

**SELF-DEFENSE AND GUN LAW
STATUTORY OVERVIEW BY STATE**

Updated: March 19, 2021

<u>State</u>	Concealed Carry Permit Required	Open Carry (Handguns)	Reciprocity with Utah Concealed Carry Permit	Defense of Self, Others and Property
Alabama	Y (residents only)	Y (holstered) ⁱ	Y	Stand Your Ground ⁱⁱ - Physical force is justified in order to defend oneself from what they “reasonably” believe to be the “imminent use” of physical force, allowing one to use a “degree of force” believed to be “reasonably” necessary for that purpose. One may use deadly force in certain circumstances, including when one reasonably believes that another person is using or is about to use unlawful deadly physical force or committing or about to commit certain crimes (e.g., assault in the 1 st or 2 nd degree, robbery). AL also recognizes the Castle Doctrine . ⁱⁱⁱ
Alaska	Constitutional Carry ^{iv}	Constitutional Carry	Y (21 & Over) ^v	Stand Your Ground ^{vi} - Physical force (non-deadly) is justified where “person reasonably believes” it “necessary for self defense.” ^{vii} Deadly force is justified when one “reasonably believes” it is necessary for self defense against, <i>inter alia</i> , death, serious physical injury, and robbery. ^{viii} AK also recognizes the Castle Doctrine , allowing one to use the force “necessary to terminate” the unlawful activity. ^{ix} Under the Castle Doctrine, one does not have a Duty to Retreat ; however, where it does not apply, one is not entitled to use deadly force if they can “avoid the necessity of using deadly force by leaving the area of the encounter.” ^x
Arizona	Constitutional Carry	Constitutional Carry	Y (21 & Over)	Stand Your Ground ^{xi} - A person is justified in threatening or using both physical force and deadly physical force against another to the extent the person reasonably believes that physical force or deadly physical force is immediately necessary to prevent the other's commission of certain crimes (e.g., arson, burglary, manslaughter, murder, sexual assault, armed robbery or aggravated assault). AZ also recognizes the Castle Doctrine . ^{xii}
Arkansas	Y	Y	Y	Laws amended recently to eliminate Duty to Retreat . ^{xiii} This amendment essentially shifted AR to a Stand Your Ground regime, allowing one to use the physical force believed to be reasonably necessary to defend oneself, and allowing for use of deadly force where a person “reasonably believes” another is or is about to commit a felony involving force or violence, use unlawful deadly physical force, or imminently endanger one’s life. AR also recognizes the Castle Doctrine . ^{xiv}
California*	Y (may issue)	N	N	Castle Doctrine ^{xv} - allows use of force in self-defense or defense of others when you reasonably believe that you or they are in imminent danger of physical harm, and that force is necessary to stop the danger. However, you may only use the degree of force reasonably necessary under the circumstances. Under this doctrine, a person does not have to retreat when someone breaks into his/her home, and may use deadly force when one believes they, or someone else, is in imminent danger of being killed or suffering great bodily injury.

