

Commission on Statewide Law Enforcement Standards of Conduct and Discipline

Chapter 265

Division 10

Discipline Standards for Misconduct

265-010-0030

The Use of Drugs or Alcohol [~~While on Duty~~]

(1) A disciplining body shall impose upon a law enforcement officer disciplinary action within the following disciplinary range upon a finding that the law enforcement officer engaged in misconduct by unlawfully using a controlled substance while on duty.

(a) The presumptive sanction shall be termination.

(b) The mitigated sanctions shall include suspension without pay, a salary reduction, or demotion.

(2) For the purposes of this rule, using a controlled substance while on duty includes but is not limited to a drug test indicating use of a controlled substance.

(3) A disciplining body shall impose upon a law enforcement officer disciplinary action within the following disciplinary range upon a finding that the law enforcement officer engaged in misconduct by being impaired to a noticeable or perceptible degree due to the consumption of an alcoholic beverage while reporting to duty or while on duty.

(a) The presumptive sanction shall be termination.

(b) The mitigated sanctions shall be suspension without pay, a salary reduction, demotion, or written reprimand.

~~(3)~~ **(4)** For the purposes of this rule, “being impaired to a noticeable and perceptible degree” includes having a BAC greater than 0.02.

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