



Legislation Details (With Text)

**File #:** 61431      **Version:** 1      **Name:** Prohibit neck restraints by MPD  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/16/2020      **In control:** Attorney's Office  
**On agenda:** 7/21/2020      **Final action:** 9/1/2020  
**Enactment date:** 9/16/2020      **Enactment #:** ORD-20-00090

**Title:** Creating Section 5.16 of the Madison General Ordinances to prohibit Madison Police Department employees from intentionally using carotid or neck restraints.

**Sponsors:** Syed Abbas, Sheri Carter, Max Prestigiacomio, Michael E. Verveer

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By                      | Action  | Result |
|-----------|------|--------------------------------|---|--------|
| 9/1/2020  | 1    | COMMON COUNCIL                 | Adopt   | Pass   |
| 8/12/2020 | 1    | PUBLIC SAFETY REVIEW COMMITTEE | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass   |
| 7/21/2020 | 1    | COMMON COUNCIL                 | Refer   | Pass   |
| 7/16/2020 | 1    | Attorney's Office              | Referred for Introduction                         |        |

**Fiscal Note**

No fiscal impact.

**Title**

Creating Section 5.16 of the Madison General Ordinances to prohibit Madison Police Department employees from intentionally using carotid or neck restraints.

**Body**

DRAFTER'S ANALYSIS: This ordinance creates definitions of carotid restraint and neck restraint. The ordinance prohibits all Madison Police Department commissioned officers from intentionally using any type of carotid restraint or neck restraint on any individual.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Section 5.16 entitled "Prohibition of Carotid and Neck Restraints" of the Madison General Ordinances is created to read as follows:

**"5.16 PROHIBITION OF CAROTID AND NECK RESTRAINTS.**

(1) Definitions.

"Carotid restraint" means any technique applied in an effort to control or disable a subject by intentionally applying pressure to the carotid artery, jugular vein, or sides of the neck with the purpose, intent, or effect of controlling an individual's movement or rendering a subject unconscious by constricting the flow of blood to and from the brain.

"Neck restraint" means any technique involving the use of an arm or other firm object to attempt to

control or disable an individual by intentionally applying pressure against the windpipe, or the frontal area of the neck with the purpose or intent of controlling an individual's movement or rendering an individual unconscious by blocking the passage of air through the windpipe.

- (2) While on duty, all commissioned officers employed by the Madison Police Department are prohibited from the intentional use of any type of carotid restraint or any type of neck restraint on any individual.”