



PREVENTING VIOLENCE
AND DEVELOPING
YOUTH LEADERS

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July 27, 2020

The Honorable Nancy Skinner
Chair, Senate Public Safety Committee
California State Capitol, Room 5094
Sacramento, CA 95814

RE: AB 1196 (Gipson) – SUPPORT

Dear Senator Skinner:

Youth ALIVE! is pleased to support AB 1196, which seeks to eliminate the use of chokeholds, carotid and techniques or transport methods that involve a substantial risk of positional asphyxia statewide by law enforcement.

Youth ALIVE! is a nationally recognized community-based organization known for initiating an alliance to treat violence as a public health crisis and developing young leaders in the process. Tasked as Oakland’s anchor organization for violence prevention, intervention, and healing, Youth ALIVE! has maintained a successful track record of implementing evidence-based violence intervention and prevention services. Our decades of experience serving community members impacted by the criminal justice system informs our support of AB 1196.

Chokeholds- also called airway holds- are a defensive tactic or force option in which direct pressure is applied to a person’s trachea or windpipe. This type of restraint restricts breathing and reduces or prevents either air or blood from passing through the neck. Strangleholds- also called carotid restraints- are a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person’s neck, compressing one or both carotid arteries and/or the jugular veins, restricting blood flow to the brain and are meant to render a subject unconscious for a time. Positional asphyxia involves compressing an individual’s airway, thus reducing the likelihood that the individual will be able to breathe. This includes but is not limited to techniques or positioning that restrains a subject’s hands and legs together, leaves a person in control restraints lying on their back or stomach, puts weight on the person’s back or neck for a prolonged period, or keeps them waiting for transportation in a restrained position, without proper monitoring for signs of asphyxia.

While designed to render someone unconscious or incapacitated, these restraints and holds can go wrong in two main ways: either when improperly applied, or when a persons' physical disposition- especially if they suffer from coronary artery disease, for example- makes the hold dangerous or lethal. Simply maintaining restricted blood



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flow for one minute after the someone is rendered unconscious can lead to irreversible brain damage.

In the fatal case of Eric Garner in 2014, New York Commissioner James O'Neill said that the officer's failure to relax his grip while subduing him triggered a fatal asthma attack. As seen with the recent high-profile death of George Floyd in Minneapolis, when a law enforcement officer used his knee to subdue and detain him, methods of restraint that block airflow can be lethal and should no longer be allowed. Several major cities have already taken steps to prohibit their use. However, statewide policies regarding neck restraints vary, which results in a lack of accountability for officers who use them.

While legislation alone will not heal the wound George Floyd's death has caused, prohibiting the use of chokeholds (and carotid restraints and techniques or transport methods that involve a substantial risk of positional asphyxia) by law enforcement will create uniformity across the state and ensure that it will no longer be applied on Californians.

For these reasons, Youth ALIVE! respectfully requests your support of AB 1196 (Gipson).

Sincerely,

A handwritten signature in blue ink, appearing to read "Anne Marks", is written over a faint, light blue circular stamp.

Anne Marks
Executive Director