

By: Miles

S.B. No. 68

A BILL TO BE ENTITLED

AN ACT

relating to a duty for peace officers to intervene and make a report when a peace officer uses excessive force.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1387 to read as follows:

Art. 2.1387. INTERVENTION REQUIRED FOR EXCESSIVE FORCE; REPORT REQUIRED. (a) A peace officer has a duty to intervene to stop or prevent another peace officer from using excessive force against a person suspected of committing an offense if an ordinary, prudent peace officer would intervene under the same or similar circumstances.

(b) A peace officer who witnesses the use of excessive force by another peace officer shall promptly make a detailed report of the incident and deliver the report to the supervisor of:

(1) the peace officer making the report; and

(2) the peace officer who used the excessive force.

SECTION 2. This Act takes effect September 1, 2021.