

**§ 148-46. Degree of protection against violence allowed.**

(a) When any prisoner, or several combined shall offer violence to any officer, overseer, or correctional officer, or to any fellow prisoner, or attempt to do any injury to the prison building, or to any workshop, or other equipment, or shall attempt to escape, or shall resist, or disobey any lawful command, the officer, overseer, or correctional officer shall use any means necessary to defend himself, or to enforce the observance of discipline, or to secure the person of the offender, and to prevent an escape.

(b) A misdemeanor prisoner classified and treated as a convicted felon as the result of a consecutive felony sentence or sentences, or a convicted felon placed in the custody of the Secretary of the Department of Adult Correction pending the outcome of an appeal, or a defendant charged with a felony or felonies and placed in the custody of the Secretary of the Department of Adult Correction pending trial, shall be considered as a convicted felon in the custody of the Secretary of the Department of Adult Correction against whom any means reasonably necessary, including deadly force, may be used to prevent an escape. (1933, c. 172, s. 27; 1975, c. 230; 2011-145, s. 19.1(i); 2016-77, s. 8(d); 2021-180, s. 19C.9(o).)