
SENATE BILL 5042

State of Washington

68th Legislature

2023 Regular Session

By Senators Padden, Fortunato, and Holy

Prefiled 12/12/22. Read first time 01/09/23. Referred to Committee on Law & Justice.

1 AN ACT Relating to authorizing the use of vascular neck
2 restraints; amending RCW 10.116.020; and adding a new section to
3 chapter 43.101 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 10.116.020 and 2021 c 320 s 2 are each amended to
6 read as follows:

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

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

12 (3) For the purposes of this section(~~(~~
13 ~~(a) "Chokehold"~~) "chokehold" means the intentional application
14 of direct pressure to a person's trachea or windpipe for the purpose
15 of restricting another person's airway.

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

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101
20 RCW to read as follows:

1 (1) By December 1, 2023, the Washington state criminal justice
2 training commission, the Washington state patrol, the Washington
3 association of sheriffs and police chiefs, and organizations
4 representing state and local law enforcement officers shall develop a
5 written model policy on the use of vascular neck restraints.

6 (2) The commission shall provide training for law enforcement
7 officers on the proper use of vascular neck restraints. A minimum of
8 50 percent of peace officers employed within any law enforcement
9 agency must be properly trained and certified in the use of vascular
10 neck restraints.

11 (3) By June 1, 2024, every state, county, and municipal law
12 enforcement agency shall adopt and implement a vascular neck
13 restraint policy. The policy adopted may, but need not, be the model
14 policy developed under subsection (1) of this section.

15 (4) For the purposes of this section, "vascular neck restraint"
16 refers to any vascular neck restraint or similar restraint, hold, or
17 other tactic in which pressure is applied to the neck for the purpose
18 of constricting blood flow.

--- END ---