

HB 4203 A STAFF MEASURE SUMMARY
Joint Committee On The First Special Session of 2020

Carrier: Rep. Meek

Action Date: 06/25/20

Action: Do pass with amendments. (Printed A-Eng.)

House Vote

Yeas: 7 - Bynum, Drazan, Holvey, Lewis, Salinas, Speaker Kotek, Stark

Senate Vote

Yeas: 7 - Burdick, Frederick, Girod, Knopp, President Courtney, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Prepared By: Gillian Fischer, LPRO Analyst

Meeting Dates: 6/25

WHAT THE MEASURE DOES:

Proclaims Black Lives Matter and details current and historic experiences of Black and other Persons of Color interactions with law enforcement officers. Prohibits the use of physical force impeding the normal breathing or circulation of the blood of another person by applying pressure on the throat or neck of the other person unless the circumstance is one in which the peace officer may use deadly physical force as provided in ORS 161.239.

ISSUES DISCUSSED:

- Police accountability surrounding use of force
- Legal prohibitions in other states and countries
- Choke holds disparate use against communities of color

EFFECT OF AMENDMENT:

Replaces the measure.

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.

House Bill 4203-A defines "force that impedes the normal breathing or circulation of the blood of another person by applying pressure on the throat or neck of the other person" and prohibits a peace officer from using such force unless the circumstance would justify the use of deadly physical force under the law.