

Castle Doctrine/Stand Your Ground/Self Defense Statutes

Self –Defense laws are not black and white. There is a huge difference from one state to the next on the wording and how the law is applied. I have seen places where they state some states have Stand your ground in practice while others say they don't. We have seen others state differently on a states Castle Doctrine Laws. We want to give you a start in your research on these types of laws so we have assembled these pages. Case law in these instances would also be very important. This is a work in progress and we would appreciate any feedback you could give us. admins@handgunlaw.us Last Updated: 7/22/2020

Each states name is a link to that state page at Handgunlaw.us. Each states page has a section Titled “Deadly Force Laws” with links to that states deadly force laws if you want more information.

State Name - Has Stand Your Ground Statute..

State Name - Has Castle Doctrine. Only Applies to Dwelling

State Name - Castle Doctrine Applies to Dwelling and Vehicle or more if noted.

State Name - No Castle Doctrine Statute.

Alabama - [§ 13A-3-23](#) Use of Force In Defense of a Person.

Alaska - [§ 11.81.335](#) Justification: Use of Deadly Force In Defense of Self.

Arizona - [§ 13-405](#) Justification; Use of Deadly Physical Force

Arkansas - [Title 5, Subtitle 1, Chpt. 2, Subchpt. 6, § 5-2-607](#) Use of Deadly Physical Force In Defense of a Person : (Castle Doctrine)

[Title 5, Subtitle 1, Chpt. 2, Subchpt. 6, § 5-2-620](#) Use of Force to Defend Persons & Property Within Home. (Castle Doctrine)

California - [Penal Code Part 1, Title 8, Chpt. 1, 198.5](#) Homicide

Colorado - [18-1-704.5](#) Use of deadly physical force against an intruder

Connecticut¹ - [Chpt. 951 – Penal Code - Sec. 53a-19](#) Use of Physical Force In Defense of Person.
[Chpt. 951 – Penal Code - Sec. 53a-20](#) Use of physical force in defense of premises

Delaware² - [Title 11 – Chpt. 4, § 464](#) Justification - Use of Force In Self-Protection

Florida - [§ 776.012](#) Use or Threatened Use of Force in Defense Of Person
[§ 776.013](#) Home protection; use or threatened use of deadly force; presumption of fear of death or great bodily harm

Georgia - [§ 16-3-23.1](#) No Duty to Retreat Prior to Use of Force in Self-Defense

Hawaii - [§ 703-304](#) Use of force in self-protection

Idaho - [19-202A](#) Defense of Self, Others and Certain Places

Illinois³ - [720 ILCS 5/7-2 Sec. 7-2](#) Use of Force in Defense of Dwelling

Indiana - [IC 35-41-3-2](#) Use of Force to Protect Person or Property

Iowa - [§ 704.1](#) Reasonable Force

Kansas - [§ 21-5230](#) Same; No Duty To Retreat

Kentucky - [§ 503.050](#) Use of Physical Force in Self-Protection --Admissibility of Evidence of Prior Acts of Domestic Violence and Abuse.

Louisiana - [§ 14:19](#) Use of Force or Violence in Defense

Maine - [Title 17-A Part 1 - § 108](#) Physical Force in Defense of a Person

Maryland⁴ - MD Self Defense Laws are mostly based on Case Law. See Notes Below.

Massachusetts - [Gen Laws, Part IV, Title II, Chapt. 278, Sec. 8A:](#)

Michigan - [§ 780.972](#) Use of Deadly Force by Individual not Engaged in Commission of Crime; Conditions.

Minnesota - [§ 609.06](#) Authorized Use of Force and [§ 609.065](#) Justifiable Taking of Life.

Mississippi - [§ 97-3-15](#) Homicide; Justifiable Homicide; Use of Defensive Force; Duty to Retreat

Missouri - [§ 563.031](#) Use of Force in Defense Of Persons.

Montana - [§ 45-3-110](#) No Duty to Summon Help or Flee

Nebraska - [§ 28-1409](#) Use of Force in Self-Protection.

Nevada - [NRS § 200.120](#) “Justifiable Homicide” Defined; No Duty to Retreat Under Certain Circumstances

New Hampshire - [§ 627:4](#) Physical Force in Defense of a Person

New Jersey - [Sec: 2C:3-4](#) Use of Force in Self-Protection.

New Mexico⁵ - [§ 30-2-7](#) Justifiable Homicide by Citizen

New York - **Penal Code Part 1 – Title C - § 35.15** Justification; Use of Physical Force In Defense of a Person

North Carolina - **§ 14-51.3** Use of Force in Defense of Person; Relief From Criminal or Civil Liability

North Dakota - **§ 12.1-05-07** Limits on the Use of Force - Excessive Force - Deadly Force No need to retreat in Dwelling, Place of Work , Motor Vehicle or Travel Trailer.

