

1 HB50
2 180328-1
3 By Representative Boyd
4 RFD: Public Safety and Homeland Security
5 First Read: 07-FEB-17
6 PFD: 01/25/2017

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8 SYNOPSIS: This bill would allow law enforcement
9 officers to use only the force that is reasonably
10 necessary to effect lawful objectives, such as
11 tasers and chemical irritant aerosols, and would
12 prescribe when lethal force may be used.

13 This bill would also require the Alabama
14 Peace Officers' Standards and Training Commission
15 to adopt policies consistent with this requirement.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 Relating to law enforcement; to allow law
22 enforcement officers to use only the force that is reasonably
23 necessary to effect lawful objectives; to prescribe when
24 lethal force may be used; and to require the Alabama Peace
25 Officers' Standards and Training Commission to adopt policies
26 consistent with this requirement.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The Legislature finds and declares the
2 following:

3 (1) The preservation of human life is of the highest
4 value in this state.

5 (2) It is of utmost importance that law enforcement
6 agencies implement policies and practices to prohibit the use
7 of unnecessary lethal force by law enforcement officers.

8 (3) Law enforcement officers should be trained and
9 required to use a proportionate response to a threat of harm
10 that is reasonable under the particular circumstances.

11 Section 2. (a) (1) A law enforcement officer may use
12 only the force that is reasonably necessary, including the
13 preferred use of tasers or chemical irritant aerosols, to
14 effect lawful objectives including any of the following:

15 a. A lawful arrest.

16 b. Overcoming resistance to a lawful arrest.

17 c. Preventing the escape of an offender.

18 d. Protecting or defending others or themselves from
19 physical harm.

20 (2) A law enforcement officer may not use lethal
21 force, except for the defense of himself or herself or another
22 from serious physical injury or death.

23 (b) The Alabama Peace Officers' Standards and
24 Training Commission shall adopt policies consistent with this
25 section.

26 (c) For the purposes of this section, "law
27 enforcement officer" means an officer with the power of arrest

1 who is employed with any state agency, department, board,
2 commission, or institution or any municipality or county
3 within this state and is certified by the Alabama Peace
4 Officers' Standards and Training Commission.

5 Section 3. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.