5919 AMS PADD TREM 014

**SB 5919** - S AMD TO AMS (DHIN MCKI 040) **1058**

By Senator Padden

**PULLED 02/09/2022**

 On page 4, after line 27, insert the following:

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

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

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

(3) For the purposes of this section((~~:~~

~~(a) "Chokehold"~~)), "chokehold" means the intentional application of direct pressure to a person's trachea or windpipe for the purpose of restricting another person's airway.

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

On page 5, beginning on line 20, after "10.120.010" strike "and 10.120.020" and insert ", 10.120.020, and 10.116.020"

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|  |  EFFECT:  Restore 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.  |

**--- END ---**