

SENATE, No. 4208

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 3, 2025

Sponsored by:

Senator BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

SYNOPSIS

Establishes crime of strangulation chokehold.

CURRENT VERSION OF TEXT

As introduced.



S4208 WIMBERLY

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1 AN ACT to establish the crime of strangulation chokehold and
2 supplementing Title 2C of the New Jersey Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Any municipal, county, or State law enforcement officer,
8 Department of Corrections employee, county correctional police
9 officer, juvenile correctional police officer, State juvenile facility
10 employee, juvenile detention staff member, probation officer, any
11 sheriff, undersheriff or sheriff's officer or any municipal, county, or
12 State law enforcement officer while in the performance of the
13 person's duties while in uniform or exhibiting evidence of the
14 person's authority or because of the status as any municipal, county,
15 or State law enforcement officer, Department of Corrections
16 employee, county correctional police officer, juvenile correctional
17 police officer, State juvenile facility employee, juvenile detention
18 staff member, probation officer, any sheriff, undersheriff or sheriff's
19 officer is guilty of strangulation chokehold when, with intent to
20 impede the normal breathing or circulation of the blood of another
21 person he blocks the nose or mouth, or uses any procedure known
22 as a chokehold, which results in serious bodily injury or death.

23 Strangulation chokehold is a crime of the first degree.

24 As used in this section, "chokehold" includes, but is not limited
25 to, any pressure of the throat or windpipe which may prevent or
26 hinder breathing or reduce intake of air.

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28 2. This act shall take effect immediately.

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30 STATEMENT

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32 On June 5, 2020, the New Jersey Office of the Attorney General
33 issued notice that it will ban police departments from using
34 chokeholds, carotid artery neck restraints, or similar tactics, except
35 where deadly force is necessary. The revision clarifies and tightens
36 longstanding policy on the use of this kind of force by law
37 enforcement.

38 This bill establishes the crime of strangulation chokehold,
39 applicable to various law enforcement personnel. Under the bill,
40 enumerated law enforcement personnel commit strangulation
41 chokehold when, with intent to impede the normal breathing or
42 circulation of the blood of another person he blocks the nose or
43 mouth, or uses any procedure known as a chokehold, which results
44 in serious bodily injury or death. Strangulation chokehold is
45 classified as a crime of the first degree, ordinarily punishable by up
46 to 20 years imprisonment, a fine up to \$200,000, or both.

47 Under the bill, "chokehold" includes but is not limited to, any
48 pressure of the throat or windpipe which may prevent or hinder
49 breathing or reduce intake of air.