

How common is it for Minnesota police departments to authorize chokeholds, ‘neck restraints’? | MinnPost

Walker Orenstein

10-12 minutes

When the city of Minneapolis signed an agreement with the state earlier this month to ban chokeholds and neck restraints after former officer Derek Chauvin killed George Floyd on a south Minneapolis street, some police officials around Minnesota were surprised.

Not that the maneuvers were newly banned. But that the Minneapolis Police Department had still been using neck restraints and chokeholds at all. “I was actually surprised when I learned that Minneapolis still had it to be honest with you,” said New Ulm police chief Dave Borchert. “I would have thought that would have been gone for decades.”

From Duluth to New Ulm, more than a dozen police departments contacted by MinnPost said their officers are not allowed to use neck restraints or chokeholds of any kind — except as deadly force. Many said the practices had been out of use for as long as they could remember, largely because they can be dangerous.

Even so, a small, yet shrinking, number of departments said they still teach some form of neck restraint for officers, a controversial tactic that is meant to control a person resisting arrest.

The Minneapolis policy

Prior to last week, the policy manual for Minneapolis police said officers could use chokeholds to cut off air and kill someone when deadly force is necessary because an officer fears they or others could be killed or suffer a severe injury. The same rules apply for firing a gun.

An officer could also use two types of neck restraints in less severe circumstances. One is called a conscious neck restraint, in which an officer applies light to moderate pressure to the side of a person's neck but does not intend to knock a person unconscious. That could be used against people who are "actively resisting," according to the policy guidebook posted online.

The other neck restraint is one meant to render someone unconscious, and could be used when someone is "exhibiting active aggression" and for "life saving purposes." Department policy said neck restraints can't be used against people who are "passively resisting."

Neither of those two neck restraints were supposed to block or obstruct a person's airway, but are intended to limit or cut off blood flow.

Minneapolis police chief Medaria Arradondo said Chauvin's behavior was not in line with department policy. But the department signed an agreement with the state Department of Human Rights to ban all neck restraints and chokeholds anyway.

The maneuvers faced scrutiny long before Floyd's killing. Police were criticized in 2014 for [using an unauthorized chokehold that killed Eric Garner in New York City](#), and law enforcement experts say neck restraints can be dangerous when not applied properly. (Particularly [when applied on someone who is lying face down](#).) More recently, California Gov. Gavin Newsom eliminated vascular chokeholds from state police training and New York lawmakers [passed a ban on chokeholds June 8](#).

In Minnesota, Gov. Tim Walz called banning chokeholds “a pretty damn damn low bar” for changes to Minneapolis policing policy, and on Wednesday he endorsed the idea of banning them statewide. Majority House Democrats and Senate Republicans have also said they plan to ban chokeholds and neck restraints.





MinnPost photo by Greta Kaul

Minneapolis police chief Medaria Arradondo said Derek Chauvin's behavior was not in line with department policy.

At a hearing Saturday, Rep. Rena Moran, DFL-St. Paul, cited [data reported by NBC News](#) that shows Minneapolis police used neck restraints at least 237 times since 2015, and that force knocked someone unconscious 44 times. Sixty percent of the people that police rendered unconscious were Black.

NBC also reported that when MPD used neck restraints it was sometimes in situations involving assaults on officers or domestic abuse or assault, and in most cases there was no violent offense connected to the maneuver.

“Clearly this technique isn't used exclusively as a last resort to control a suspect who is resisting,” Moran said. “Therefore we find it important, we find it necessary, we find it prudent to regulate it.”

Some departments allow them in Minnesota

So how common are neck restraints and chokeholds outside of Minneapolis?

MinnPost contacted more than two dozen departments, most outside the Twin Cities metro area, to ask about their policies. Of the 21 that responded, three said they currently allow some form of neck restraint in department policy that is not considered deadly force: Winona, Willmar and Bloomington.

Winona police are trained to use a vascular restraint that cuts off blood flow to knock someone unconscious. Deputy Chief Tom Williams said it can be used when you're "grappling with someone" in close contact and can't reach other weapons like a taser. Police are supposed to incapacitate a person, then give them aid and make sure blood is returning to their head. Winona police can also use a respiratory chokehold to cut off air flow, but it can only be used as deadly force, Williams said.

