

SB217_L.116

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.SB20-217 be amended as follows:

1 Amend reengrossed bill, page 14, after line 14 insert:

2 "SECTION 3. In Colorado Revised Statutes, 18-1-703, **amend**
3 (1) introductory portion and (1)(b) as follows:

4 **18-1-703. Use of physical force - special relationships.** (1) The
5 use of physical force upon another person ~~which~~ THAT would otherwise
6 constitute an offense is justifiable and not criminal under any of the
7 following circumstances:

8 (b) A superintendent or other authorized official of a jail, prison,
9 or correctional institution may, in order to maintain order and discipline,
10 use OBJECTIVELY reasonable and appropriate physical force when and to
11 the extent that he OR SHE reasonably believes it necessary to maintain
12 order and discipline, but he OR SHE may use deadly physical force only
13 when he OR SHE OBJECTIVELY reasonably believes ~~it necessary to prevent~~
14 ~~death or serious bodily injury~~ THE INMATE POSES AN IMMEDIATE THREAT
15 TO THE PERSON USING DEADLY FORCE OR ANOTHER PERSON."

16 Renumber succeeding sections accordingly.

17 Page 15, line 10, strike "(b)" and substitute "(b) (I)".

18 Page 15, after line 15 insert:

19 "(II) "CHOKEHOLD" ALSO MEANS APPLYING PRESSURE TO A
20 PERSON'S NECK ON EITHER SIDE OF THE WINDPIPE, BUT NOT TO THE
21 WINDPIPE ITSELF, TO STOP THE FLOW OF BLOOD TO THE BRAIN VIA THE
22 CAROTID ARTERIES."

23 Page 15, line 18, strike "IMPRACTICAL" and substitute "UNREASONABLE".

24 Page 15, strike lines 21 through 23 and substitute:

25 "(b) THE SUSPECT POSES AN IMMEDIATE THREAT TO THE PEACE
26 OFFICER OR ANOTHER PERSON;"

27 Page 15, line 25, strike "INNOCENT" and substitute "OTHER".

28 Page 16, lines 4 and 5, strike "PERSONS, OR WOULD BE CLEARLY
29 INAPPROPRIATE OR INEFFECTIVE UNDER THE CIRCUMSTANCES." and
30 substitute "PERSONS."

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