

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1897** Session of  
1975

INTRODUCED BY MEBUS, ZORD AND CESSAR, NOVEMBER 17, 1975

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 18, 1975

AN ACT

1 Amending Title 18 (Crimes and Offenses) further providing for  
2 the use of deadly force by peace officers under certain  
3 circumstances.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Subsection (a) of section 508 of Title 18, act of  
7 November 25, 1970 (P.L.707, No.230), known as the Pennsylvania  
8 Consolidated Statutes, added December 6, 1972 (P.L.1482,  
9 No.334), is amended to read:

10 § 508. Use of force in law enforcement.

11 (a) Peace officer's use of force in making arrest.--

12 (1) A peace officer, or any person whom he has summoned  
13 or directed to assist him, need not retreat or desist from  
14 efforts to make a lawful arrest because of resistance or  
15 threatened resistance to the arrest. He is justified in the  
16 use of any force which he believes to be necessary to effect  
17 the arrest and of any force which he believes to be necessary  
18 to defend himself or another from bodily harm while making  
19 the arrest. However, he is justified in using deadly force

1       only when he believes that such force is necessary to prevent  
2       death or serious bodily injury to himself or such other  
3       person, or when he believes both that:

4               (i)   such force is necessary to prevent the arrest  
5       from being defeated by resistance or escape; and

6               (ii)   the person to be arrested has committed or  
7       attempted a forcible felony [or is attempting to escape  
8       and possesses a deadly weapon, or otherwise indicates  
9       that he will endanger human life or inflict serious  
10      bodily injury unless arrested without delay].

11       (2)   A peace officer making an arrest pursuant to an  
12      invalid warrant is justified in the use of any force which he  
13      would be justified in using if the warrant were valid, unless  
14      he knows that the warrant is invalid.

15      \* \* \*

16      Section 2.   This act shall take effect immediately.