

4.1.2 Choke Holds and Similar Restraints

Definition: Choke holds or similar restraints: A choke hold shall include, but is not limited to, any intentional direct pressure to the throat or windpipe which may prevent, obstruct or hinder breathing or blood flow.

Policy:

1. A choke hold or similar restraint is prohibited for use solely for the purpose of gaining compliance.
2. A choke hold or a similar restraint shall be considered deadly physical force as defined by article 10 of the New York State Penal Law. In any situation where an Officer is otherwise acting lawfully, the use of deadly physical force is justified in the defense of an Officers' life or a citizen's life whenever the Officer reasonably believes that deadly physical force is necessary to prevent or terminate deadly physical force towards that Officer or another person. A choke hold or similar restraint is prohibited for use solely for the purpose of gaining compliance.
3. Every Officer, who under the color of authority and without lawful necessity, intentionally or recklessly provides pressure to the throat or windpipe, when which may prevent, obstruct or hinder breathing or blood flow of any person, may be guilty of a felony as provided by law.
4. Any Cairo Police Officer that violates this policy may be subject to discipline as set forth in the Cairo Police Policy and Procedure.