
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1196 Session of
2020

INTRODUCED BY HAYWOOD, SANTARSIERO, FONTANA, FARNESE, HUGHES,
STREET, KEARNEY AND BOSCOLA, JUNE 22, 2020

REFERRED TO JUDICIARY, JUNE 22, 2020

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in general principles of
3 justification, further providing for use of force in law
4 enforcement.

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

7 Section 1. Section 508(a) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 508. Use of force in law enforcement.

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

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

1 believes that such force is necessary to [prevent death or
2 serious bodily injury to himself or such other person, or
3 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.] protect himself or
15 another from imminent death, serious bodily injury,
16 kidnapping or sexual intercourse compelled by force or
17 threat.

18 * * *

19 Section 2. This act shall take effect in 60 days.