

**UPDATED SUMMARY
HOUSE BILL 16-1264**

Second Regular Session - Seventieth Colorado General Assembly

This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.

~~The bill prohibits a peace officer from intentionally using a chokehold against another person. The bill makes a violation a class 1 misdemeanor. The bill makes an exception if the officer believes his or her life is in danger or that he or she or another person is in imminent danger of death or serious bodily injury.~~ *The bill adds using a chokehold to the statute governing the use of physical force by peace officers. A peace officer can use a chokehold upon another person only when he or she reasonably believes that it is necessary:*

- ! To defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of deadly physical force or infliction of serious bodily injury; or*
- ! To effect an arrest, or to prevent the escape from custody, of a person whom he or she reasonably believes:
 - ! Has committed or attempted to commit a felony involving or threatening the use of a deadly weapon; or*
 - ! Is attempting to escape by the use of deadly force; or*
 - ! Indicates, except through a motor vehicle, that he or she is likely to endanger human life or to inflict serious bodily injury to another unless he or she is apprehended without delay.**