

SB 5919 - S AMD TO S AMD (S-4538.1/22) 1063  
By Senator Padden

NOT ADOPTED 02/09/2022

1 On page 4, after line 27, insert the following:

2 "Sec. 4. RCW 10.116.020 and 2021 c 320 s 2 are each amended to  
3 read as follows:

4 (1) A peace officer may not use a chokehold (~~(or neck restraint)~~)  
5 on another person in the course of his or her duties as a peace  
6 officer.

7 (2) Any policies pertaining to the use of force adopted by law  
8 enforcement agencies must be consistent with this section.

9 (3) For the purposes of this section(~~(~~

10 ~~(a) "Chokehold"~~), "chokehold" means the intentional application  
11 of direct pressure to a person's trachea or windpipe for the purpose  
12 of restricting another person's airway.

13 ~~((b) "Neck restraint" refers to any vascular neck restraint or  
14 similar restraint, hold, or other tactic in which pressure is applied  
15 to the neck for the purpose of constricting blood flow.))"~~

16 On page 5, at the beginning of line 2, strike "and 10.120.020"  
17 and insert ", 10.120.020, and 10.116.020"

EFFECT: Restores law enforcement authority to use neck restraints when using physical force if use of a neck restraint is proportional to the amount of physical force necessary to overcome resistance under the circumstances and effect a lawful purpose.

--- END ---