

Commission on Statewide Law Enforcement Standards of Conduct and Discipline

Division 10

Discipline Standards for Misconduct

265-010-0015

Unjustified or Excessive Use of Physical or Deadly Force

(1) A disciplining body shall impose upon a law enforcement officer disciplinary action of termination upon a finding that the officer engaged in misconduct constituting unjustified ~~or excessive~~ use of deadly physical force by the officer. ~~[that results in death or serious physical injury.]~~ For the purposes of this rule, the use of “deadly physical force” means an must be intentional use of force.

(2) A disciplining body shall impose upon a law enforcement officer disciplinary action within the following disciplinary range upon a finding that the officer engaged in misconduct constituting unjustified ~~or excessive~~ use of physical force by the officer that results in death or serious physical injury:

(a) The presumptive sanction shall be termination.

(b) The mitigated sanction shall be suspension without pay, salary reduction, ~~or~~ demotion. ~~[or a written reprimand.]~~

(3) A disciplining body shall impose upon a law enforcement officer disciplinary action within the following disciplinary range upon a finding that the officer engaged in misconduct constituting unjustified ~~or excessive~~ use of physical force by the officer that results in physical injury:

(a) The presumptive sanction shall be ~~termination~~ suspension without pay, salary reduction, or demotion.

(b) ~~the~~ The mitigated sanction shall be ~~suspension without pay, salary reduction, demotion, or written reprimand.~~

(c) The aggravated sanction shall be termination

(4) A disciplining body shall impose upon a law enforcement officer disciplinary action within the following disciplinary range upon a finding that the officer engaged in misconduct constituting unjustified ~~or excessive~~ use of physical force by the officer that results in no injury:

(a) The presumptive sanction shall be suspension without pay, or salary reduction, ~~or demotion.~~

(b) The mitigated sanction shall be written reprimand or no discipline.

(c) The aggravated sanction shall be demotion or termination.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [~~italic~~ *and bracketed*] is existing law to be omitted. New sections are **boldfaced** type.