



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3312

by Rep. Luis Arroyo

SYNOPSIS AS INTRODUCED:

New Act

Creates the Prohibited Use of Force Act. Provides that a peace officer, private security contractor, or employee of a private security contractor agency shall not apply a chokehold in the performance of his or her duties, unless faced with a situation in which the use of deadly force is justified under the Justifiable Use of Force: Exoneration Article of the Criminal Code of 2012. Provides that after gaining control of a subject, a peace officer, private security contractor, or employee of a private security contractor agency shall not: (1) sit, kneel, or stand on a subject's chest or stomach, resulting in chest compression and a reduction in the subject's ability to breathe; or (2) place the subject on his or her stomach, or in a manner that prohibits free breathing. Provides that a peace officer, private security contractor, or private security contractor agency shall not use more officers, contractors, or employees of a private security contractor agency than are reasonably necessary based on the totality of the circumstances to effect an arrest, overcome resistance, control a subject, or protect themselves or others from injury. Provides that a peace officer, private security contractor, or employee of a private security contractor agency shall monitor individuals being detained and seek medical attention for any individual who displays injuries or illnesses. Defines "private security contractor", "private security contractor agency", and "employee".

LRB099 10042 RLC 30265 b

1 AN ACT concerning prohibited force.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Prohibited Use of Force Act.

6 Section 5. Definitions. In this Act:

7 "Chokehold" shall include, but is not limited to, any
8 pressure to the throat or windpipe, which may prevent or hinder
9 breathing or reduce intake of air.

10 "Peace officer" has the meaning as indicated in Section
11 2-13 of the Criminal Code of 2012.

12 "Private security contractor", "private security
13 contractor agency", and "employee" have the meanings ascribed
14 to them in the Private Detective, Private Alarm, Private
15 Security, Fingerprint Vendor, and Locksmith Act of 2004.

16 Section 10. Prohibited use of force.

17 (a) A peace officer, private security contractor, or
18 employee of a private security contractor agency shall not
19 apply a chokehold in the performance of his or her duties,
20 unless faced with a situation in which the use of deadly force
21 is justified under Article 7 of the Criminal Code of 2012.

22 (b) After gaining control of a subject, a peace officer,

1 private security contractor, or employee of a private security
2 contractor agency shall not:

3 (1) sit, kneel, or stand on a subject's chest or
4 stomach, resulting in chest compression and a reduction in
5 the subject's ability to breathe; or

6 (2) place the subject on his or her stomach, or in a
7 manner that prohibits free breathing.

8 (c) A peace officer, private security contractor, or
9 private security contractor agency shall not use more officers,
10 contractors, or employees of a private security contractor
11 agency than are reasonably necessary based on the totality of
12 the circumstances to effect an arrest, overcome resistance,
13 control a subject, or protect themselves or others from injury.

14 (d) A peace officer, private security contractor, or
15 employee of a private security contractor agency shall monitor
16 individuals being detained and seek medical attention for any
17 individual who displays injuries or illnesses.