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:

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

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

(b) A superintendent or other authorized official of a jail, prison,
or correctional institution may, in order to maintain order and discipline,
use OBJECTIVELY reasonable and appropriate physical force when and to
the extent that he or she reasonably believes it necessary to maintain
order and discipline, but he or she may use deadly physical force only
when he or she OBJECTIVELY reasonably believes it necessary to prevent
death or serious bodily injury

TO THE INMATE POSES AN IMMEDIATE THREAT
TO THE PERSON USING DEADLY FORCE OR ANOTHER PERSON.".

Renumber succeeding sections accordingly.

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

Page 15, after line 15 insert:

"(II) "CHOKEHOLD" also means applying pressure to a
person's neck on either side of the windpipe, but not to the
windpipe itself, to stop the flow of blood to the brain via the
carotid arteries.".

Page 15, line 18, strike "IMPRactical" and substitute "UNREASONABLE".

Page 15, strike lines 21 through 23 and substitute:

"(b) The suspect poses an immediate threat to the peace
officer or another person;"

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

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

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