



Legislation Text

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Proposed Int. No. 540-A

By Council Members Lancman, Williams, Cornegy, Dromm, Mendez, Barron, Rosenthal, Koslowitz, Miller, Constantinides, Mealy, Rose, Ferreras-Copeland, Levin, Cabrera, King, Espinal, Johnson, Richards, Koo, Cumbo, Chin, Levine, Rodriguez, Kallos, Reynoso, Menchaca and Van Bramer

A Local Law to amend the administrative code of the City of New York, in relation to chokeholds.

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 10-172 to read as follows:

§ 10-172. Chokeholds.

a. Definitions. For the purposes of this section “chokehold” means to wrap an arm around or grip the neck in a manner that limits or cuts off either the flow of air by compressing the windpipe, or the flow of blood through the carotid arteries on each side of the neck.

b. Chokehold prohibited. No person shall use a chokehold in the course of effecting or attempting to effect an arrest.

c. Penalties. Any person who violates subdivision b of this section shall be guilty of a misdemeanor punishable by imprisonment of not more than one year and a fine of not more than two thousand five hundred dollars, or both.

d. Any penalties resulting from a violation of subdivision b of this section shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such violation.

§ 2. This local law shall take effect 60 days after its enactment into law.

CJG/BG/RC
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