Colorado	Y (residents only)	License Req'd	Y (21 & Over)	CO recognizes Stand Your Ground , ^{xvi} allowing for use of physical force upon another person reasonably believed to necessary in order to defend oneself from what he reasonably believes to be the use or imminent use of unlawful physical force by that other person. CO also recognizes the Castle Doctrine , allowing for use of force (including deadly force) against intruder who unlawfully enters a dwelling <i>and</i> the occupant reasonably believes intruder has or intends to commit a crime in the dwelling in addition to the uninvited entry and might use any physical force, no matter how slight, against any occupant of the dwelling. ^{xvii}
Connecticut*	Y (may issue)	License Req'd	N	CT has a relatively weak Stand Your Ground law, allowing for use physical force reasonably believed to be necessary to defend oneself, and only allowing for deadly force where another person is using or is about to use deadly physical force or inflicting great bodily harm. ^{xviii} CT imposes a Duty to Retreat , however, where one can avoid using deadly physical force by safely retreating <i>except</i> where one is in their dwelling. CT also recognizes the Castle Doctrine , allowing for use of physical force necessary to prevent or terminate commission of attempted criminal trespass. ^{xix}
Delaware	Y (may issue)	Y	Y (21 & Over)	Stand Your Ground is the prevailing standard, ^{xx} however deadly force is not justified when one knows that the necessity of using deadly force can be avoided with complete safety by retreating. DE also recognizes the Castle Doctrine where, at the time of the offense, one is in their dwelling and (1) the encounter was “sudden and unexpected,” compelling the occupant to act, or (2) occupant reasonably believed that intruder would inflict personal injury, or (3) intruder refused to disarm. ^{xxi}
District of Columbia	Y	N	N	DC has not explicitly identified a self-defense standard and instead its courts have essentially applied a Duty to Retreat standard, asking whether, in the case of deadly force, a defendant “could have avoided further encounter by stepping back or walking away,” and “was actually or apparently in imminent danger” of death or serious bodily harm. ^{xxii} Generally speaking, the failure to retreat is a circumstance to be considered with all the others in order to determine whether the defendant went farther than he was justified in doing. ^{xxiii}
Florida	Y	N	Y (21 & Over)	Stand Your Ground ^{xxiv} - A person is justified in using or threatening to use force, except deadly force, against another when and to the extent that the person reasonably believes that such conduct is necessary to defend himself or herself or another against the other's imminent use of unlawful force. A person is justified in using or threatening to use deadly force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself or another or to prevent the imminent commission of a forcible felony. FL's Castle Doctrine creates a presumption “reasonable fear of imminent peril of death or great bodily harm” where intruder forcibly entered premises. ^{xxv}
Georgia	Y (residents only)	License Req'd	Y	Stand Your Ground ^{xxvi} - One is allowed to threaten or use force to the extent they “reasonably believe” it is necessary to defend against and prevent imminent use of unlawful force. GA also recognizes the Castle Doctrine in certain circumstances.
Hawaii	Y (may issue)	License Req'd	N	HI recognizes a Duty to Retreat ^{xxviii} where the actor “knows that he ca avoid the necessity of using” deadly force by retreating; otherwise, on can use the force “immediately necessary for the purpose of protecting oneself against unlawful force by another person.” HI also recognizes the Castle Doctrine but requires that one first request that one desist from interfering unless such a request would be useless, dangerous, or substantial harm to the property will result before a request can be made. ^{xxix}

Idaho	Y	Y	Y	Stand Your Ground ^{xxx} - No person in this state shall be placed in legal jeopardy of any kind whatsoever for protecting himself or his family by reasonable means necessary, or when coming to the aid of another whom he reasonably believes to be in imminent danger of or the victim of aggravated assault, robbery, rape, murder or other heinous crime. ID also has a fairly strong Castle Doctrine that allows a person to use deadly force in defense of a habitation, place of business, or employment, and creates a presumption of acting reasonably where an unlawful entry is made or attempted.
Illinois	Y	N	N	Castle Doctrine ^{xxxi} - A person is justified in the use of force against another when and to the extent that one reasonably believes that such conduct is necessary for self defense, and defense of dwelling or property against the imminent use of unlawful force. However, Deadly force is justified only where one reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or another, or the commission of a forcible felony or in defense of his home. IL also has a Stand Your Ground law, allowing for use of force “to the extent” reasonably believed to be necessary to defend against unlawful force. Deadly force is only permitted if one reasonably believes it is necessary to prevent imminent death or great bodily harm or prevent the commission of a forcible felony.
Indiana	Y	License Req’d	Y	Stand Your Ground ^{xxxiii} - A person is justified in using reasonable force against any other person to protect the person or a third person from what the person reasonably believes to be the imminent use of unlawful force. A person is justified in using deadly force; and does not have a duty to retreat; if the person reasonably believes that that force is necessary to prevent serious bodily injury to the person or a third person or the commission of a forcible felony. IN also has fairly strong Castle Doctrine .
Iowa	Y	License Req’d	Y (21 & Over)	IA has a Stand Your Ground law allowing for use of reasonable force when the person reasonably believes that such force is necessary to defend oneself or another from any actual or imminent use of unlawful force. ^{xxxv} It also recognizes the Castle Doctrine . ^{xxxvi}
Kansas	Constitutional Carry	Constitutional Carry	Y (21 & Over)	Stand Your Ground ^{xxxvii} - A person is justified in the use of force against another when and to the extent it appears to such person and such person reasonably believes that such use of force is necessary to defend such person or a third person against such other's imminent use of unlawful force. Deadly force is only allowed where it is necessary to prevent imminent death or great bodily harm. KS also recognizes the Castle Doctrine but its requirements essentially reflect its Stand Your Ground law.
Kentucky	Constitutional Carry	Constitutional Carry	Y (21 & Over)	Stand Your Ground ^{xxxix} - The use of physical force by a defendant upon another person is justifiable when the defendant believes that such force is necessary to protect himself against the use or imminent use of unlawful physical force by the other person. Deadly force is allowed only in certain circumstances, including when necessary to prevent against death, serious physical injury, or a felony involving the use of force. KY’s Castle Doctrine establishes a presumption of “reasonable fear of imminent peril of death or great bodily harm, when one forcibly enters a dwelling or occupied vehicle.” ^{xi}
Louisiana	Y (residents only)	Y	Y (21 & Over)	Stand Your Ground ^{xli} - Use of force is justified “to prevent a forcible offense against the person,” provided that is reasonable and apparently necessary. LA also recognizes the Castle Doctrine where one makes or attempts to make an “unlawful entry into the dwelling, place of business, or motor vehicle.” Under either doctrine, deadly force is justified where one reasonably believes it is necessary to prevent a violent or forcible felony, or where one use <i>any</i> unlawful force against a person present in a dwelling, place of business, or motor vehicle.

