

- VEST FIRST RESPONDER -

HELP FOR HEROES

COLORADO

Self-Defense Law Reference Guide

*Make My Day Law | Castle Doctrine | No Duty to Retreat | First Responder Protections | SB 20-217
Complete Chokehold Ban*

CERTIFIED TRAINER SUPPLEMENTAL DOCUMENT

Intended exclusively for VEST Certified Trainers. Not a substitute for legal counsel.

COLORADO HAS A COMPREHENSIVE CHOKEHOLD BAN (SB 20-217, 2020)

Colorado enacted Senate Bill 217 in June 2020 - one of the most sweeping police accountability laws in the country. SB 217 bans both chokeholds AND carotid control holds by law enforcement with NO exceptions for any circumstances. This is a critical distinction for VEST trainers delivering joint agency training in Colorado.

Colorado's self-defense laws are codified in Title 18, Article 1, Part 7 of the Colorado Revised Statutes (C.R.S.). Colorado does not have a statute explicitly titled 'Stand Your Ground,' but the Colorado Supreme Court has established through case law that there is no duty to retreat before using force in self-defense. Colorado's Make My Day Law (C.R.S. S. 18-1-704.5) is among the strongest home defense statutes in the country.

STATUTE	SUBJECT MATTER
C.R.S. S. 18-1-704	Defense of Person - Use of Physical Force (Core Standard)
C.R.S. S. 18-1-704.5	Make My Day Law - Use of Deadly Force Against Intruders
C.R.S. S. 18-1-706	Defense of Property (Limited)
C.R.S. S. 18-3-203(1)(c)	2nd Degree Assault on Peace Officer/Firefighter/EMS - Felony
C.R.S. S. 18-3-202	1st Degree Assault - Serious Bodily Injury to First Responder
SB 20-217 / C.R.S. S. 24-31-903	Complete Chokehold and Carotid Hold Ban (2020)
C.R.S. S. 13-21-131	Individual Officer Liability for Unlawful Force

PART I: THE COLORADO SELF-DEFENSE STATUTORY FRAMEWORK

C.R.S. S. 18-1-704 - Use of Physical Force in Defense of a Person

"Except as provided in subsections (2) and (3) of this section, a person is justified in using physical force upon another person in order to defend himself or a third person from what he reasonably believes to be the use or imminent use of unlawful physical force by that other person, and he may use a degree of force which he reasonably believes to be necessary for that purpose." - C.R.S. S. 18-1-704(1)

Deadly force is justified only when the person reasonably believes a lesser degree of force is inadequate AND they reasonably believe: (a) they or another are in imminent danger of death or serious bodily injury; (b) the other person is using or reasonably appearing to use physical force during a burglary; or (c) the other person is committing or attempting to commit kidnapping, robbery, or sexual assault.

FOR FIRST RESPONDERS:

C.R.S. S. 18-1-704 applies to EMS and fire personnel as civilians. No duty to retreat applies under Colorado case law. The Colorado Supreme Court has held that Colorado's self-defense statute codifies the common law no-duty-to-retreat doctrine. Colorado first responders have the same practical protection as in statutory Stand Your Ground states.

C.R.S. S. 18-1-704.5 - The Make My Day Law (Castle Doctrine)

"The general assembly hereby recognizes that the citizens of Colorado have a right to expect absolute safety within their own homes. Any occupant of a dwelling is justified in using any degree of physical force, including deadly physical force, against another person when that other person has made an unlawful entry into the dwelling, and when the occupant reasonably believes that such other person has committed a crime in the dwelling in addition to the uninvited entry, or is committing or intends to commit a crime against a person or property in addition to the uninvited entry, and when the occupant reasonably believes that such other person might use any physical force, no matter how slight, against any occupant." - C.R.S. S. 18-1-704.5(1)-(2)

Colorado's Make My Day Law is notably broad. It allows ANY degree of physical force - including deadly force - if the occupant reasonably believes the intruder might use any physical force, no matter how slight. The 'any physical force, no matter how slight' threshold is one of the lowest Castle Doctrine standards in the country.

- 'Dwelling' includes any home, apartment, condo, RV, or hotel room - any place temporarily used as a residence.
- Does NOT extend to vehicles or places of employment under S. 18-1-704.5.
- The intruder must have made an UNLAWFUL entry.
- The occupant need not wait for violence - the belief that slight force might be used is sufficient.

MAKE MY DAY VS. GENERAL SELF-DEFENSE:

Make My Day (S. 18-1-704.5) applies ONLY inside the dwelling with a very low threshold. General self-defense (S. 18-1-704) applies everywhere else with a higher proportionality requirement. For EMS crews in public, the general S. 18-1-704 standard applies - no Make My Day presumption, but still no duty to retreat under Colorado common law.

PART II: DUTY TO RETREAT - COLORADO'S POSITION

Colorado has NO duty to retreat, established through case law rather than statute. The Colorado Supreme Court has consistently held that Colorado's self-defense statute codifies the common law no-duty-to-retreat doctrine. In practice, Colorado first responders are not required to flee before using justified force anywhere they are lawfully present.

