

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, “deadly physical force” means an 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.

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

**(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, salary reduction, or demotion.

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

**(c)** The aggravated sanction shall be 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.