**1054-S.E AMS MCCU S2388.1 - NOT FOR FLOOR USE**

**ESHB 1054** - S AMD TO S AMD (S-2234.4/21) **592**

By Senator McCune

**NOT ADOPTED 04/06/2021**

On page 1, line 23, after "chokehold" strike "or neck restraint"

On page 1, line 26, after "section" insert "and the determination made by the criminal justice training commission under subsection (4) of this section"

On page 2, beginning on line 1, after "(b)" strike all material through "flow" on line 3 and insert ""Lateral vascular neck restraint" means the use of a control technique where pressure is applied to the sides of the neck, using a combination of physiological factors to restrict blood flow to the brain, which may cause the subject to temporarily lose consciousness"

On page 2, after line 3, insert the following:

"(4) The criminal justice training commission shall conduct a study to determine whether the use of a lateral vascular neck restraint constitutes deadly force, as defined in RCW 9A.16.010. The criminal justice training commission shall publish its findings in a report on its website by December 1, 2021. If the commission determines the use of a lateral vascular neck restraint does not constitute deadly force, the report required under this subsection must include a determination as to the appropriate circumstances for use of a lateral vascular neck restraint by a peace officer."

EFFECT: Removes the prohibition against the use of neck restraints; modifies the definition of neck restraints; requires the CJTC to conduct a study on the use of lateral vascular neck restraints, publish its findings, and include a determination as to whether a lateral vascular neck restraint constitutes deadly force; requires law enforcement policies to be consistent with the determination by the CJTC.