

SB 5919 - S AMD TO AMS (DHIN MCKI 040) **1058**

By Senator Padden

PULLED 02/09/2022

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

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

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

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

10 (3) For the purposes of this section(~~(+~~

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

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

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18 On page 5, beginning on line 20, after "10.120.010" strike "and
19 10.120.020" and insert ", 10.120.020, and 10.116.020"

EFFECT: Restore 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.

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