

FINAL BILL REPORT

ESSB 6009

C 291 L 24
Synopsis as Enacted

Brief Description: Prohibiting the use of hog-tying.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Trudeau, Lovick, Frame, Hasegawa, Nguyen, Nobles, Saldaña, Stanford, Valdez, Wellman and Wilson, C.).

Senate Committee on Law & Justice

House Committee on Community Safety, Justice, & Reentry

Background: Requirement to Intervene and Report. Identifiable on-duty peace officers who witness another peace officer engaging or attempting to engage in the use of excessive force against another person are required to intervene, when in a position to do so, to end the use of excessive force or attempted use of excessive force, or to prevent the further use of excessive force, and render aid at the earliest safe opportunity. Additionally, identifiable on-duty peace officers who witness another peace officer engaged in conduct unlawful or contrary to agency policy are required to report the conduct to their supervisor.

Summary: A peace officer is prohibited from hog-tying a person or assisting in putting a person into a hog-tie. Hog-tying constitutes the use of excessive force for purposes of a peace officer's duty to intervene and report.

Prohibitions on hog-tying shall not be interpreted to prohibit the use of any other alternative restraint product or device that is administered to reduce the incidence of respiratory fatigue or positional asphyxia if such product or device does not violate the prohibitions on hog-tying.

Hog-tie or hog-tying means fastening together bound or restrained ankles to bound or restrained wrists.

Hog-tie or hog-tying does not include the following:

- use of transport chains or waist chains to transport prisoners; or

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- use of a product or device that does not require the person's knees to be flexed while their wrists are handcuffed behind the back and secured to bound ankles.

Votes on Final Passage:

Senate 49 0

House 89 7 (House amended)

Senate 49 0 (Senate concurred)

Effective: June 6, 2024