

2023 New Orleans Domestic Violence Incidents: Strangulation



Introduction

Nonfatal strangulation is one of the most lethal forms of domestic and sexual violence experienced by those who are victimized in their intimate relationships. Despite increased training and resources dedicated to preventing and addressing strangulation, the New Orleans Health Department's (NOHD) DV/SA Program found that in Orleans Parish, refusal and dismissal rates of strangulation-related crimes remain high while conviction rates remain low.

In 2023, 323 individuals were charged with a strangulation-related crime. Only 26 individuals (8%), however, were ultimately convicted of one or more strangulation-related crimes within our review time frame. In addition to low conviction rates, data shows a majority of these convictions result in sentences of three years or less. Of those who were found guilty of strangulation, 73% received partially or fully suspended sentences.

The Orleans Parish District Attorney's Office (OPDA) attributes the high rate of refused and dismissed charges to a lack of victim participation. However, when the legal system fails to consistently and successfully prosecute one of the most lethal forms of domestic violence, it erodes victim trust. Furthermore, the high likelihood that convicted defendants will receive short, suspended sentences creates a powerful disincentive for victims to participate in the process. By engaging with a system that often yields minimal consequences for abusive partners, victims face increased personal risk and a significant emotional burden.

This report compares 2022 and 2023 arrest, prosecution, and sentencing outcomes, and provides recommendations for improved system responses.

Background

Women who experience nonfatal strangulation by their partner are seven and a half times more likely to be murdered by that same partner. Those who are strangled may experience significant, long-term consequences including traumatic brain injury, psychological injury, and delayed death.¹

These consequences and the lethality of strangulation are reflected in Orleans Parish's domestic violence-related homicides. NOHD's review of 2021 fatalities demonstrated that 28% of suspects had previously strangled one or more partner. All previous strangulation charges against these individuals were either refused or dismissed before the fatal incident occurred.² This data shows a clear and dangerous pattern in Orleans Parish, where a history of strangulation is a key indicator for future domestic violence-related homicides.

¹ Training Institute on Strangulation Prevention. 2019. "Media Guide: Understanding the Realities of Strangulation."

² New Orleans Health Department. 2024. New Orleans Domestic Abuse Fatality Review 2021 Report.

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Methods and Limitations

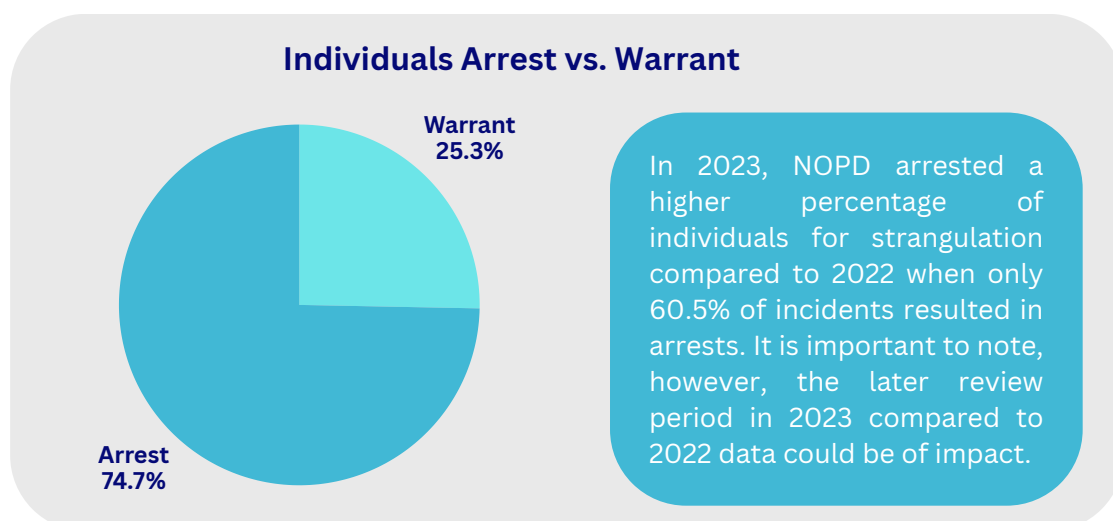
To conduct this review, NOHD identified all 2023 cases with strangulation-related charges from the New Orleans Police Department's (NOPD) 2023 Domestic Violence Incident Data. The charges reviewed included Domestic Abuse Battery involving Strangulation (L.S. 14.35.3(L)) and Battery of a Dating Partner involving Strangulation (14.34.9(B)5). NOHD then compared this information to the Orleans Parish Sheriff's Office "Docket Master" to determine the status and outcome of each case.

