LRB-0183/1 EAW:kjf

# **2021 SENATE BILL 121**

February 18, 2021 - Introduced by Senators Wanggaard, L. Taylor, Darling, Cowles, Feyen, Jacque and Nass, cosponsored by Representatives Spiros, Armstrong, Brandtjen, Moses, Thiesfeldt and Tusler. Referred to Committee on Judiciary and Public Safety.

AN ACT to renumber and amend 66.0511 (1); to amend 66.0511 (2); and to create 66.0511 (1) (a) of the statutes; relating to: prohibiting use of choke 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:

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

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SECTION 2

<b>Section 2.</b> 66.0511 (1) (a) of the statutes is created to re	statutes is created to read:
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66.0511 (1) (a) "Choke hold" means the intentional and prolonged application of force to the throat or windpipe that prevents or hinders breathing or reduces the intake of air.

## **Section 3.** 66.0511 (2) of the statutes is amended to read:

66.0511 (2) Use of force policy. Each person in charge of a law enforcement agency shall prepare in writing and make available for public scrutiny a policy or standard regulating the use of force by law enforcement officers in the performance of their duties. A law enforcement agency may not authorize the use of choke holds by law enforcement officers in a policy or standard under this subsection, except in life-threatening situations or in self-defense.

## SECTION 4. Effective date.

(1) Use of choke holds. The renumbering and amendment of s. 66.0511 (1), the amendment of s. 66.0511 (2), and the creation of s. 66.0511 (1) (a) take effect on the 30th day after publication.

16 (END)