



2022 South Dakota Legislature

House Bill 1187

Introduced by: **Representative** Bordeaux

1 **An Act to establish certain provisions related to law enforcement.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That chapter 23-3 be amended with a NEW SECTION:**

4 The Law Enforcement Officers Standards Commission may not approve or
 5 recommend any curriculum or training standard that includes the use of chokeholds,
 6 carotid restraints, or any act that impedes the breathing or circulation of blood likely to
 7 produce a loss of consciousness, as a valid method of restraint.

8 **Section 2. That chapter 23-3 be amended with a NEW SECTION:**

9 The initial training of a law enforcement officer shall include:

- 10 (1) Tribal jurisdiction;
 11 (2) The history of the legal and political relationship between tribal, state, and federal
 12 governments;
 13 (3) Cultural customs of the tribal communities within the state; and
 14 (4) Issues of concern to the tribes.

15 **Section 3. That chapter 23-3 be amended with a NEW SECTION:**

16 The Law Enforcement Officers Standards Commission shall establish a publicly
 17 accessible statewide online database of suspensions and revocations of the certifications
 18 of law enforcement officers in this state by the commission. The database must indicate:

- 19 (1) The name of the officer;
 20 (2) The law enforcement unit where the officer was employed; and
 21 (3) A description of the facts underlying the suspension or revocation.

22 The commission shall publish the information required by this section within ten
 23 days after the commission's decision becomes final.

1 **Section 4. That chapter 23-13 be amended with a NEW SECTION:**

2 A law enforcement officer, as defined in § 23-3-27, may not use a chokehold in the
3 performance of the officer's duties unless deadly force is justified. For purposes of this
4 section, the term, chokehold, means applying any direct pressure to the throat, windpipe,
5 or airway of another with the intent to reduce or prevent the intake of air. A violation of
6 this section is a Class 5 felony.