

Subject Modifying the authorization for peace officers to use deadly force

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Overview

Before 2020, Minnesota's law authorizing peace officers to use deadly force stated that an officer could use such force in the line of duty "to protect the peace officer or another from apparent death or great bodily harm." In 2020, the legislature amended the law to incorporate a standard from the U.S. Supreme Court case *Graham v. Connor*, removed the word "apparent," and specified three factors that must be met to justify an officer's use of deadly force. Following that change, an officer's use of deadly force is justified if an objectively reasonable officer would believe, based only on the facts known at the time, that deadly force was needed to protect the officer from a threat of death or great bodily harm that (1) can be articulated with specificity, (2) is reasonably likely to occur absent action by the officer, and (3) must be addressed through the use of deadly force without unreasonable delay.

This bill would reinsert the word "apparent" before "death or great bodily harm."

Summary

Section	Description
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1	Use of deadly force.
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Reinstates the term "apparent" before "death or great bodily harm" to describe the situations in which a peace officer can use deadly force to protect the officer or another.