

ASSEMBLY, No. 4284

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 18, 2020

Sponsored by:

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Co-Sponsored by:

**Assemblymen Conaway, Holley, Zwicker, Johnson and Assemblywoman
Vainieri Huttie**

SYNOPSIS

Establishes crime of strangulation chokehold.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/17/2021)

1 AN ACT to establish the crime of strangulation chokehold and
2 supplementing Title 2C of the New Jersey Statutes.

3
4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Any municipal, county, or State law enforcement officer,
8 Department of Corrections employee, county correctional police
9 officer, juvenile correctional police officer, State juvenile facility
10 employee, juvenile detention staff member, probation officer, any
11 sheriff, undersheriff or sheriff's officer or any municipal, county, or
12 State law enforcement officer while in the performance of the
13 person's duties while in uniform or exhibiting evidence of the
14 person's authority or because of the status as any municipal, county,
15 or State law enforcement officer, Department of Corrections
16 employee, county correctional police officer, juvenile correctional
17 police officer, State juvenile facility employee, juvenile detention
18 staff member, probation officer, any sheriff, undersheriff or sheriff's
19 officer is guilty of strangulation chokehold when, with intent to
20 impede the normal breathing or circulation of the blood of another
21 person he blocks the nose or mouth, or uses any procedure known
22 as a chokehold, which results in serious bodily injury or death.

23 Strangulation chokehold is a crime of the first degree.

24 As used in this section, "chokehold" includes, but is not limited
25 to, any pressure of the throat or windpipe which may prevent or
26 hinder breathing or reduce intake of air.

27
28 2. This act shall take effect immediately.

29

30

31

STATEMENT

32

33 On June 5, 2020, the New Jersey Office of the Attorney General
34 issued notice that it will ban police departments from using
35 chokeholds, carotid artery neck restraints, or similar tactics, except
36 where deadly force is necessary. The revision clarifies and tightens
37 longstanding policy on the use of this kind of force by law
38 enforcement.

39 This bill establishes the crime of strangulation chokehold,
40 applicable to various law enforcement personnel. Under the bill,
41 enumerated law enforcement personnel commit strangulation
42 chokehold when, with intent to impede the normal breathing or
43 circulation of the blood of another person he blocks the nose or
44 mouth, or uses any procedure known as a chokehold, which results
45 in serious bodily injury or death. Strangulation chokehold is
46 classified as a crime of the first degree, ordinarily punishable by up
47 to 20 years imprisonment, a fine up to \$200,000, or both.

A4284 WIMBERLY, REYNOLDS-JACKSON

3

- 1 Under the bill, “chokehold” includes but is not limited to, any
- 2 pressure of the throat or windpipe which may prevent or hinder
- 3 breathing or reduce intake of air.