



Council of the **DISTRICT OF COLUMBIA**

Code of the District of Columbia

§ 5–351.01. Use of deadly force.

(a) For the purposes of this section, the term:

(1) "Deadly force" means any force that is likely or intended to cause serious bodily injury or death.

(2) "Deadly weapon" means any object, other than a body part or stationary object, that in the manner of its actual, attempted, or threatened use, is likely to cause serious bodily injury or death.

(3) "Serious bodily injury" means extreme physical pain, illness, or impairment of physical condition, including physical injury, that involves:

(A) A substantial risk of death;

(B) Protracted and obvious disfigurement;

(C) Protracted loss or impairment of the function of a bodily member or organ; or

(D) Protracted loss of consciousness.

(b) A law enforcement officer shall not use deadly force against a person unless:

(1) The law enforcement officer actually and reasonably believes that deadly force is immediately necessary to protect the law enforcement officer or another person, other than the subject of the use of deadly force, from the threat of serious bodily injury or death;

(2) The law enforcement officer's actions are reasonable, given the totality of the circumstances; and

(3) All other options have been exhausted or do not reasonably lend themselves to the circumstances.

(c) In any grand jury, criminal, delinquency, or civil proceeding where an officer's use of deadly force is a material issue, the trier of fact shall consider:

(1) The reasonableness of the law enforcement officer's belief and actions from the perspective of a reasonable law enforcement officer; and

(2) The totality of the circumstances, which shall include:

(A) Whether the subject of the use of deadly force:

(i) Possessed or appeared to possess a deadly weapon; and

(ii) Refused to comply with the law enforcement officer's lawful order to surrender an object believed to be a deadly weapon prior to the law enforcement officer using deadly force;

(B) Whether the law enforcement officer, or another law enforcement officer in close proximity, engaged in reasonable de-escalation measures prior to the use of deadly force, including taking cover, requesting support from available mental health, behavioral health, or social workers, waiting for back-up, trying to calm the subject of the use of force, or, if feasible, using non-deadly force prior to the use of deadly force; and

(C) Whether any conduct by the law enforcement officer prior to the use of deadly force unreasonably increased the risk of a confrontation resulting in deadly force being used.

[\(Apr. 21, 2023, D.C. Law 24-345, § 119, 70 DCR 7904.\)](#)

Emergency Legislation

[For temporary \(90 days\) creation of this section, see § 117 of Comprehensive Policing and Justice Reform Emergency Amendment Act of 2023 \(D.C. Act 25-61, Mar. 24, 2023, 70 DCR 3820\).](#)

[For temporary \(90 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Congressional Review Emergency Amendment Act of 2022 \(D.C. Act 24-454, June 28, 2022, 69 DCR 007767\).](#)

[For temporary \(90 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Emergency Amendment Act of 2022 \(D.C. Act 24-370, Apr. 7, 2022, 69 DCR 3370\).](#)

[For temporary \(90 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Emergency Amendment Act of 2021 \(D.C. Act 24-128, July 29, 2021, 68 DCR 007656\).](#)

[For temporary \(90 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Emergency Amendment Act of 2021 \(D.C. Act 24-76, May 3, 2021, 68 DCR 004935\).](#)

[For temporary \(90 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Congressional Review Emergency Amendment Act of 2020 \(D.C. Act 23-437, Oct. 28, 2020, 67 DCR 12993\).](#)

[For temporary \(90 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Second Emergency Amendment Act of 2020 \(D.C. Act 23-336, July 22, 2020, 67 DCR 9148\).](#)

Temporary Legislation

[For temporary \(225 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Temporary Amendment Act of 2022 \(D.C. Law 24-149, Aug. 12, 2022, 69 DCR 007767\).](#)

[For temporary \(225 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Temporary Amendment Act of 2021 \(D.C. Law 24-23, Sept. 3, 2021, 68 DCR 005837\).](#)

[For temporary \(225 days\) creation of this section, see § 119 of Comprehensive Policing and Justice Reform Second Temporary Amendment Act of 2020 \(D.C. Law 23-151, Dec. 3, 2020, 67 DCR 9920\).](#)

Current through

Nov. 13, 2025

Last codified D.C. Law:

[Law 26-53 effective Oct. 28, 2025](#)

Last codified Emergency Law:

[Act 26-199 effective Nov. 13, 2025](#)

Last codified Federal Law:

[Public Law 115-334 approved Dec.
20, 2018](#)

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