Willmar police captain Mike Anderson said his department teaches a "shoulder pin restraint," where an officer applies pressure to one side of a person's neck but doesn't cut off air supply. They do not teach chokeholds, Anderson said.

Mike Hartley, deputy chief of the Bloomington Police Department, said his department authorizes a vascular neck hold, which can be used to knock someone temporarily unconscious. While he said the department is always evaluating the effectiveness and safety of its techniques, they're not considering eliminating the hold right now.

Most say only use in deadly force

Eighteen police or sheriff's departments around the state who

responded to MinnPost said neck restraints are not allowed.

Red Wing police chief Roger Pohlman said his officers aren't trained to use neck restraints or chokeholds. Pohlman said if an officer doesn't have proper technique, a restraint or chokehold could be "misapplied, which then could result in death."

Steve Schaar, assistant chief of the Grand Rapids police department, said when he first started with the department more than 25 years ago, it was common in policing to use chokeholds to knock someone unconscious. But while he said his officers can use "pressure points" under the nose or below the ear, they don't teach neck restraints or holds of any type.

Borchert, the New Ulm police chief, said he was trained in the '90s to use neck restraints and chokeholds when he graduated from college. But he said in his 21 years with New Ulm, chokeholds and neck restraints have never been part of department policy. "Part of that reasoning is they're dangerous to apply," he said.

Among the police or sheriff's departments MinnPost contacted that don't allow neck restraints and chokeholds: Anoka County, Austin, Brainerd, Brooklyn Park, Duluth, Fergus Falls, Mankato, Moorhead, Rochester, Sartell, Sherburne County, St. Louis County, St. Paul, Stearns County and the Minnesota State Patrol.

Neck restraints are not required as part of basic police academy training in the state, or other ongoing training, according to Robert Hawkins, interim assistant executive director of the Minnesota Board of Peace Officer Standards and Training. The POST board licenses police in the state. Hawkins said neck restraints aren't considered part of current best training practices.

There is an exception to neck restraint bans, however:

Departments widely said officers can use chokeholds if they fear for their life, the life of others or fear great bodily harm. In other words, in a self-defense situation where an officer believes they may be killed, they can employ practically any tactic to defend themselves — even if it's not part of agency training.

The Minneapolis Police Department did not respond to requests for comment on using chokeholds as deadly force in the future. A spokesman for the Department of Human Rights declined to comment.

At the legislative hearing Saturday, Moran said their ban would not restrict using chokeholds or neck restraints as deadly force, though DFLers have proposed changes to laws that regulate when deadly force can be used.

Some move quickly to ditch neck restraints

In a sign of growing opposition to neck restraints, two departments, Rochester and Brooklyn Park, said they had allowed neck restraints but banned them last week.

In Rochester, police allowed vascular neck restraints and shoulder pins against people who display “high levels of active aggression and/or resistance,” according to past policy, but only if an officer determined using less force would not be able to bring someone under control. The techniques were not supposed to put direct pressure on a person's trachea.

Now, the only time an officer can use a neck restraint of any type is when deadly force would be authorized. Sarah Clayton, Rochester police's administrative services manager, said neck restraints had been rare. Use-of-force data since 2017 showed no instances of

Rochester police using one, Clayton said.

Mark Bruley, deputy chief of the Brooklyn Park police, said his department banned vascular neck restraints from policy last week as well. Bruley said the department believes the technique is a safe, legitimate policing tool that can help shorter officers, particularly women, take someone into custody who is bigger than them.

But he said the general public won't differentiate between the technique — which he said can't be done with a knee or leg — and the knee-on-neck pin Chauvin used on Floyd. Community support is key for police actions, Bruley said, and continuing to use neck restraints could reduce public trust and potentially put officers at risk if people see them using a restraint.

“We didn't get rid of it because we think it's bad, we got rid of it because community members do not see that technique as a reasonable option,” Bruley said. “If one of our officers used it tonight I don't think our residents could accept that and understand it.”