

# ALASKA STATE LEGISLATURE

## News From The House Majority

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## **Hawker Legislation Insures Appropriate Prosecution for Strangulation Assaults**

(JUNEAU) – Legislation that would allow felony prosecution for every assault involving strangulation or suffocation passed the Alaska House of Representatives unanimously today. HB 219, sponsored by Representative Mike Hawker (R-Anchorage), closes a loophole in our current criminal statutes that has allowed violent criminals to escape appropriate felony prosecution for life-threatening assaults.

Strangulation can cause life-threatening injuries without obvious external marks that can be photographed and presented to a jury as evidence of “serious physical injury,” which is required by current statute for felony prosecution. Without visible injuries, many cases are inappropriately tried as misdemeanors even though the victim was minutes from death. During strangulation or suffocation, unconsciousness can occur within ten seconds, followed closely by irreversible brain damage and death within five minutes.

Representative Hawker said of the bill, “HB 219 closes a dangerous loophole in our criminal statutes that has allowed violent predators to escape felony prosecution. This bill is part of my commitment to making our communities safer by doing everything possible to combat rape and domestic violence.” Hawker continued, “I am particularly grateful to my constituent, Tara Henry, for helping me to understand the need for this important legislation and providing the critical analysis and professional testimony that carried this bill to a successful vote today,” said Hawker.

Tara Henry, Forensic Nurse Specialist, explained the need for the bill. “Strangulation is a very serious, sometimes fatal physical force that perpetrators of domestic violence and sexual assault commonly use to control their victims,” said Henry. “Strangulation is a life threatening assault and I am very pleased that our state is recognizing this assault for the level of lethality that it is.”

House Bill 219, which is supported by the Office of Victims’ Rights, Forensic Nurses’ Association of Alaska, Public Safety Employees’ Association, Anchorage Police Department, Department of Law and domestic violence organizations, will now go to the Senate for consideration.

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