

ESHB 1054 - S AMD TO S AMD (S-2234.4/21) 592
By Senator McCune

NOT ADOPTED 04/06/2021

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

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

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

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

12 "(4) The criminal justice training commission shall conduct a
13 study to determine whether the use of a lateral vascular neck
14 restraint constitutes deadly force, as defined in RCW 9A.16.010. The
15 criminal justice training commission shall publish its findings in a
16 report on its website by December 1, 2021. If the commission
17 determines the use of a lateral vascular neck restraint does not
18 constitute deadly force, the report required under this subsection
19 must include a determination as to the appropriate circumstances for
20 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.

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