



Substitute House Bill No. 6462

Public Act No. 21-4

AN ACT CONCERNING USE OF FORCE BY A PEACE OFFICER.

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

Section 1. (*Effective March 31, 2021*) Section 29 of public act 20-1 of the July special session shall take effect January 1, 2022.

Sec. 2. Subsection (c) of section 53a-22 of the general statutes, as amended by section 29 of public act 20-1 of the July special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2022*):

(c) (1) Except as provided in subsection (d) of this section, a peace officer, special policeman appointed under section 29-18b or 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

(B) He or she (i) has [exhausted the] reasonably determined that there

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are no available reasonable alternatives to the use of deadly physical force, (ii) reasonably believes that the force employed creates no [substantial] 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, [under this subdivision,] 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, special policeman appointed under section 29-18b or 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, special policeman appointed under section 29-18b or 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, special policeman appointed under section 29-18b or 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.

Approved March 31, 2021