

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-2222/1 EAW:kjf

2021 ASSEMBLY BILL 134

March 5, 2021 – Introduced by Representatives SPIROS, ARMSTRONG, BRANDTJEN, MOSES, THIESFELDT and TUSLER, cosponsored by Senators WANGGAARD, L. TAYLOR, DARLING, COWLES, FEYEN, JACQUE and NASS. Referred to Committee on Government Accountability and Oversight.

1 AN ACT to renumber and amend 66.0511 (1); to amend 66.0511 (2); and to 2 create 66.0511 (1) (a) of the statutes; relating to: prohibiting use of choke 3 holds by law enforcement officers in use of force policies.

Analysis by the Legislative Reference Bureau

Current law requires law enforcement agencies to develop policies on the use of force by law enforcement officers in the performance of their duties. This bill provides that a law enforcement agency may not authorize in its use of force policy the use of choke holds by law enforcement officers, except in life-threatening situations or in self-defense.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 66.0511 (1) of the statutes is renumbered 66.0511 (1) (intro.) and

5 amended to read:

6 66.0511 (1) DEFINITION DEFINITIONS. (intro.) In this section, "law:

7 (b) "Law enforcement agency" has the meaning given under s. 165.83 (1) (b).

2021 – 2022 Legislature

ASSEMBLY BILL 134

1	SECTION 2. 66.0511 (1) (a) of the statutes is created to read:
2	66.0511 (1) (a) "Choke hold" means the intentional and prolonged application
3	of force to the throat or windpipe that prevents or hinders breathing or reduces the
4	intake of air.
5	SECTION 3. 66.0511 (2) of the statutes is amended to read:
6	66.0511 (2) USE OF FORCE POLICY. Each person in charge of a law enforcement
7	agency shall prepare in writing and make available for public scrutiny a policy or
8	standard regulating the use of force by law enforcement officers in the performance
9	of their duties. <u>A law enforcement agency may not authorize the use of choke holds</u>
10	by law enforcement officers in a policy or standard under this subsection, except in
11	<u>life-threatening situations or in self-defense.</u>
12	SECTION 4. Effective date.
13	(1) Use of choke holds. The renumbering and amendment of s. 66.0511 (1),
14	the amendment of s. 66.0511 (2), and the creation of s. 66.0511 (1) (a) take effect on
15	the 30th day after publication.
16	(END)

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