WEST VIRGINIA CODE: §61-2-9D

§61-2-9d. Strangulation; suffocation and asphyxiation; definitions; penalties.

- (a) As used in this section:
- "Bodily injury" means substantial physical pain, illness or any impairment of physical condition:
- "Strangle" means knowingly and willfully restricting another person's air intake or blood flow by the application of pressure on the neck or throat;
- "Suffocate" means knowingly and willfully restricting the normal breathing or circulation of blood by blocking the nose or mouth of another; and
- "Asphyxiate" means knowingly and willfully restricting the normal breathing or circulation of blood by the application of pressure on the chest or torso.
- (b) Any person who strangles, suffocates or asphyxiates another without that person's consent and thereby causes the other person bodily injury or loss of consciousness is guilty of a felony and, upon conviction thereof, shall be fined not more than \$2,500 or imprisoned in a state correctional facility not less than one year or more than five years, or both fined and imprisoned.