

HB 4203-4
(LC 83)
6/24/20 (MNJ/ps)

Requested by JOINT COMMITTEE ON THE FIRST SPECIAL SESSION OF 2020 (at the request of
People of Color Caucus)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4203**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the
2 line and delete line 2 and insert “161.235; and declaring an emergency.”.

3 Delete lines 5 through 31 and delete page 2 and insert:

4 **“SECTION 1. Section 2 of this 2020 special session Act is added to**
5 **and made a part of ORS 161.195 to 161.275.**

6 **“SECTION 2. (1) A peace officer is not justified in any circumstance**
7 **in knowingly using physical force that impedes the normal breathing**
8 **or circulation of the blood of another person by applying pressure on**
9 **the throat or neck of the other person, unless the circumstance is one**
10 **in which the peace officer may use deadly physical force as provided**
11 **in ORS 161.239.**

12 **“(2) It is not reasonable under any circumstance for a peace officer**
13 **to knowingly use physical force that impedes the normal breathing or**
14 **circulation of the blood of another person by applying pressure on the**
15 **throat or neck of the other person, unless the circumstance is one in**
16 **which the peace officer may use deadly physical force as provided in**
17 **ORS 161.239.**

18 **“SECTION 3. ORS 161.235 is amended to read:**

19 **“161.235. Except as provided in ORS 161.239 and section 2 of this 2020**
20 **special session Act, a peace officer is justified in using physical force upon**
21 **another person only when and to the extent that the peace officer reasonably**

1 believes it necessary:

2 “(1) To make an arrest or to prevent the escape from custody of an ar-
3 rested person unless the peace officer knows that the arrest is unlawful; or

4 “(2) For self-defense or to defend a third person from what the peace of-
5 ficer reasonably believes to be the use or imminent use of physical force
6 while making or attempting to make an arrest or while preventing or at-
7 tempting to prevent an escape.

8 **“SECTION 4. Section 5 of this 2020 special session Act is added to
9 and made a part of ORS 181A.355 to 181A.670.**

10 **“SECTION 5. The Board on Public Safety Standards and Training
11 shall adopt rules prohibiting the training of police officers and reserve
12 officers to use physical force that impedes the normal breathing or
13 circulation of the blood of another person by applying pressure on the
14 throat or neck of the other person, except as a defensive maneuver.**

15 **“SECTION 6. This 2020 special session Act being necessary for the
16 immediate preservation of the public peace, health and safety, an
17 emergency is declared to exist, and this 2020 special session Act takes
18 effect on its passage.”.**

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