

Senate Bill 124

By: Senators Butler of the 55th, Davenport of the 44th, Jackson of the 41st, Parent of the 42nd, Jones II of the 22nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 4 of Title 17 of the Official Code of Georgia Annotated,
2 relating to arrest by law enforcement officers generally, so as to provide for the duty to
3 intervene; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Article 2 of Chapter 4 of Title 17 of the Official Code of Georgia Annotated, relating to
7 arrest by law enforcement officers generally, is amended by revising subsection (d) of Code
8 Section 17-4-20, relating to authorization of arrests with and without warrants generally, use
9 of deadly force, adoption or promulgation of conflicting regulations, policies, ordinances,
10 and resolutions, and authority of nuclear power facility security officer, as follows:

11 "(d) Each sheriff and peace officer who is appointed or employed in conformity with
12 Chapter 8 of Title 35 shall have a duty to intervene and to attempt to stop any use of force
13 by any other sheriff or peace officer that he or she believes or should believe, under the
14 totality of the circumstances, another reasonable sheriff or peace officer would objectively
15 conclude is excessive. ~~No law enforcement agency of this state or of any political~~
16 ~~subdivision of this state shall adopt or promulgate any rule, regulation, or policy which~~

17 ~~prohibits a peace officer from using that degree of force to apprehend a suspected felon~~
18 ~~which is allowed by the statutory and case law of this state."~~

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.