All data was coded using information gleaned during the October-November 2024 analysis period, meaning some subsequent case updates may not have been captured in this dataset. Moreover, cases with unknown personal information that could not be located in Docket Master may have since been updated. Finally, due to manual data entry, clerical errors could have occurred during the analysis.

The source of 2022 data cited in this report is the 2022 New Orleans Domestic Violence Incidents: Strangulation Report published by NOHD in 2023.³

Findings: Arrest Rate

In 2023, NOPD arrested 75% of individuals charged with one or more strangulation-related crime. As of November 2024, the remaining 25% of individuals charged the previous year were still wanted, indicating that one in four of these suspects may never face any form of accountability from the legal system.



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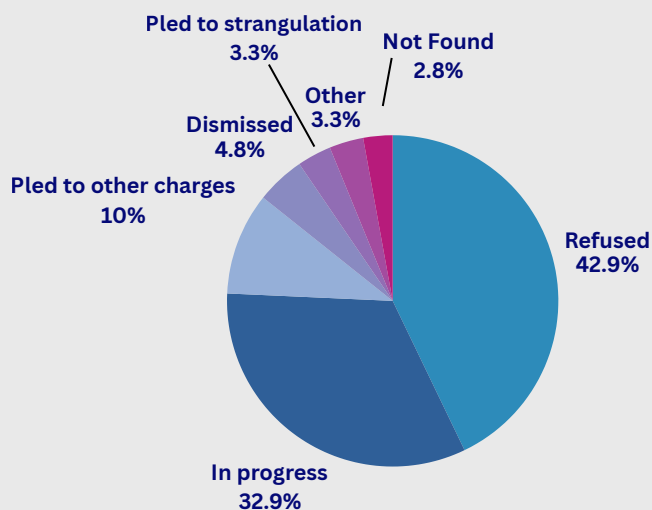


Findings: Prosecution Outcomes

While recent data indicates positive trends in the handling of strangulation, the absolute rate of convictions remains very low. In 2023, 10.4% of defendants who were arrested pled guilty to strangulation while in 2022, only 3.3% pled guilty to the same charge. After adjusting data to account for strangulation charges that did not result in arrest, the overall conviction rate in 2023 dropped to only 8%.

Additionally, the rate of refused or dismissed charges decreased from 47.7% in 2022 to 41% in 2023. It is important to note that while this data shows improvement, the status quo in Orleans Parish remains that four out of every ten people arrested for strangulation will not be prosecuted for their crimes.

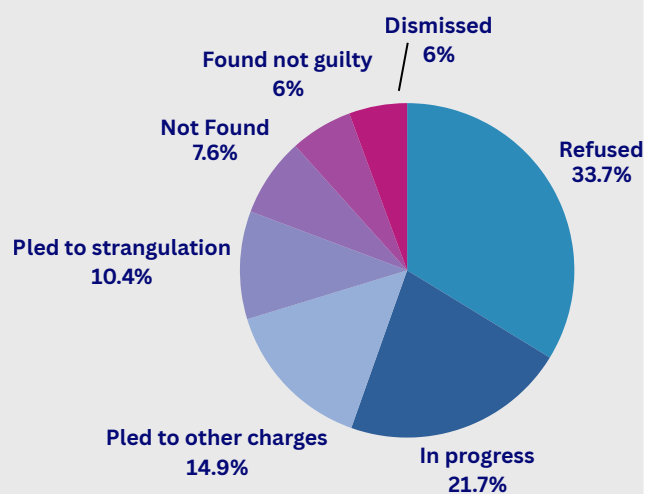
**2022 Arrest Outcomes
(n=210)**



2022 Outcomes

- Nearly 1/2 of charges were refused or dismissed.
- Almost 1/3 of cases were still progressing through legal system at the time of review, highlighting how long it often takes cases to arrive at a final outcome.
- Less than 15% of individuals pled guilty to any charge.