- No duty to retreat - established by Colorado Supreme Court case law, not explicit statute.
- Inside the dwelling (Make My Day): the no-retreat principle is reinforced by statute.
- Outside the dwelling: case law no-retreat applies.
- Exception: Must not be the initial aggressor.

PART III: FIRST RESPONDER ASSAULT - ENHANCED CRIMINAL PROTECTIONS

C.R.S. S. 18-3-203(1)(c) - Second-Degree Assault on Peace Officer/Firefighter/EMS

Colorado's assault statute is elevated to Second-Degree Assault - a Class 4 Felony (2-8 years) - when the attacker knowingly or recklessly causes bodily injury to a peace officer, firefighter, or emergency medical care provider engaged in official duties. When a deadly weapon is used against these protected persons, the offense escalates to Class 3 Felony (4-12 years).

C.R.S. S. 18-3-202 - First-Degree Assault

Causing serious bodily injury to a peace officer, firefighter, or EMS provider using a deadly weapon is First-Degree Assault - a Class 2 Felony (8-24 years). The crime of violence sentence enhancer applies, meaning no probation and mandatory prison time.

COLORADO'S SENTENCE ENHANCEMENT FRAMEWORK:

Colorado's crime-of-violence designation for assault on first responders means mandatory prison - no probation, no suspended sentences. Tiered Class 4 through Class 2 Felony structure creates real, escalating accountability for attacks on EMS and fire personnel.

PART IV: POLICE USE OF FORCE - SB 20-217 CHOKEHOLD BAN

Senate Bill 20-217 - Enhance Law Enforcement Integrity Act (2020)

"The act prohibits a peace officer from using a chokehold. A chokehold is defined as a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible. It also includes applying pressure to stop the flow of blood to the brain via the carotid arteries." - SB 20-217 Summary

WHAT SB 20-217 PROHIBITS:

- Respiratory chokeholds - PROHIBITED, all circumstances, for all peace officers.
- Carotid control holds - PROHIBITED, all circumstances, for all peace officers.
- No life-safety exception preserved in the statute for neck restraints.

WHAT SB 20-217 ALSO REQUIRES:

- Duty to Intervene - officers must intervene when witnessing a colleague's unlawful use of force. Failure triggers POST decertification.
- Body-Worn Cameras - required for all applicable officers beginning July 1, 2023.
- Proportional Force Standard - officers must use de-escalation when possible.
- Individual Liability - officers can be personally liable for up to 25% or \$25,000 of judgments for knowing violations.
- Qualified immunity removed for state civil rights actions.

IMPORTANT - NO EXCEPTIONS IN COLORADO:

Colorado's SB 20-217 chokehold prohibition has NO life-safety carve-out. A Colorado peace officer faces POST decertification and personal civil liability for using a neck restraint even in a life-threatening situation under state law. This is one of the strictest chokehold bans in the country. VEST trainers delivering joint agency training in Colorado MUST address this explicitly.

First Responders (Non-Law Enforcement) and Neck Restraints in Colorado

SB 20-217 applies ONLY to peace officers. EMS and fire personnel acting in personal self-defense are evaluated under the civilian C.R.S. S. 18-1-704 framework. There is no statutory restriction on civilian Colorado first

responders using any defensive physical technique in genuine life-safety self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER COLORADO LAW

1. No Duty to Retreat - Case Law Is as Binding as Statute

Colorado case law firmly establishes no duty to retreat. VEST-trained Colorado EMS and fire providers have no legal obligation to flee before defending themselves. Document why retreat was not safe or available to support the reasonableness analysis.

2. The Make My Day Law Is Very Broad in the Dwelling

Inside any residence, C.R.S. S. 18-1-704.5 applies its very low 'any slight force' threshold for the Castle Doctrine presumption. A first responder treating a patient inside a home who faces a violent intruder may benefit from this broad protection.

3. Colorado's Chokehold Ban Is the Strictest for Law Enforcement

When VEST delivers joint training with Colorado law enforcement, the absolute nature of SB 20-217 must be addressed explicitly. Colorado peace officers are prohibited from using neck restraints under any circumstances under state law. Civilian first responders are not bound by this prohibition and are evaluated under S. 18-1-704 only.

4. De-Escalation Is Legally and Culturally Expected in Colorado

Colorado's SB 20-217 explicitly requires law enforcement to use de-escalation when possible. VEST Level I de-escalation curriculum aligns with what Colorado's legal culture expects and supports the proportionality standard.

5. Know When Force Ends

C.R.S. S. 18-1-704 limits force to that 'necessary' for defense. Once the threat is neutralized, force must stop. VEST's continuous threat reassessment framework is operationally and legally essential in Colorado.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Colorado Revised Statutes Title 18; SB 20-217 (2020) statutes are subject to legislative amendment, and individual incidents are always fact-specific. VEST Certified Trainers and their agencies should consult with a licensed attorney, their medical director, and agency legal counsel before developing or delivering formal use-of-force or defensive tactics policies.

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