

MAINE STATE LEGISLATURE

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L.D. 1250

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DATE: May 16, 1995

(Filing No. S- 149)

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

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SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to S.P. 454, L.D. 1250, Bill, "An Act to Authorize Certain Employees of the Department of Corrections to Use Deadly Force"

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Amend the amendment by inserting after section 1 the following:

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'Sec. 2. 17-A MRSA §107, sub-§5, as amended by PL 1989, c. 18, §2, is further amended to read:

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5. Except where otherwise expressly provided, a corrections officer, corrections supervisor or law enforcement officer in a facility where persons are confined, pursuant to an order of a court or as a result of an arrest, is justified in using deadly force against such persons under the circumstances described in subsection 2. The officer or another individual responsible for the custody, care or treatment of those persons is justified in using a reasonable degree of nondeadly force when and to the extent the officer or the individual reasonably believes it necessary to prevent any escape from custody or to enforce the rules of the facility.'

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Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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RdR

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 454,
L.D. 1250

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STATEMENT OF FACT

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This amendment makes a technical change to correct the
committee amendment.

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SPONSORED BY: *John Benoit*
(Senator BENOIT)

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COUNTY: Franklin

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