

A criminal charge of resisting arrest alleges that a defendant knowingly prevented, or attempted to prevent, a police officer from arresting the defendant or another person by using, or threatening to use, physical force or violence or by using another means creating a risk of substantial risk of bodily injury to the police officer. An arrest is completed when a person has been detained, placed securely in custody, and is under the control of the police.

A police officer may not use unreasonable or excessive force in making an arrest. A person is allowed to use reasonable force to protect himself from physical harm when unreasonable or excessive force is used. If a police officer uses unreasonable or excessive force to make an arrest, the person who is being arrested may defend himself with necessary, reasonable force.

It is not a defense to this charge that a police officer was attempting to make an arrest that was unlawful, provided the officer was acting in his official capacity and used only reasonable force in attempting to make the arrest.

Resisting arrest is punishable by up to 2 ½ years in jail.