

AMENDMENTS TO HOUSE BILL NO. 462

Sponsor: REPRESENTATIVE BRIGGS

Printer's No. 430

1 Amend Bill, page 1, line 1, by striking out "Title" and
2 inserting
3 Titles

4 Amend Bill, page 1, line 1, by inserting after "Justice)"
5 and 53 (Municipalities Generally)

6 Amend Bill, page 1, line 3, by striking out the period after
7 "enforcement" and inserting
8 ; and, in employees, providing for use of force recordkeeping
9 and reporting for law enforcement agencies.

10 Amend Bill, page 2, by inserting between lines 21 and 22

11 Section 2. The heading of Subchapter B of Chapter 21 of
12 Title 53 is amended to read:

13 SUBCHAPTER B
14 [(Reserved)]
15 USE OF FORCE
16 RECORDKEEPING AND REPORTING
17 FOR LAW ENFORCEMENT AGENCIES

18 Section 3. Subchapter B of Chapter 21 of Title 53 is amended
19 by adding sections to read:

20 § 2131. Policy.

21 It is the policy of the Commonwealth to provide law
22 enforcement agencies with recordkeeping and reporting
23 requirements regarding the use of force and deadly force by law
24 enforcement officers.

25 § 2132. Definitions.

26 The following words and phrases when used in this subchapter
27 shall have the meanings given to them in this section unless the
28 context clearly indicates otherwise:

29 "Commission." The Municipal Police Officers' Education and
30 Training Commission.

31 "Commissioner." The Commissioner of Pennsylvania State
32 Police.

33 "Force." Efforts used by a law enforcement officer that may

1 result in serious bodily injury or death when used to:

2 (1) Effectuate an arrest.

3 (2) Overcome resistance or threatened resistance to
4 effectuate an arrest.

5 (3) Protect the arresting officer or any other person
6 from injury or death.

7 "Law enforcement agency." A law enforcement agency in this
8 Commonwealth that is the employer of a law enforcement officer.

9 "Law enforcement officer." The term shall have the same
10 meaning as the term "peace officer" under 18 Pa.C.S. § 501
11 (relating to definitions).

12 "Serious bodily injury." Bodily injury that creates a
13 substantial risk of death or which causes serious, permanent
14 disfigurement or protracted loss or impairment of the function
15 of a bodily member or organ.

16 § 2133. Recordkeeping.

17 (a) General rule.--Each law enforcement agency shall
18 maintain records of all incidents involving a use of force by a
19 law enforcement officer.

20 (b) Procedure.--The commissioner, in consultation with the
21 Pennsylvania Chiefs of Police Association and the Fraternal
22 Order of Police, shall develop a reporting mechanism each law
23 enforcement agency must comply with and submit records of all
24 use of force incidents. The commissioner, with the approval of
25 the commission, shall determine the most efficient and least
26 burdensome procedure for which this reporting requirement shall
27 be implemented, administered and maintained. This procedure may
28 be incorporated at the discretion of the commissioner within
29 existing or forthcoming uniform crime reporting functions,
30 including a national incident-based reporting system.

31 (c) Content.--The report shall include the following
32 information:

33 (1) Reason for use of force.

34 (2) Personal injuries, if any.

35 (3) Property damage, if any.

36 (4) Deaths, if any.

37 (5) Suspect information, including statute violations
38 and apprehension status of the suspect.

39 (d) Implementation.--The commissioner may implement the
40 reporting requirements to coincide with the timing of the
41 implementation of a national incident-based reporting system
42 within this Commonwealth.

43 § 2134. Pennsylvania State Police report.

44 (a) Annual report.--The Pennsylvania State Police shall
45 compile data sent by individual agencies on an annual basis. The
46 Pennsylvania State Police shall make an annual report based on
47 Statewide data to the Office of Attorney General, the Judiciary
48 Committee of the Senate, the Judiciary Committee of the House of
49 Representatives and the Law and Justice Committee of the Senate.

50 (b) Contents.--The Statewide report shall include the
51 following information:

1 (1) Statewide aggregations of information collected
2 under section 2133(c) (relating to recordkeeping).

3 (2) The total number and percentage of incidents
4 involving the use of force.

5 (3) The total number and percentage of incidents
6 involving the use of force resulting in serious bodily
7 injury.

8 (4) The total number and percentage of incidents
9 involving the use of force resulting in death.

10 (c) Submission of annual report.--The Pennsylvania State
11 Police shall submit the first annual report after the first full
12 calendar year of data collection.

13 Amend Bill, page 2, line 22, by striking out "2" and
14 inserting

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