's bill gives prosecutors and police another tool to fight domestic violence. Choking a victim is a red flag for extreme violence. However, such cases historically were difficult to prosecute because the conduct often does not leave visible injuries, despite both the life-threatening result and the psychological harm inflicted on the victim. This legislation closes that loop-hole."

The bill makes it a crime to apply pressure to the throat or neck of a victim, or to otherwise block the nose and mouth of the victim. The offense is a felony if: (1) the victim is a family or household member; (2) the defendant is subject to a protection from abuse order related to the victim; (3) the defendant has a previous strangulation conviction; or (4) multiple other factors. If none of the aggravating factors apply, the offense is a misdemeanor.

The legislation's history began with Deputy District Attorney Michelle Frei, who leads domestic violence prosecutions in Chester County, and the Domestic Violence Center of Chester County (the "DVCCC"). Deputy District Attorney Frei saw a repeated problem with proving strangulation cases across Pennsylvania. She also observed that the act of choking often preceded more extreme violence down the road in abusive relationship.

In 2012, following a particularly disturbing domestic violence homicide in Chester County (Commonwealth v. James Hvizda), the DVCCC and the District Attorney's Office began to implement the Lethality Assessment Program ("LAP"). LAP is a tool used in domestic violence situation to gauge the level of danger to the victims. Using a series of simple questions, LAP allows both the police and potential victims to predict current risks and future violence. DVCCC has been responsible for training law enforcement in the use of LAP. In Chester County, 42 out of 47 police departments have implemented LAP, the highest percentage of any county in Pennsylvania.

One of the specific red flags raised by LAP is prior choking or strangulation of the victim by the defendant. Simply put, if the defendant has been choking the victim, the defendant is moving along a path to extreme violence, including a potential murder.

Ms. Frei then began to research strangulation legislation. She found that over 30 other states already had passed strangulation legislation. She then drafted a proposed strangulation statute for Pennsylvania.

Knowing that Representative Corbin is a strong proponent for crime victims, District Attorney Hogan took the proposed legislation to Representative Corbin. She studied the history of the issue and agreed to sponsor the legislation.

Representative Corbin then did all of the heavy political lifting necessary to push the strangulation legislation through to become a new law. She signed up other Chester County legislators as co-sponsors, including Representatives Harry

Lewis, Tim Hennessey, Dan Truitt, Duane Milne, Chris Ross, and Steve Barrar. She worked closely with House and Senate leadership. She coordinated with the Pennsylvania District Attorneys Association and domestic violence victims' advocacy groups.

The strangulation bill eventually garnered bipartisan support. The Pennsylvania House approved the bill by a vote of 184 - 3. The Pennsylvania Senate voted 50 - 0 in favor of the bill. Governor Wolf signed the bill into law on October 26, 2016.

Deputy District Attorney Frei commented, "In Chester County, we do everything we can to protect victims of domestic violence. Our police already do an outstanding job in this area. Representative Corbin's bill adds another level of protection for these victims."

Dolly Wideman-Scott, executive director of DVCC, noted, "Domestic violence victims come to us damaged both physically and emotionally. Over and over again, we see choking as part of this horrible pattern of abuse. On behalf of all these victims, we thank Representative Corbin for caring and taking steps to help."

Representative Corbin added, "At the end of the day, this legislation is about saving lives. If this bill protects a single victim from being hurt or killed, it will have been worth all of the effort. Because of the amount of domestic violence across Pennsylvania, we expect that this legislation will help protect many, many potential victims."

\* \* \* \* \*

Approved for release:

Thomas P. Hogan