

13 V.S.A. § 1032. LAW ENFORCEMENT USE OF PROHIBITED RESTRAINT

(a) As used in this section:

(1) “Law enforcement officer” shall have the same meaning as in 20 V.S.A. § 2351a.

(2) “Prohibited restraint” means the use of any maneuver on a person that applies pressure to the neck, throat, windpipe, or carotid artery that ~~may~~ directly prevents or hinders breathing, reduces intake of air, or impedes the flow of blood or oxygen to the brain.

(3) “Serious bodily injury” shall have the same meaning as in section 1021 of this title.

(b) A law enforcement officer acting in the officer’s capacity as law enforcement who employs a prohibited restraint on a person that causes serious bodily injury to or death of the person shall be imprisoned for not more than 20 years or fined not more than \$50,000.00, or both.

(c) Notwithstanding, under this section a law enforcement officer acting in the officer’s capacity as law enforcement is permitted to use a prohibited restraint if use of deadly force is justified. A law enforcement officer is not justified in continuing the use of a prohibited restraint when there is no longer an objectively reasonable belief that the person subjected to the restraint continues to pose an immediate threat of death or serious bodily injury to the officer or another person.