

SSB 5919 - S AMD 1043

By Senator Padden

PULLED 02/09/2022

1 On page 5, after line 2, 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.)")"~~

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16 On page 1, line 4 of the title, after "10.120.010" strike "and
17 10.120.020" 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.

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