Session 124 - (2021-2022)

H 3152 General Bill, By Rutherford, Alexander, Anderson, Bamberg, Brawley, Clyburn, Dillard, Garvin, Gilliard, Govan, Henderson-Myers, Henegan, Hosey, Howard, J. Moore, Jefferson, J.L. Johnson, K.O. Johnson, King, Matthews, McDaniel, Murray, Parks, Pendarvis, Rivers, Robinson, Tedder, Thigpen, Weeks, R. Williams and S. Williams

Summary: Law enforcement officers

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-250 SO AS TO PROHIBIT A LAW ENFORCEMENT OFFICER FROM USING EXCESSIVE RESTRAINT, WHICH INCLUDES, BUT IS NOT LIMITED TO, THE USE OF CHOKEHOLDS AND STRANGLEHOLDS WHEN DETAINING A PERSON OR UNREASONABLE FORCE WHILE MAKING AN ARREST AND TO PROVIDE PENALTIES FOR AN OFFICER WHO USES EXCESSIVE RESTRAINT OR FORCE; AND BY ADDING SECTION 23-1-255 SO AS TO GRANT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY TO CONDUCT AN INVESTIGATION OF ALL OFFICER-INVOLVED USES OF FORCE THAT RESULT, OR COULD HAVE RESULTED, IN SEVERE BODILY INJURY OR DEATH, TO ALLOW FOR AN INVESTIGATION OF AN OFFICER-INVOLVED USE OF FORCE TO BE COMPLETED BY A SEPARATE LAW ENFORCEMENT AGENCY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROTOCOL FOR EVIDENCE COLLECTION AND PROCESSING IN CERTAIN CIRCUMSTANCES, TO GRANT AN INVESTIGATING OFFICER THE SAME AUTHORITY AS HE WOULD HAVE IN HIS HOME JURISDICTION FOR THE DURATION OF THE INVESTIGATION, TO ESTABLISH A PROCEDURE FOR THE FORWARDING OF THE EVIDENCE TO THE ATTORNEY GENERAL UPON COMPLETION OF THE INVESTIGATION, AND TO ESTABLISH PENALTIES FOR THE FAILURE TO COMPLETE AN INDEPENDENT INVESTIGATION PURSUANT TO THE PROVISIONS OF THIS SECTION.

12/09/20	**House**	**Prefiled**
12/09/20	**House**	**Referred to Committee on Judiciary**
01/12/21	**House**	**Introduced and read first time (House Journal-page 90)**
01/12/21	**House**	**Referred to Committee on Judiciary (House Journal-page 90)**