ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4263

STATE OF NEW JERSEY

DATED: JUNE 15, 2020

The Assembly Community Development and Affairs Committee reports favorably Assembly Bill No. 4263.

This bill amends N.J.S.2C:3-11 to clarify that the use of a chokehold by a law enforcement officer constitutes deadly force.

Under the bill, a law enforcement officer uses deadly force if he knowingly places pressure on the throat, windpipe, or carotid artery of another person, thereby hindering or preventing the ability to breathe, or interfering with the flow of blood from the heart to the brain.

Under current law, use of deadly force by a law enforcement officer is only justified if necessary to protect the officer or another person from death or serious bodily injury, to arrest or prevent the escape of a violent criminal, or to prevent the commission of a violent crime. This bill provides that a law enforcement officer is not justified in choking another person unless confronted with one of these dangerous situations.