

**LC 83 (6/19/20) STAFF MEASURE SUMMARY**

**Joint Interim Committee on the First Special Session of 2020**

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**WHAT THE MEASURE DOES:**

Prohibits a peace officer from using “force that impedes the ability of a person to breathe.” Defines “force that impedes the ability of a person to breathe” as restraining a person around the neck, using a choke hold, putting a knee on a person’s neck, or otherwise interfering with, blocking, or compromising a person’s airway. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

**BACKGROUND:**

When attempting to restrain or arrest a person, police may use a choke hold or other restraint to the head, neck, or back that interferes with that person’s blood flow or ability to breathe. Such restraints can be dangerous and have led to death in several high-profile cases. The Department of Public Safety Standards and Training (DPSST) does not instruct trainees on the use of choke holds or similar methods, though law enforcement agencies may provide supplemental training and authorize use. Other agencies, such as the Portland Police Bureau, have classified such restraints as “deadly force” and banned their use except in limited circumstances.

LC 83 defines “force that impedes the ability of a person to breathe” and prohibits and peace officer from using such force.