
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1205 Session of
2020

INTRODUCED BY STREET, SCAVELLO, LAUGHLIN, COSTA, HUGHES,
HAYWOOD, FONTANA, L. WILLIAMS, MUTH, KEARNEY, FARNESE,
SANTARSIERO AND BOSCOLA, JUNE 22, 2020

REFERRED TO LAW AND JUSTICE, JUNE 22, 2020

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, providing for actions by law
3 enforcement.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 44 of the Pennsylvania Consolidated
7 Statutes is amended by adding a part to read:

8 PART V

9 ACTIONS BY LAW ENFORCEMENT

10 Chapter

11 91. Use of Force

12 CHAPTER 91

13 USE OF FORCE

14 Sec.

15 9101. Prohibition.

16 § 9101. Prohibition.

17 (a) General rule.--Notwithstanding 18 Pa.C.S. § 508

18 (relating to use of force in law enforcement) and except as

1 provided under subsection (b), in making an arrest a
2 Pennsylvania State police officer or municipal police officer:

3 (1) May not:

4 (i) apply the use of a choke hold;

5 (ii) apply any pressure to the diaphragm, airways or
6 any compression that inhibits breath or the flow of blood
7 to the brain of the person; or

8 (iii) hold the person in prone restraint or facedown
9 while restrained for a period of time exceeding three
10 minutes or as practical as to avoid positional asphyxia.

11 (2) May not keep the person in prone restraint or a
12 facedown position once the person is restrained.

13 (b) Application.--The prohibitions under subsection (a)
14 shall not apply when the use of deadly force is permitted under
15 law.

16 (c) Definitions.--As used in this section, the following
17 words and phrases shall have the meanings given to them in this
18 subsection unless the context clearly indicates otherwise:

19 "Prone restraint." All items or measures used to restrain a
20 person in a face down position.

21 Section 2. This act shall take effect in 60 days.