**609.06 AUTHORIZED USE OF FORCE.**

Subdivision 1. **When authorized.** Except as otherwise provided in subdivisions 2 to 4, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

(1) when used by a public officer or one assisting a public officer under the public officer's direction:

(i) in effecting a lawful arrest; or

(ii) in the execution of legal process; or

(iii) in enforcing an order of the court; or

(iv) in executing any other duty imposed upon the public officer by law; or

(2) when used by a person not a public officer in arresting another in the cases and in the manner provided by law and delivering the other to an officer competent to receive the other into custody; or

(3) when used by any person in resisting or aiding another to resist an offense against the person; or

(4) when used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or

(5) when used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or

(6) when used by a parent, guardian, or other lawful custodian of a child, in the exercise of lawful authority, to restrain or correct such child; or

(7) when used by a teacher, school principal, school employee, school bus driver, or other agent of a district in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another; or

(8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or

(9) when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or

(10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

Subd. 2. **Deadly force used against peace officers.** Deadly force may not be used against peace officers who have announced their presence and are performing official duties at a location where a person is committing a crime or an act that would be a crime if committed by an adult.

Subd. 3. **Limitations on the use of certain restraints.** (a) A peace officer may not use any of the following restraints unless section 609.066 authorizes the use of deadly force to protect the peace officer or another from death or great bodily harm:

(1) a choke hold;

(2) tying all of a person's limbs together behind the person's back to render the person immobile; or

(3) securing a person in any way that results in transporting the person face down in a vehicle.

(b) For the purposes of this subdivision, "choke hold" means a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

Subd. 4. **Use of force not authorized; reaction to victim's sexual orientation or gender identity.** Force may not be used against another based on the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived sexual orientation, gender identity, or gender expression.

**History:** *1963 c 753 art 1 s 609.06; 1986 c 444; 1993 c 326 art 1 s 4; 1996 c 408 art 3 s 12; 2002 c 221 s 46; 2013 c 59 art 3 s 16; 2013 c 62 s 28; 2Sp2020 c 1 s 7,8; 2024 c 78 s 7; 2024 c 123 art 6 s 4,5*