

# Ban Chokeholds and Strangleholds



Neck restraints generally fall into two categories:

- Vascular neck restraints
  - These maneuvers affect blood flow and are often referred to as "strangleholds."<sup>102</sup>
- Respiratory neck restraints
  - These maneuvers affect air intake and are often referred to as "chokeholds."<sup>103</sup>

Campaign Zero's 8 Can't Wait initiative recommends that police departments restrict officers from using chokeholds or strangleholds on individuals in all cases to avoid unnecessary deaths or serious injuries.<sup>104</sup>

In Resolution 95, the Austin City Council said it was the official policy of the City that "the use of chokeholds and stranglehold– broadly defined to include all maneuvers that involve choking, holding the neck, or cutting off blood flow in the neck– is strictly prohibited as a policing tactic."<sup>105</sup>

APD policy does not explicitly ban these techniques; rather, it limits the use of chokeholds and strangleholds to situations in which deadly force would be authorized.<sup>106</sup>

[Click here](#) for OPO's Phase I analysis of this policy topic.

## Analysis of community feedback on banning chokeholds and stranglehold

### Quantitative Data

- 51% of respondents said that the current policy on banning chokeholds and strangleholds does not make them feel safe
- 53% of respondents agreed that chokeholds and strangleholds should be banned outright

### Qualitative Data

Many responses in support of the use of chokeholds were based on the assumption that they are part of APD training when, in fact, they are not.

Those who responded that change in this policy is needed reasoned that chokeholds and strangleholds:

- Involve too much risk for becoming unintentionally lethal
- Instill fear in the community
- Should not be used and officers should be given more training on alternative maneuvers

Respondents also said that the current policy is too vague, that other cities have already banned chokeholds, and that it is often used as a disproportionate response.

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Those who responded that no change is needed reasoned that the procedure is safe when performed correctly, and should be permissible when deadly force is needed. Those not in support of OPO's proposed policy changes said that chokeholds are not a common practice, that banning them would be detrimental to officer safety, and that they are a necessary component of officer self-defense.

**Below are selected comments from community feedback:**

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“Sounds like current policy could have been used to justify either Eric Garner or George Floyd's murder. The nuance of “to protect human life” would have to become a huge part of APD culture for a policy based on that to work. Because the person being strangled is a human life, too”

“These should be explicitly defined, explicitly banned. I don't think we should be improvising techniques to kill people on the spot and people should be trained how to adequately de-escalate and try to avoid as much as possible killing people no matter what they've done. I'm not living in a utopia and know that is not always possible, but we should be able to define, ban, and be able to provide disciplinary actions for officers that do not adhere to that.”

“All APD needs is a lot more officers. Then, you would finally be able to rotate them out for more training. Ex: choke holds are highly affective. The problem is officers do not have enough time to train on proper techniques. 1/3 of each officer's time should be spent on training, under current policies, each year.”

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## Recommendations from community feedback

### Adopt OPO's preliminary recommendations.

OPO's preliminary review of APD's policy on chokeholds and strangleholds highlighted four concerns:

- Chokeholds and strangleholds are not categorically banned
- Under current policy, the terms used are not defined
- The policy's scope is too narrow
- Directives are inconsistent

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In its Phase I report, OPO made a series of recommendations to improve APD’s policies. The table below compares APD’s current policies and OPO’s proposed recommendations with Austin City Council Resolution 95, 8 Can’t Wait, and best practices from leading police organizations.

**Table 9. Comparing OPO’s Proposed Recommendations and APD’s Current Policy on Banning Chokeholds and Strangleholds**

OPO's Proposed Recommendations	APD's Current Policy
Aligns with information from:	Aligns with information from:
 <b>YES</b> Police Executive Research Forum <sup>107</sup>	 <b>NO</b> Police Executive Research Forum <sup>111</sup>
 <b>YES</b> International Association of Chiefs of Police* <sup>108</sup>	 <b>NO</b> International Association of Chiefs of Police* <sup>112</sup>
 <b>YES</b> 8 Can’t Wait <sup>109</sup>	 <b>NO</b> 8 Can’t Wait <sup>113</sup>
 <b>YES</b> Austin City Council Resolution 95 <sup>110</sup>	 <b>NO</b> Austin City Council Resolution 95 <sup>114</sup>

*\* In 2020, the International Association of Chiefs of Police recommended that chokeholds and vascular neck restraints only be allowed in deadly force situations and stated that “[t]raining should also be provided on all approved force options and techniques permitted by agency policy, along with a regular refresher training that includes a review of the policy and hands-on, practical training.”<sup>115</sup> APD does not provide training on the use of chokeholds and strangleholds. As a result, APD policies permitting the use of techniques for which officers are not trained does not align with the recommendation from the International Association of Chiefs of Police.*

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Since OPO made preliminary recommendations in January 2021, there have not been any updated best practices contradicting this information. Rather, as recently as September 2021, the U.S. Department of Justice directed all federal law enforcement agencies to update their policies to restrict the use of chokeholds and strangleholds, explaining that these techniques are “inherently dangerous” and have “too often led to tragedy.”<sup>116</sup> Indeed, across the board, experts agree that both chokeholds and strangleholds are inherently dangerous.<sup>117</sup> Experts that recommend allowing chokeholds and strangleholds in deadly force situations also discuss the need for frequent training on any use-of-force tactics permitted by policy.<sup>118</sup>

OPO has analyzed the community’s feedback. OPO has also reviewed current best practices, including the consensus among experts that chokeholds and strangleholds are inherently dangerous.<sup>119</sup> Finally, OPO has considered the fact that APD does not provide officers with training on chokeholds and strangleholds.<sup>120</sup> After examining all of this information, OPO recommends that APD adopt OPO’s preliminary recommendations.

OPO’s recommendations incorporate community feedback and/or the City of Austin’s official position by:

- Categorically banning the use of chokeholds and strangleholds as a policing tactic<sup>121</sup>
- Categorically banning the use of any action that could, or is intended to, prevent, reduce, hinder or otherwise negatively impact an individual’s blood flow to the brain or intake of air<sup>122</sup>
- Implementing additional guidelines to improve clarity and accountability

OPO’s recommendations incorporate guidance from law enforcement research and policy organizations by:

- Defining maneuvers and terminology referenced in policy<sup>123</sup>
- Banning both chokeholds and strangleholds<sup>124</sup>