
**Community Safety, Justice, & Reentry
Committee**

ESSB 6009

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.).

Brief Summary of Engrossed Substitute Bill

- Prohibits peace officers from hog-tying a person or assisting in putting a person into a hog-tie.
- Provides that hog-tying constitutes the use of excessive force for the purpose of identifiable on-duty police officers' duty to intervene in and report certain conduct.

Hearing Date: 2/14/24

Staff: Corey Patton (786-7388).

Background:

Under state law, 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 or prevent the use, attempted use, or further use of excessive force. Peace officers must render aid at the earliest safe opportunity to any person injured as a result of the use of force. Identifiable on-duty peace officers who witness any wrongdoing committed by another peace officer, or who have a good faith reasonable belief of such wrongdoing, must report such wrongdoing to a supervisor in accordance with agency

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policies and procedures for reporting such acts. Members of a law enforcement agency may not discipline or retaliate in any way against a peace officer for intervening in good faith or for reporting wrongdoing in good faith. Law enforcement agencies must notify the Criminal Justice Training Commission of any disciplinary decision resulting from a peace officer's failure to intervene or report.

Summary of Bill:

Peace officers may not hog-tie a person by fastening together bound or restrained ankles to bound or restrained wrists, or assist in putting a person into a hog-tie. Hog-tying does not include the use of:

- transport chains or wrist chains to transport prisoners; or
- a product or device that does not require bound or restrained ankles to be fastened to bound or restrained wrists.

Hog-tying constitutes the use of excessive force for the purpose of identifiable on-duty police officers' duty to intervene in and report the conduct of other peace officers.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.