

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 227

By: Brooks

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6 AS INTRODUCED

7 An Act relating to deadly force; amending 21 O.S.
8 2011, Section 732, which relates to justifiable
9 deadly force by an officer; creating definition;
10 providing gender neutral language; and providing an
11 effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 21 O.S. 2011, Section 732, is
14 amended to read as follows:

15 Section 732. A. A peace officer, correctional officer, or any
16 person acting by his or her command in his or her aid and
17 assistance, is justified in using deadly force when:

18 1. The officer is acting in obedience to and in accordance with
19 any judgment of a competent court in executing a penalty of death;
20 or

21 2. In effecting an arrest or preventing an escape from custody
22 following arrest and the officer reasonably believes both that:

23 a. such force is necessary to prevent the arrest from
24 being defeated by resistance or escape, and
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1 b. there is probable cause to believe that the person to
2 be arrested has committed a crime involving the
3 infliction or threatened infliction of serious bodily
4 harm, or the person to be arrested is attempting to
5 escape by use of a deadly weapon, or otherwise
6 indicates that he or she will endanger human life or
7 inflict great bodily harm unless arrested without
8 delay; or

9 3. The officer is in the performance of his or her legal duty
10 or the execution of legal process and reasonably believes the use of
11 the force is necessary to protect himself or herself or others from
12 the infliction of serious bodily harm; or

13 4. The force is necessary to prevent an escape from a penal
14 institution or other place of confinement used primarily for the
15 custody of persons convicted of felonies or from custody while in
16 transit thereto or therefrom unless the officer has reason to know:

17 a. the person escaping is not a person who has committed
18 a felony involving violence, and

19 b. the person escaping is not likely to endanger human
20 life or to inflict serious bodily harm if not
21 apprehended.

22 B. "Deadly force" means action known to create a substantial
23 risk of causing death, serious bodily harm or producing suffocation.

1 SECTION 2. This act shall become effective November 1, 2021.

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