

Governor Phil Murphy

Governor Murphy Signs Legislation Elevating Strangulation Assault to a Second Degree Crime

07/13/2021

TRENTON – Governor Phil Murphy yesterday signed legislation (S2503) which elevates strangulation assault to a crime of the second degree, punishable by up to ten years imprisonment, a fine of up to \$150,000, or both.

“The murder of Yasemin Uyar by a repeat domestic abuser was horrific and appalling,” **said Governor Murphy**. “Research has shown that strangulation is often one of the strongest red flags for predicting future homicides of victims of domestic violence. This legislation recognizes the seriousness of strangulation assault and gives us the tools necessary to hold people accountable for their actions.”

Primary sponsors of S2503 include Senators M. Teresa Ruiz, Joseph Cryan, and Sandra Cunningham, and Assemblymembers Yvonne Lopez, Shanique Speight, and Aura Dunn.

“Almost half of all domestic violence homicide victims had previously been strangled by their partners, which unfortunately appears to be the case in the death of Yasemin Uyar. The action is a dangerous signal of escalating violence which leads, oftentimes, to death,” **said Senator M. Teresa Ruiz**. “Yet, prior to this law being enacted, many individuals charged with assault by strangulation were released back into society, putting their partners at risk. We have a responsibility to survivors to take these statistics seriously, to read these warning signs and to implement measures to protect them - that is why this legislation is so important and why I am so grateful to see it signed into law.”

“Strangulation is a brutal assault that is terrifying to its victims,” **said Senator Joe Cryan, who previously served as Union County Sheriff**. “These attacks often start as acts of domestic violence, but they can escalate into repeated assaults that become more brutal if they are not stopped. Law enforcement and the courts should have the ability to protect survivors from repeated attacks and prevent them from becoming tragically fatal.”

“An individual strangling their partner is a terrifying indicator of escalating violence, which oftentimes can be fatal,” **said Senator Sandra Cunningham**. “When survivors of domestic violence come forward and retell what was likely the scariest moment of their life, this law will ensure we take those incidents seriously and do all that we can to protect them while their abusers await trial.”

“Over the years, we’ve learned the strong correlation between strangulation and domestic violence deaths. Victims of attempted strangulation are seven (https://www.nj.gov/dcf/news/reportsnewsletters/taskforce/Fatality-by-Strangulation-Report_2019.pdf) times more likely to become homicide victims when compared to victims without a strangulation history. Its use instills fear and intimidates victims,” **said Assemblymembers Yvonne Lopez and Shanique Speight in a joint statement**. “The harm caused by strangulation is not just physical; it is emotionally and mentally damaging to a victim. Strangulation occurring during acts of domestic violence is an indicator that something worse can happen. This new law helps to ensure the penalty fits this unspeakable act of terror.”

“Domestic violence has been described as the shadow pandemic. Offenders have even more power and control since their victims are working from home and socially isolating,” **said Assemblywoman Aura Dunn**. “This law will tip the scales and put power in the hands of the justice system to more effectively punish abusers who use strangulation to harm their partners.”

Under prior law, strangulation was graded as a crime of the third degree, punishable by up to five years imprisonment, a fine of up to \$15,000, or both. S2503 elevates strangulation, committed in the domestic violence context against a victim of domestic violence, to a crime of the second degree, punishable by up to 10 years imprisonment, a fine of up to \$150,000, or both.

The New Jersey Coalition to End Domestic Violence is grateful to Governor Murphy for signing A4588/S2503 into law," **said Nicole Morella, Director of Policy and Education at the New Jersey Coalition to End Domestic Violence.** "Strangulation is a highly personal and powerful form of control used by a domestic violence offender to silence their victim. A victim of domestic violence who survives a strangulation is seven times more likely to be killed by their abuser when compared to survivors who have not been strangled by their abusive partner. This legislation is a critical step toward holding dangerous offenders accountable, and to reduce the risk of fatal and near-fatal domestic violence against survivors."

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[Home \(/governor/\)](/governor/)

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[\(/governor/admin/affordablehealthcare/index.shtml\)](/governor/admin/affordablehealthcare/index.shtml)

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[Transportation \(/governor/initiatives/#Transportation\)](/governor/initiatives/#Transportation)

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[Administrative Orders \(/governor/news/ao/approved/ao_archive.shtml\)](/governor/news/ao/approved/ao_archive.shtml)

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Office of Governor PO Box 001
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609-292-6000

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