Maine	Constitutional Carry	Constitutional Carry	Y	Stand Your Ground/Duty to Retreat ^{xiii} – Non-deadly force is justified in order to prevent what one reasonably believes to be the “imminent use of unlawful, non-deadly force by such other person, allowing one to use a degree of force reasonably believed to be necessary. Deadly is justified where reasonably believed to be necessary to prevent unlawful deadly force or to prevent certain crimes (e.g., kidnapping, robbery), unless the person knows that they can retreat from the encounter. ME also acknowledges the Castle Doctrine .
Maryland	Y (may issue)	License Req’d	N	MD recognizes a civil Castle Doctrine , allowing one to avoid liability for damages for personal injury or death of an individual who enters the dwelling or place of business of another if the person reasonably believes that the force or deadly force is necessary to repel an attack and the amount and nature of force use is reasonable. ^{xiv} MD courts recognize the Duty to Retreat : “To have acted in perfect self-defense, one must have both actually and reasonably believed that they were in imminent or immediate danger at the time defensive action was taken.. One must also have used a reasonable amount of force against his attacker. Additionally, when a defendant uses defensive, deadly force outside of his home, he has a duty to retreat or avoid danger if such means were within his power and consistent with his safety. ^{xiv}
Massachusetts	Y (may issue)	License Req’d	N	Castle Doctrine ^{xvi} - An occupant of a dwelling charged with killing or injuring one who unlawfully entered can claim as a defense that he “acted in the reasonable belief” that entrant “was about to inflict great bodily injury or death.” There is no duty to retreat in one’s dwelling, but otherwise one has a Duty to Retreat .
Michigan	Y (residents only)	Y	Y	Stand Your Ground ^{xviii} - One may use deadly force against another individual anywhere with no duty to retreat if the individual honestly and reasonably believes that the use of deadly force is necessary to prevent imminent death, bodily harm, or sexual assault. Similarly, non-deadly force is justified where one “honestly and reasonably believes” the use of force is necessary from imminent unlawful use of force by another.
Minnesota	Y	License Req’d	N	MN recognizes all three doctrines. MN law authorizes use of force in specific circumstances, e.g., when used to resist a trespass or to resist an offense against the person (Stand Your Ground). ^{xlix} Deadly force is only permitted when one “reasonably believes exposes the actor or another to great bodily harm or death, or preventing the commission of a felony in the actor's place of abode” (partial Castle Doctrine) ^l MN courts have also has read into its statues a Duty to Retreat . ^{li}
Mississippi	Constitutional Carry	Y (restricted)	Y	Stand Your Ground ^{lii} - Deadly force is justified when one done to lawfully defend oneself or another human being and there is “reasonable ground to apprehend a design to commit a felony or to do some great personal injury, and there shall be imminent danger of such design being accomplished.” MS also recognizes the Castle Doctrine , creating a presumption of reasonable fear of imminent death, great bodily injury, or the commission of a felony, when one unlawfully enters a dwelling, vehicle, or place of business or employment. ^{liii}
Missouri	Constitutional Carry	Handgun restrictions ^{liv}	Y	Stand Your Ground ^{lv} - A person may use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend oneself or another from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person. Deadly Force is justified where one reasonably believes that such deadly force is necessary to protect against death, serious physical injury, or any forcible felony, or when one unlawfully enters a dwelling, residence, or vehicle (Castle Doctrine).

