## HOUSE SPONSORSHIP

**Melton,** Buckner, Esgar, Fields, Salazar

## SENATE SPONSORSHIP

**(None),**

| House Committees | Senate Committees |
| --- | --- |
| Judiciary | |

## A BILL FOR AN ACT

101 CONCERNING PROHIBITING THE USE OF A CHOKEHOLD BY A PEACE
102         OFFICER.

### Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://www.leg.state.co.us/billsummaries.)*

       The bill prohibits a peace officer from using a chokehold. The bill makes an exception if the officer believes his or her life is in danger.

1      *Be it enacted by the General Assembly of the State of Colorado:*

1      **SECTION 1.** In Colorado Revised Statutes, **add** 18-3-210 as

2  follows:

3      **18-3-210. Chokehold by a peace officer - definitions.** (1) A

4  PEACE OFFICER AS DESCRIBED IN ARTICLE 2.5 OF TITLE 16, C.R.S., SHALL

5  NOT USE OR APPLY A CHOKEHOLD.

6      (2) IT IS NOT AN OFFENSE UNDER THIS SECTION IF THE OFFICER

7  REASONABLY BELIEVES THAT IT IS NECESSARY TO USE A CHOKEHOLD

8  BECAUSE HIS OR HER LIFE IS IN DANGER.

9      (3) A PEACE OFFICER WHO VIOLATES SUBSECTION (1) OF THIS

10  SECTION COMMITS A CLASS 1 MISDEMEANOR.

11      (4) FOR THE PURPOSES OF THIS SECTION, "CHOKEHOLD" MEANS TO

12  WRAP AN ARM AROUND OR GRIP THE NECK IN A MANNER THAT LIMITS OR

13  CUTS OFF EITHER THE FLOW OF AIR BY COMPRESSING THE WINDPIPE OR THE

14  FLOW OF BLOOD THROUGH THE CAROTID ARTERIES ON EACH SIDE OF THE

15  NECK.

16      **SECTION 2. Effective date - applicability.** This act takes effect

17  July, 1, 2015, and applies to offenses committed on or after said date.

18      **SECTION 3. Safety clause.** The general assembly hereby finds,

19  determines, and declares that this act is necessary for the immediate

20  preservation of the public peace, health, and safety.