

1 B. As used in this act, "excessive force" means physical force
2 which exceeds the degree of physical force permitted by law ~~or the~~
3 ~~policies and guidelines of the law enforcement entity.~~ The use of
4 excessive force shall be presumed when a peace officer continues to
5 apply physical force in excess of the force permitted by law ~~or said~~
6 ~~policies and guidelines~~ to a person who has been rendered incapable
7 of resisting arrest.

8 C. ~~Each law enforcement entity which employs any~~ A violation by
9 a peace officer shall adopt of the policies or guidelines ~~concerning~~
10 ~~the~~ of the law enforcement entity that employs the peace officer on
11 the use of force by peace officers which shall be complied with by
12 ~~peace officers in carrying out the duties of such officers within~~
13 ~~the jurisdiction of the law enforcement entity~~ shall not be used or
14 considered in determining if such force is excessive under the
15 criminal laws of this state.

16 SECTION 2. This act shall become effective November 1, 2020.

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18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/27/2020 -
19 DO PASS, As Coauthored.

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