**2023 Arrest Outcomes
(n=249)**



2023 Outcomes:

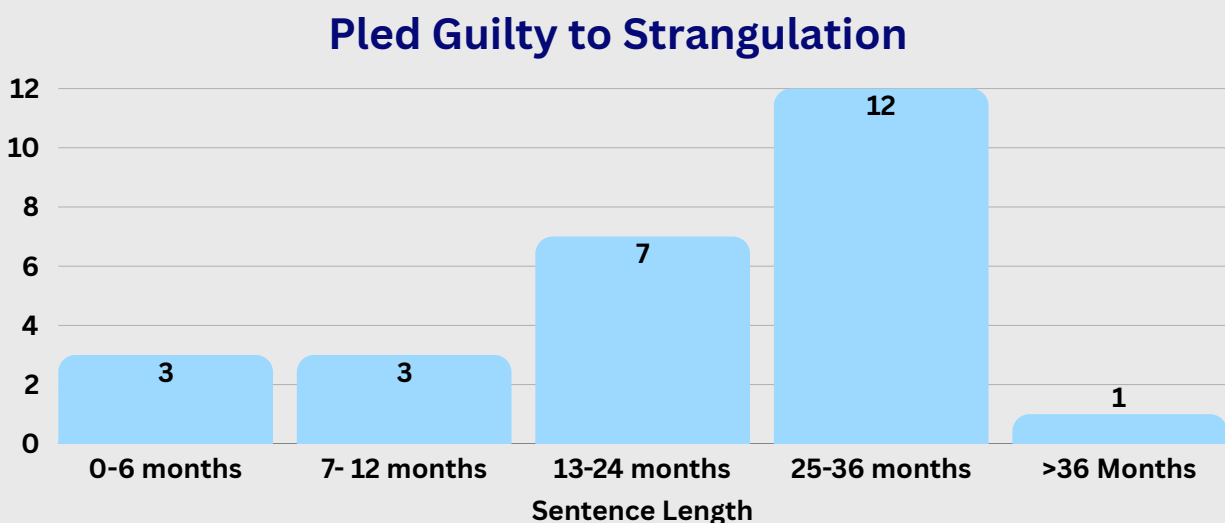
- 40% of charges were refused or dismissed.
- 25% of individuals pled guilty to one or more charge.
- 6% were found not guilty of one or more charge by a judge or jury.
- 7.6% of cases could not be found due to insufficient information.

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Findings: Sentencing Outcomes for Strangulation

26 individuals pled guilty to at least one count of a strangulation-related charge. The most common sentence length was three years, with the longest sentence imposed being five years. The shortest sentences were three months. 73% of these sentences were partially or fully suspended.



Additional sentencing terms included:

- 6 individuals were prohibited from possessing or purchasing a firearm (23.1%).
- 11 individuals were issued a stay away order (42.3%).
- 2 individuals were ordered to complete DV Classes (7.7%).
- 6 individuals were ordered to attend Domestic Violence Monitoring Court (23%).
- Additional conditions of sentencing included fines (23.1%) and miscellaneous intervention programs (15.4%).

In terms of probation sentencing:

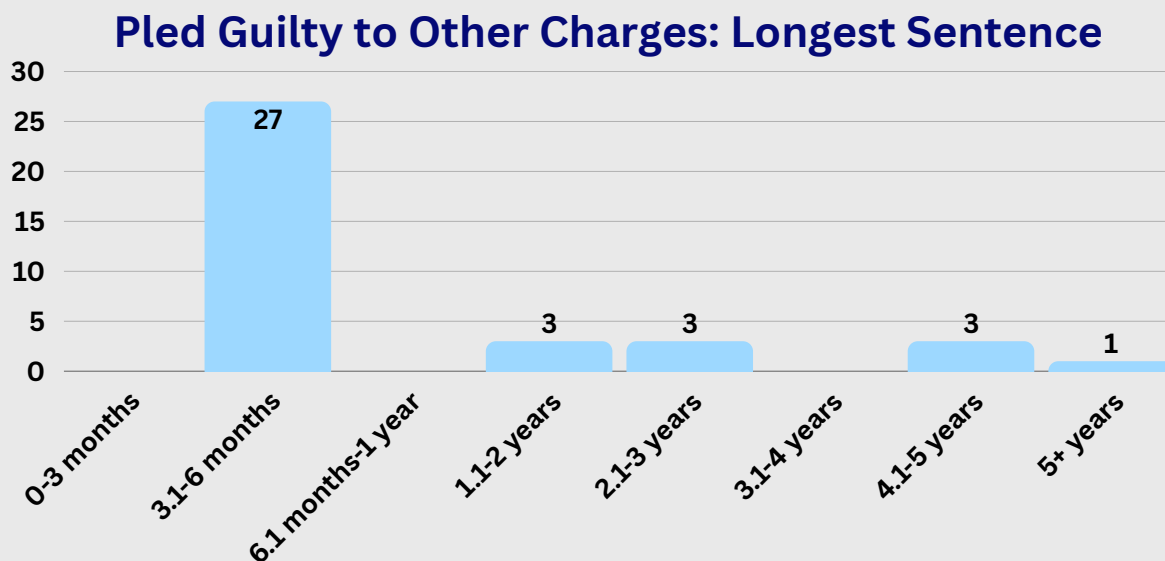
- 16 individuals were given probation (60%).
 - 15 individuals were given active probation (94%) and 1 individual was given inactive probation (6%).
- Probation length varied from 3 months to 5 years with 62.5% of people being sentenced to probation between 2-3 years.

