

Constitutional Force Standards

- Eighth Amendment:
 - Applies to convicted and incarcerated
 - Cruel and Unusual Punishment
- Fourth Amendment:
 - Applies to free persons who are “seized”
 - “Objective reasonableness”
- Fourteenth Amendment:
 - Applies to pre-trial detainees and “catch all”
 - Shock the Conscience (little time to decide/act)
 - Deliberate Indifference (time to decide/act)

Constitutional Force

Lingsheng Yao



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