Montana	Y (residents only)	Y	Y	Stand Your Ground ^{lvi} - A person is justified in the use of force or threat to use force against another when and to the extent that the person reasonably believes that the conduct is necessary for self-defense or the defense of another against the other person's imminent use of unlawful force. However, the person is justified in the use of force likely to cause death or serious bodily harm only if the person reasonably believes that the force is necessary to prevent imminent death or serious bodily harm to the person or another or to prevent the commission of a forcible felony. Applies to defense of Occupied Structures where force is reasonably believed to be necessary to prevent assault or commission of forcible felony (Castle Doctrine). ^{lvii}
Nebraska	Y	Y	Y (21 & Over)	Stand Your Ground ^{lviii} - Use of force upon or toward another person is justifiable when the actor believes that such force is immediately necessary for the purpose of protecting himself against the use of unlawful force by such other person on the present occasion. The use of deadly force shall not be justifiable under this section unless the actor believes that such force is necessary to protect himself against death, serious bodily harm, kidnapping or sexual intercourse compelled by force or threat. Use of force is also justified to prevent or terminate unlawful entry or other trespass. ^{lix}
Nevada	Y	Y	Y	Stand Your Ground/Castle Doctrine ^{lx} - Deadly forces is justified in self-defense, or defense of habitation or a motor vehicle against one who “manifestly intends or endeavors to commit a crime of violence, or against any person or persons who manifestly intend and endeavor, in a violent, riotous, tumultuous or surreptitious manner, to enter the occupied habitation or occupied motor vehicle. A person is not required to retreat before using deadly force.
New Hampshire	Constitutional Carry	Constitutional Carry	Y (21 & Over)	Stand Your Ground ^{lxi} - Physical Force is justified in order to defend against what one reasonably believes to be the imminent use of unlawful, non-deadly force by another, allowing one to use the degree of such force reasonably believed to be necessary for such purpose. Deadly force is justified when one reasonably believes that another is about to use unlawful, deadly force, is likely to use any unlawful force against another while committing or attempting to commit a burglary, is committing or about to commit kidnapping or a forcible sex offense; or is likely to use any unlawful force in the commission of a felony against the actor within such actor's dwelling or its curtilage. NH also recognizes the Castle Doctrine . ^{lxii}
New Jersey	Y (may issue)	License Req'd	N	Stand Your Ground ^{lxiii} - Use of force upon or toward another person is justifiable when the actor reasonably believes that such force is immediately necessary for the purpose of protecting oneself against the use of unlawful force by such other person on the present occasion. Deadly force is justified only if necessary to protect against death or serious bodily harm, but one has a duty to retreat, unless they are in their dwelling.
New Mexico	Y	Y	N	NM law has not adopted a specific standard by statute, but its courts have recognized an “an unqualified right” for one to stand their ground. ^{lxiv} A person defending their home from unwanted entry is “allowed great, but not unlimited, leeway” in using force—even as an initial aggressor—to prevent intrusion. NM has enacted a defense to homicide however when it is necessary to defend one’s life, family, or property. ^{lxv}
New York*	Y (may issue)	N	N	Stand Your Ground/ Castle Doctrine ^{lxvi} - Physical force is justified when used in self-defense or defense of a third person, or in defense of premises, or in order to prevent larceny of or criminal mischief to property, or in order to effect an arrest or prevent an escape from custody. NY law supplements the property aspect of this defense in another provision that allows for use of “any degree of physical force, other than deadly physical force, which he or she reasonably believes to be necessary for such purpose, and may use deadly physical force if he or she reasonably believes such to be necessary to prevent or terminate the commission or attempted commission of arson.