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Findings: Sentencing Outcomes for Other Charges

37 individuals were arrested for a strangulation-related crime, but pled guilty to one or more DV- related crime other than strangulation. The following highlights the longest sentence given to each individual, with the longest sentence imposed being 10 years. It should be noted 65% of these individuals' sentences were partially or fully suspended.



Additional sentencing terms included:

- 30 individuals were prohibited from possessing or purchasing a firearm (81.1%).
- 15 individuals were issued a stay away order (40.5%).
- 9 individuals were ordered to complete DV courses (24.3%).
- 13 individuals were ordered to attend Domestic Violence Monitoring Court (35.1%).
- Additional conditions of sentencing included fines (21.6%) and drug testing or Drug Court (13.5%).

In terms of probation sentencing:

- 24 individuals were sentenced to probation (65%).
- 4 individuals were given active probation (16.6%) and 20 individuals were given inactive probation (83.3%).
- Probation Length ranged from 3 months to 3 years, with 79.2% of people being sentenced to 0-1 year of probation.

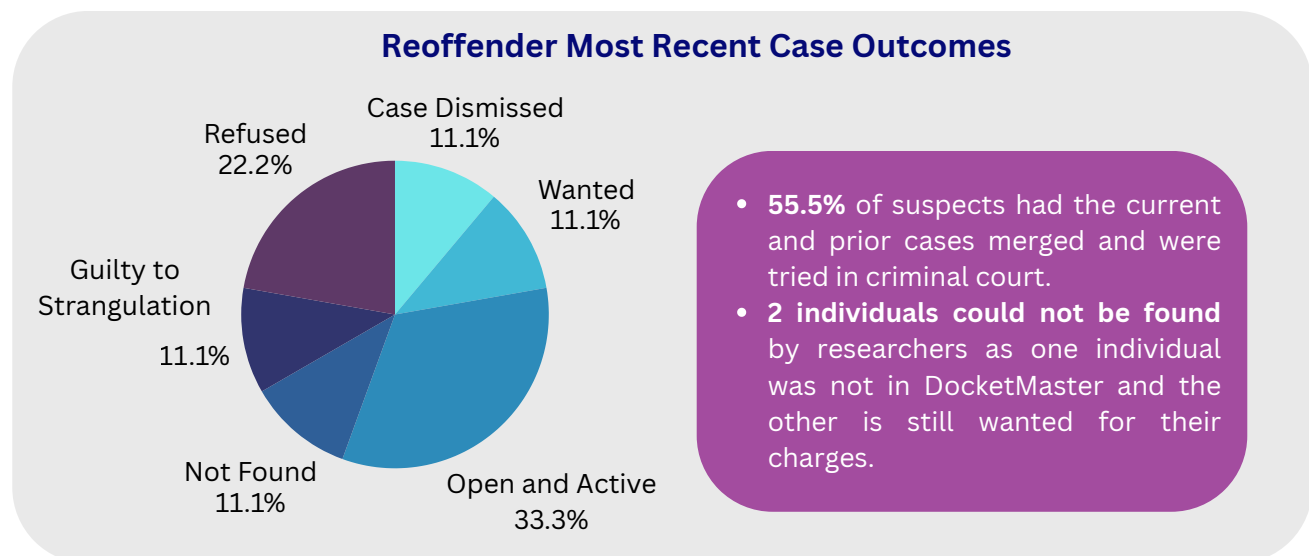
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Findings: Recidivism Rates

Review of recidivism data reveals a startling trend. Of the 323 suspects studied, there were nine suspects who reoffended in 2023 with a new strangulation charge (3.8%). Eight suspects reoffended once and one suspect reoffended twice, in the same calendar year.

