

117TH CONGRESS
1ST SESSION

S. 353

To incentivize banning of chokeholds and carotid holds, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 22, 2021

Ms. KLOBUCHAR (for herself, Ms. SMITH, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To incentivize banning of chokeholds and carotid holds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “End Police Use of
5 Chokeholds Act of 2021”.

6 **SEC. 2. INCENTIVIZING BANNING OF CHOKEHOLDS AND CA-**
7 **ROTID HOLDS.**

8 (a) DEFINITIONS.—In this section:

9 (1) BYRNE GRANT PROGRAM.—The term
10 “Byrne grant program” means any grant program

1 under subpart 1 of part E of title I of the Omnibus
2 Crime Control and Safe Streets Act of 1968 (34
3 U.S.C. 10151 et seq.), without regard to whether
4 the funds are characterized as being made available
5 under the Edward Byrne Memorial State and Local
6 Law Enforcement Assistance Programs, the Local
7 Government Law Enforcement Block Grants Pro-
8 gram, the Edward Byrne Memorial Justice Assist-
9 ance Grant Program, or otherwise.

10 (2) CHOKEHOLD OR CAROTID HOLD.—The term
11 “chokehold or carotid hold” means the application of
12 any pressure to the throat or windpipe, the use of
13 maneuvers that restrict blood or oxygen flow to the
14 brain, or carotid artery restraints that prevent or
15 hinder breathing or reduce intake of air of an indi-
16 vidual.

17 (3) COPS GRANT PROGRAM.—The term “COPS
18 grant program” means the grant program author-
19 ized under section 1701 of title I of the Omnibus
20 Crime Control and Safe Streets Act of 1968 (34
21 U.S.C. 10381).

22 (b) LIMITATION ON ELIGIBILITY FOR FUNDS.—Be-
23 ginning in the first fiscal year beginning after the date
24 of enactment of this Act, a State or local jurisdiction may
25 not receive funds under the Byrne grant program or the

1 COPS grant program for a fiscal year if, on the day before
2 the first day of the fiscal year, the State or other jurisdic-
3 tion does not have in effect a law that prohibits law en-
4 forcement officers in the State or other jurisdiction from
5 using a chokehold or carotid hold.

