

AN ACT CONCERNING USE OF POLICE CHOKEHOLDS

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 53a-22 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2025):

(a)(1) For purposes of this section, a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense. If the believed facts or circumstances would not in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of physical force to make an arrest or to prevent an escape from custody.

(2) A peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles who is effecting an arrest pursuant to a warrant or preventing an escape from custody is justified in using the physical force prescribed in subsections (b), (c) and (d) of this section unless such warrant is invalid and is known by such officer to be invalid.

(b) Except as provided in subsection (a) or (d) of this section, a peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using physical force upon another person when and to the extent that he or she reasonably believes such use to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend himself or herself or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

(c) (1) Except as provided in subsection (d) of this section, a peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using deadly physical force upon another person for the purposes specified in subsection (b) of this section only when his or her actions are objectively reasonable under the given circumstances at that time, and:

(A) He or she reasonably believes such use to be necessary to defend himself or herself or a third person from the use or imminent use of deadly physical force; or

DRAFT

(B) He or she (i) has reasonably determined that there are no available reasonable alternatives to the use of deadly physical force, (ii) reasonably believes that the force employed creates no unreasonable risk of injury to a third party, and (iii) reasonably believes such use of force to be necessary to (I) effect an arrest of a person whom he or she reasonably believes has committed or attempted to commit a felony which involved the infliction of serious physical injury, and if, where feasible, he or she has given warning of his or her intent to use deadly physical force, or (II) prevent the escape from custody of a person whom he or she reasonably believes has committed a felony which involved the infliction of serious physical injury and who poses a significant threat of death or serious physical injury to others, and if, where feasible, he or she has given warning of his or her intent to use deadly physical force.

(2) For purposes of evaluating whether actions of a peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles are reasonable under subdivision (1) of this subsection, factors to be considered include, but are not limited to, whether (A) the person upon whom deadly physical force was used possessed or appeared to possess a deadly weapon, (B) the peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles engaged in reasonable deescalation measures prior to using deadly physical force, and (C) any unreasonable conduct of the peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles led to an increased risk of an occurrence of the situation that precipitated the use of such force.

(d) A peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles is justified in using a chokehold or other method of restraint applied to the neck area or that otherwise impedes the ability to breathe or restricts blood circulation to the brain of another person for the purposes specified in subsection (b) of this section only when he or she reasonably believes such use to be necessary to defend himself or herself **or a third person** from the use or imminent use of deadly physical force.

(e) Except as provided in subsection (f) of this section, a person who has been directed by a peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles to assist such peace officer or official to effect an arrest or to prevent an escape from custody is justified in using reasonable physical force when and to the extent that he or she reasonably believes such to be necessary to carry out such peace officer's or official's direction.

(f) A person who has been directed to assist a peace officer or an authorized official of the Department of Correction or the Board of Pardons and Paroles under

circumstances specified in subsection (e) of this section may use deadly physical force to effect an arrest or to prevent an escape from custody only when: (1) He or she reasonably believes such use to be 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 (2) he or she is directed or authorized by such peace officer or official to use deadly physical force, unless he or she knows that the peace officer or official himself or herself is not authorized to use deadly physical force under the circumstances.

(g) A private person acting on his or her own account is justified in using reasonable physical force upon another person when and to the extent that he or she reasonably believes such use to be necessary to effect an arrest or to prevent the escape from custody of an arrested person whom he or she reasonably believes to have committed an offense and who in fact has committed such offense; but he or she is not justified in using deadly physical force in such circumstances, except in defense of person as prescribed in section [53a-19](#).

(h) In determining whether use of force by a peace officer who is a police officer, as defined in subsection (a) of section [29-6d](#), is justified pursuant to this section, the trier of fact may draw an unfavorable inference from a police officer's deliberate failure in violation of section [29-6d](#) to record such use of physical force.