66.6% of reoffenders had their original charge(s) refused or dismissed. **33.3%** of reoffenders had their new charges **also** either refused or dismissed.



Impact: Dismissed and Refused Charges

Not only does the pattern of dismissed and refused charges embolden offenders and erode victims' trust, it also contributes a cycle of arrests that result in no further action by the criminal legal system in 41% of incidents.

This cycle is particularly concerning when considering the unique risk factors for law enforcement associated with responding to strangulation-related crimes. Nationally, 14% of officers killed in the line of duty are killed in domestic violence or domestic disturbance incidents. When researchers drill down on strangulation-crimes, however, data reveals an even greater risk. Amongst suspects who have killed a police officer, 30% had a prior history of nonfatal strangulation against a partner.⁴ Local and national data clearly demonstrates the lethality and risk associated with strangulation for victims, law enforcement, and the community at large, and speaks to the need for robust criminal legal practices when responding to this crime.

⁴ Gwinn, Casey, J.D. 2014. *Men Who Strangle Women Also Kill Cops. Domestic Violence Report*. 19(6): 85.

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Impacts: Sentencing Outcomes

This review finds that sentencing for strangulation-related crimes followed a common structure. All defendants were sentenced to some length of incarceration but for most, it was partially or fully suspended. In lieu of serving time, defendants were sentenced to active probation for the length of their suspended sentence. This sentencing structure empowers the court to execute the suspended sentence if the defendant violates the terms of their probation.

This sentencing structure also relies both on the ability of the court to monitor defendants' compliance with the terms of their probation, and on the quality of third-party programs, like Batterer Intervention Programs, to execute those terms with fidelity. Currently in Louisiana, there are no legislated standards of care or monitoring mechanisms for rehabilitative programs focused on offenders of domestic violence. Additionally, the demand for services far exceeds the capacity of providers in the state, leading to long wait times and condensed treatment plans.

Conclusion

When a victim reports strangulation, there can be a long process between their call for help and holding an offender legally accountable. Progress through the criminal legal process depends on each step being completed successfully before the next one can occur. First, offenders must be arrested for strangulation crimes. In Orleans Parish, this occurs about 75% of the time, while warrants are issued for remaining offenders. Once arrested, charges are accepted and pursued in only 59% of arrests. Of the accepted charges, only 10% will result in a conviction for strangulation and of that small number, 73% of defendants will have their sentences fully or partially suspended.

A comparison of 2022 and 2023 data demonstrates improvement in both arrest and prosecution rates of strangulation-related charges. It also demonstrates that the overwhelming majority of alleged strangulation offenders in Orleans Parish go unpunished, as 92% of strangulation crimes go unconvicted. For those who are convicted, only a small fraction of offenders will serve their full sentences. NOHD's DV/SA Program is committed to working with our criminal legal and community-based partners to continue to monitor strangulation case outcomes and to enhance prevention, responses, and interventions to improve safety for victims and hold offenders accountable.

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Glossary

Refused

Charges are refused when the District Attorney's Office declines to prosecute after an arrest is made. Cases were categorized as refused if the District Attorney's office refused the Strangulation charge (L.S. 14.35.3(L) or 14.34.9(B)5) in Magistrate or Criminal District Court.

In progress

Cases were categorized as in progress if the criminal case is active and ongoing with no decision or sentence rendered by a judge or jury.

Dismissed

Cases are dismissed when a legal case officially ends without reaching a verdict or imposing a judgment. Cases were categorized as dismissed if the strangulation charge (L.S. 14.35.3(L) or 14.34.9(B)5) was Nolle Prosequi by the District Attorney's Office.

Pled to other charges

Cases were categorized as pled to other charges if the strangulation charge (L.S. 14.35.3(L) or 14.34.9(B)5) was accepted by the District Attorney in Magistrate Court but was either dropped or amended at sentencing in Criminal Court proceedings.

Pled to strangulation

Cases were categorized as pled to strangulation if the strangulation charge (L.S. 14.35.3(L) or 14.34.9(B)5) was accepted by the District Attorney in Magistrate Court and the defendant pled or was found guilty of the charge in Criminal Court proceedings.

Found not guilty

Cases were categorized as found not guilty if the strangulation charge (L.S. 14.35.3(L) or 14.34.9(B)5) or other amended charge were accepted and the suspect was found not guilty by jury or judge.

Not Found

Cases were categorized as not found if there was insufficient information found by researchers to locate the records.