North Carolina	Y	Y ^{lxviii}	Y	Stand Your Ground ^{lxxix} - A person is justified in using force, except deadly force, against another when and to the extent that the person reasonably believes that the conduct is necessary to defend himself or herself or another against the other's imminent use of unlawful force. However, a person is justified in the use of deadly force and does not have a duty to retreat in any place he or she has the lawful right to be if they reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or herself or another. Reasonable fear of death or great bodily injury is presumed force is used against one who unlawfully and forcefully enters a home (Castle Doctrine). ^{lxxx}
North Dakota	Y	Handgun restrictions ^{lxxxi}	Y	Stand Your Ground ^{lxxxii} A person is justified in using force upon another person to defend himself against danger of imminent unlawful bodily injury, sexual assault, or detention by such other person; however, individual is not justified in using more force than is necessary and appropriate under the circumstances. Deadly force is justified if necessary to protect the actor or anyone else against death, serious bodily injury, or the commission of a felony involving violence. Duty to Retreat -- The use of deadly force is not justified if it can be avoided, with safety to the actor and others, by retreat or other conduct involving minimal interference with the freedom of the individual menaced.
Ohio	Y	Y	Y	Stand Your Ground ^{lxxxiv} - OH law recognizes self-defense as a way of escaping liability. One is presumed to have been acting in self-defense when forces is used against one who in the process of unlawfully entering a residence or vehicle occupied by the person. One does not have a duty to retreat from their residence. ^{lxxxv} This lack of a Duty to Retreat in a residential setting was recently strengthened by the Legislature when it instructed juries, by law, <i>not</i> to consider the possibility of retreat in evaluating whether one reasonably believed forces was necessary to prevent injury, loss, or risk to life or safety.
Oklahoma	Constitutional Carry	Constitutional Carry ^{lxxxvii}	Y	Stand Your Ground ^{lxxxviii} - A person who is not engaged in an unlawful activity and who is attacked in any other place where he or she has a right to be has no duty to retreat and has the right to stand his or her ground and meet force with force, including deadly force, if he or she reasonably believes it is necessary to do so to prevent death or great bodily harm to himself or herself or another or to prevent the commission of a forcible felony. Castle Doctrine – Physical force is presumed reasonable when used against one who unlawfully or forcibly enters a dwelling, residence, occupied vehicle, place of business, or place of worship.
Oregon	Y	Y	N	Stand Your Ground ^{lxxxix} - A person is justified in using physical force upon another person for self-defense or to defend a third person from what the person reasonably believes to be the use or imminent use of unlawful physical force, and the person may use a degree of force which the person reasonably believes to be necessary for the purpose. Deadly force is only justified if one reasonably believes another is (or is attempting to): commit a felony involving the use or threatened imminent use of physical force against a person, commit a burglary in a dwelling; or, use unlawful deadly physical force against a person. Oregon also recognizes the Castle Doctrine , allowing use of force to the extent one believes it to be reasonably necessary to prevent or terminate the commission or attempted commission of a criminal trespass by the other person in or upon the premises. Deadly physical force is only permitted under the OR Castle Doctrine under the same circumstances as Stand Your Ground, or when one reasonably believes it is necessary to prevent the commission of arson or a felony by force and violence by the trespasser.

Pennsylvania	Y	Y (except Philadelphia)	Y (21 & Over)	Stand Your Ground ^{lxxxiv} - The use of force upon or toward another person is justifiable when the actor believes that such force is immediately necessary for the purpose of protecting himself against the use of unlawful force by such other person on the present occasion. Use of deadly force is not justifiable under this section unless the actor believes that such force is necessary to protect himself against death, serious bodily injury, kidnapping or sexual intercourse compelled by force or threat. Castle Doctrine ^{lxxxv} – Use of force is justifiable when immediately necessary to prevent or terminate an unlawful entry or other trespass. Use of force under the Castle Doctrine is justifiable “only if the actor first requests the person against whom such force is used to desist from his interference with the property, unless it would be useless, dangerous to make the request, or substantial harm will be done to the physical condition of the property. Deadly force is justifiable only if there has been an entry into the actor's dwelling; the actor neither believes nor has reason to believe that the entry is lawful; and the actor neither believes nor has reason to believe that force less than deadly force would be adequate to terminate the entry.
Rhode Island	Y	License Req'd	N	Castle Doctrine ^{lxxxvi} - RI recognizes a rebuttable presumption that the place where the offense was committed acted by reasonable means in self-defense and in the reasonable belief that the person engaged in the criminal offense was about to inflict great bodily harm or death upon that person or any other individual lawfully in the place where the criminal offense was committed. There shall be no duty on the part of an owner, tenant, or occupier to retreat from any person engaged in the commission.
South Carolina	Y	N	N	Castle Doctrine ^{lxxxvii} - One is presumed to have a reasonable fear of imminent peril of death or great bodily injury when using deadly force if the person against whom the deadly force is used is in the process of or has unlawfully and forcibly entered a dwelling, residence, or occupied vehicle, or if he removes or is attempting to remove another person against his will from the dwelling, residence, or occupied vehicle.
South Dakota	Y	Y	Y	Stand Your Ground ^{lxxxviii} - Any person is justified in the use of force or violence against another person when the person reasonably believes that such conduct is necessary to prevent or terminate the other person's trespass on or other criminal interference with real property or personal property lawfully in his or her possession or in the possession of another who is a member of his or her immediate family or household or of a person whose property he or she has a legal right to protect. Deadly force is only justifiable if committed while resisting any attempt to murder such person, or to commit any felony upon him or her, or upon or in any dwelling house (Castle Doctrine), or where there is reasonable ground to apprehend a design to commit a felony, or to do some great personal injury, and imminent danger of such design being accomplished. ^{xc}
Tennessee	Y	License Req'd	Y	Stand Your Ground ^{xc1} - Force is justified where one has a reasonable belief that there is an imminent danger of death or serious bodily injury, the danger is honestly believed to be real at the time, and the belief of danger is founded upon reasonable grounds. Castle Doctrine ^{xcii} - Any person using force intended or likely to cause death or serious bodily injury within a residence, business, dwelling or vehicle is presumed to have held a reasonable belief of imminent death or serious bodily injury, when that force is used against another person, who unlawfully and forcibly enters or has unlawfully and forcibly entered the residence, business, dwelling or vehicle.

