

C.R.S. 16-3-110

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Current through all Laws passed during the 2018 Legislative Session

- [Colorado Revised Statutes](#)
- [TITLE 16. CRIMINAL PROCEEDINGS](#)
- [CODE OF CRIMINAL PROCEDURE](#)
- [ARTICLE 3. ARREST - SEARCHES AND SEIZURES](#)
- [PART 1. AUTHORITY OF PEACE OFFICER TO MAKE AN ARREST](#)

16-3-110. Peace officers - duties

(1) For the purposes of this section, "peace officer" means:

(a) A peace officer as described in section 16-2.5-101; or

(b) A federal law enforcement officer who, pursuant to federal statutes and the policy of the agency by which the officer is employed, is authorized to use deadly physical force in the performance of his or her duties.

(2) A peace officer shall have the authority to act in any situation in which a **felony or misdemeanor** has been or is being committed in such officer's presence, and such authority shall exist regardless of whether such officer is in the **jurisdiction of the law enforcement agency** that employs such officer or in some other jurisdiction within the state of Colorado or whether such officer was acting within the scope of such officer's duties when he or she observed the commission of the crime, when such officer has been authorized by such agency to so act. The local law enforcement agency having jurisdiction shall be immediately notified of the arrest and any person arrested shall be released to the custody of the local law enforcement agency.

(3) This section shall not be construed to authorize any federal officer to use deadly physical force in excess of that authorized in section 18-1-707, C.R.S.

History

Source:

L. 93: Entire section added, p. 703, § 1, effective July 1. L. 96: Entire section amended, p. 735, § 4, effective July 1. L. 2003: (1)(a) amended, p. 1624, § 43, effective August 6.

▼ Annotations

Case Notes

ANNOTATION

Law reviews. For article, "Controlling the Criminal Justice System: Colorado as a Case Study", see 94 Denv. L. Rev. 497 (2017).

When officers stopped driver for a traffic infraction outside their jurisdiction, they violated subsection (2). Turning without a signal is a traffic infraction, not a felony or misdemeanor, under Colorado law. United States v. Gonzales, 535 F.3d 1174 (10th Cir.), cert. denied, 555 U.S. 1077, 129 S. Ct. 743, 172 L. Ed. 2d 740 (2008).