Ohio - **§ 2307.601** No Duty to Retreat in Residence or Vehicle (**Note:** Ohio also has another section titled the same as .601 **2901.09**).

Oklahoma - **§ 1289.25** Physical or Deadly Force Against Intruder

Oregon⁶ - See Notes Below.

Pennsylvania - **Title 18 - Chpt. 5 - § 505** Use of Force in Self-Protection.

Rhode Island - **§ 11-8-8** Injury or death – Defense

South Carolina - **§ 16-11-440 (C)** Presumption of Reasonable Fear of Imminent Peril When Using Deadly Force Against Another Unlawfully.....

South Dakota - **§ 22-18-4** Justifiable Use of Force to Protect Property--Use of Deadly Force--Duty to Retreat.

Tennessee - **§ 39-11-611** Self-defense

Texas - **Penal Code Title 2- Chpt. 9 - Sec. § 9.32** Deadly Force in Defense Of Person
Chpt 9 - Justification Excluding Criminal Responsibility (Recommend looking at all of Chpt 9.)

Utah - **§ 76-2-402** Force in Defense of Person -- Forcible Felony Defined

Vermont⁷ - No Castle Doctrine Statute. **13 V.S.A. § 2305 - Justifiable Homicide**

Virginia⁸ - VA uses case law to set its Laws on Self Defense. See Notes for Information.

Washington⁹ - No Castle Doctrine Statute. **RCW 9A.16.050** Homicide—By other person—When Justifiable Case Law is where we find No Duty to Retreat. See Notes Section for more information.

West Virginia - **§ 55-7-22** Civil Relief for Persons Resisting Certain Criminal Activities.

Wisconsin - **§ 895.62** Use of Force in Response to Unlawful and Forcible Entry Into a Dwelling, Motor Vehicle, or Place of Business; Civil Liability Immunity.

§939.48 Self-defense and defense of others

Wyoming - [§ 6-2-602](#) Use of Force In Self Defense; No Duty to Retreat

U.S. Possessions

American Samoa - No Castle Doctrine. For more Information read [Title 46 Chpt. 33 46.3301 thru 3311](#).

Guam - [Title 9, Chpt. 7, § 7.86](#) Self-Defense Limited. Applies to Dwelling, Work Place and Vehicle.

Northern Marianas - [§ 10210](#) Self Defense With Deadly Force

Puerto Rico - No Castle Doctrine. For more Info Read all of [Title 33, Subtitle 4, Part II Chapter 290, Subchapter III](#)- Causes for Exclusion from Criminal Liability

U.S. Virgin Islands - [Title 14, Chpt1, Subchpt. III § 44. Justifiable Use of Force](#) Handgunlaw.us recommends you read all of [§ 44](#)

Connecticut¹ - The actor shall not be obliged to retreat from his dwelling or place of work.

Delaware² - The actor shall not be obliged to retreat from his dwelling or place of work.

Illinois³ - Handgunlaw.us recommends you read all of [Sec 5/7-2](#)

Maryland⁴ - [Crawford v. State](#) 1963 set that there was no duty to retreat in the home.

New Mexico⁵ - No defined Castle Doctrine in NM Statutes. NM Supreme Court in [State v. Couch](#) did give an opinion that a mans dwelling is his castle and need not retreat.

Oregon⁶ - Does not have Castle Doctrine Law. Handgunlaw.us recommends you read the follow statutes for a better idea of Self-Defense in Oregon. [§ 161.190 Thru § 161.275](#)

Vermont⁷ - Does not have Castle Doctrine Law. [VT Jury Instructions for Self Defense](#) will give you some idea but must be in fear of death or grave bodily injury. The Jury will decide.

Virginia⁸ - The [Virginia Citizens Defense League](#) has good info on the Case Law for Virginia. You can view the info the put out on VA Case Law [Here](#).

Washington⁹ - Case Law Stating No Duty to Retreat. [State v. Redmond](#) & [State v. Studd](#)

Note: Stand Your Ground Laws and Castle Doctrine Laws come into play after you have defended yourself and have shot a perpetrator. No one thinks before they shoot., “What are the Stand Your Ground Laws?” “Can I shoot?” Knowing them is OK but the most important thing we have to do every day is get home safely to our families tonight and every night. There is nothing more important than that. Once the bullets start flying anything can happen. Our best bet in any situation is to retreat to a safe place if we can do it safely. Stay Safe and get home to your family every night, Gary Slider

www.handgunlaw.us

Note: For a free Booklet Titled, “**What Every Gun Owner Needs to Know About Self-Defense Law**” can be obtained by going to the [Armed Citizens’ Legal Defense Network, Inc.](#) website and downloading the Booklet in a PDF file or order a booklet free of charge.

Updates to This Page:

7/20/2020 - Page Created.

7/22/2020 - Florida and Connecticut Entries Updated. Formatting Updated and Broken Link Repaired.

7/24/20 – Texas Entry Updated.

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