

503.090 Use of physical force in law enforcement.

- (1) The use of physical force by a defendant upon another person is justifiable when the defendant, acting under official authority, is making or assisting in making an arrest, and he:
 - (a) Believes that such force is necessary to effect the arrest;
 - (b) Makes known the purpose of the arrest or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested; and
 - (c) Believes the arrest to be lawful.
- (2) The use of deadly physical force by a defendant upon another person is justifiable under subsection (1) only when:
 - (a) The defendant, in effecting the arrest, is authorized to act as a peace officer; and
 - (b) The arrest is for a felony involving the use or threatened use of physical force likely to cause death or serious physical injury; and
 - (c) The defendant believes that the person to be arrested is likely to endanger human life unless apprehended without delay.
- (3) The use of physical force, including deadly physical force, by a defendant upon another person is justifiable when the defendant is preventing the escape of an arrested person and when the force could justifiably have been used to effect the arrest under which the person is in custody, except that a guard or other person authorized to act as a peace officer is justified in using any force, including deadly force, which he believes to be necessary to prevent the escape of a person from jail, prison, or other institution for the detention of persons charged with or convicted of a crime.

Effective: January 1, 1975

History: Created 1974 Ky. Acts ch. 406, sec. 34, effective January 1, 1975.