Legislation Details (With Text)

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File created:	6/26/2020	**In control:**	Committee on Public Safety Services
On agenda:	6/30/2020	**Final action:**	7/28/2020
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Effective date:	7/31/2020		
Title:	Ordinance amending and supplementing the Pittsburgh Code, Title One, Administrative; Article III, Organization; Chapter 116, Department of Public Safety; by adding a new Section, Section 116.14, Chokehold Prohibition. (Cablecast Public Hearing held 7-15-20)		
Sponsors:	R. Daniel Lavelle, Reverend Ricky V. Burgess		
Indexes:			
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Attachments:			

Date	Ver.	Action By	Action	Result
7/31/2020	1	Mayor	Signed by the Mayor	
7/28/2020	1	City Council	Passed Finally	Pass
7/22/2020	1	Standing Committees	Affirmatively Recommended	Pass
7/15/2020	1	Committee on Hearings	Public Hearing Held	
7/8/2020	1	Standing Committees	Held for Cablecast Public Hearing	Pass
6/30/2020	1	City Council	Read and referred	

Ordinance amending and supplementing the Pittsburgh Code, Title One, Administrative; Article III, Organization; Chapter 116, Department of Public Safety; by adding a new Section, Section 116.14, Chokehold Prohibition.
(Cablecast Public Hearing held 7-15-20)

WHEREAS, historically, communities of color have suffered generational pain and trauma as a result of systemic and institutional racism and long-standing problems in policing; and,

WHEREAS, this continuous harm was once again highlighted by the recent in-custody death of George Floyd by officers of the Minneapolis Police Department, a direct result of their use of a technique commonly referred to as the “choke hold”; and,

WHEREAS, choke holds temporarily cut off blood flow to the brain and are meant to render a subject unconscious for a time, and can also restrict breathing by applying pressure to the windpipe; and,

WHEREAS, as the high profile cases of Eric Garner and George Floyd at the hands of police officers have shown, the choke hold technique has the dangerous potential to go wrong and can lead to the death of individuals held in custody; and,

WHEREAS, in order to protect the public from the use of choke holds, the City of Pittsburgh does hereby prohibit their use by officers of the Pittsburgh Bureau of Police; therefore,

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title One, Administrative; Article III, Organization; Chapter 116, Department of Public Safety; is hereby amended by adding a new Section, Section 116.14, Chokehold Prohibition:

§ 116.14 - CHOKEHOLD PROHIBITION.

(a) The following definitions are applicable in this chapter:

(1) CAROTID RESTRAINT: Any technique applied in an effort to control or disable a subject by applying pressure to the carotid artery, jugular vein, or sides of the neck with the purpose, intent, or effect of controlling a subject's movement or rendering a subject unconscious by constricting the flow of blood to and from the brain.

(2) NECK RESTRAINT: Any technique involving the use of an arm or other firm object to attempt to control or disable a subject by applying pressure against the windpipe, or the frontal area of the neck with the purpose, intent, or effect of controlling a subject's movement or rendering a subject unconscious by blocking the passage of air through the windpipe.

(b) Officers of the Pittsburgh Bureau of Police are prohibited from using chokeholds in the discharge of their duties, including carotid restraints and neck restraints.

(c) A person shall have a right of action against the City of Pittsburgh for injuries proximately caused by violations of Section 116.14 (b) that occur after the effective date of this ordinance.

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