

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB110

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 03, 2021

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB110 makes two general changes relating to law enforcement, specifically imposing a statutory duty for law enforcement officers to intervene if another officer uses excessive or inappropriate force and delineating the appropriate use of force by law enforcement officers.

LB110 would impose a duty for law enforcement officers, or peace officers, to intervene or stop another peace officer from using excessive force, without regard for the chain of command. Any such peace officer who intervenes or attempts to intervene as required by law is also directed to report the incident to the peace officer's immediate supervisor or to the Nebraska Commission on Law Enforcement and Criminal Justice within ten days after the incident.

LB110 would also limit law enforcement officers from using force in various situations. Generally stated, the degree of force used by the officers must be proportional to the situation or circumstance that the officers are facing. The bill states that a peace officer is justified in using deadly force, if the peace officer reasonably and in good faith believes that the peace officer or any other person is in imminent danger of being killed or suffering serious bodily harm and that a lesser degree of force would be inadequate to prevent the imminent threat of death or serious bodily harm.

Principal Introducer: _____

Senator Patty Pansing Brooks