Texas	Y	License Req'd	Y (21 & Over)	Y	<p>Stand Your Ground^{xciii} - A person is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to protect against the other's use or attempted use of unlawful force. One's belief that force was immediately necessary is presumed to be reasonable if knew or had reason to believe that the person against whom the force was used had (or was about to) unlawfully and with force enter the habitation, vehicle, or place of business or employment of another. Deadly force is only justified in specific circumstances.^{xciv} TX also recognizes the Castle Doctrine.^{xcv}</p> <p>Deadly force may be used to protect property when one reasonably believes the deadly force is immediately necessary to prevent the other's imminent commission of arson, burglary, robbery, aggravated robbery, theft during the nighttime, or criminal mischief during the nighttime; or to prevent the other who is fleeing immediately after committing burglary, robbery, aggravated robbery, or theft during the nighttime from escaping with the property; and where it is reasonably believe that the land or property cannot be protected or recovered by any other means; or use of force other than deadly force to protect or recover the land or property would expose the actor or another to a substantial risk of death or serious bodily injury.</p>
Utah	Constitutional Carry ^{xcvi}	Constitutional Carry		Y	<p>Stand Your Ground^{xcvii} - An individual is justified in threatening or using force against another individual when and to the extent that the individual reasonably believes that force or a threat of force is necessary to defend the individual or another individual against the imminent use of unlawful force. Deadly force is justified only if the individual reasonably believes that such force is necessary prevent death or serious bodily injury as a result of imminent use of unlawful force, or to prevent the commission of a forcible felony. Castle Doctrine - A person is justified in using force against another when and to the extent that he reasonably believes that the force is necessary to prevent or terminate the other's unlawful entry into or attack upon his habitation. A person that uses force or deadly force in defense of habitation is to have acted reasonably and had a reasonable fear of imminent peril of death or serious bodily injury if the entry or attempted entry is unlawful and is made or attempted by use of force, or in a violent and tumultuous manner, or surreptitiously or by stealth, or for the purpose of committing a felony.</p>
Vermont	Constitutional Carry	Constitutional Carry	Y	Noncompliant ^{xcix}	<p>VT has neither a statutory Stand Your Ground law or a Castle Doctrine. It does allow for complete defense where a person kills or wounds another: (1) in the just and necessary defense of his or her own life or the life of his or her husband, wife, parent, child, brother, sister, master, mistress, servant, guardian, or ward; or (2) in the suppression of a person attempting to commit murder, sexual assault, aggravated sexual assault, burglary, or robbery, with force or violence.^c There is also no Duty to Retreat.^{ci}</p>

Virginia	Y	Handgun restrictions ^{cii}	Y (21 & Over)	Y	VA does not have a statutory Stand Your Ground law, Castle Doctrine, or Duty to Retreat, but courts have fashioned similar provisions. ^{ciii} To establish a claim of self-defense, one must show that he reasonably feared death or serious bodily harm at the hands of his victim. ^{civ} Whether the danger is reasonably apparent is judged from the viewpoint of the actor at the time of the incident. One must also show that he was in imminent danger of harm, that is, a showing of an overt act or other circumstance that affords an immediate threat to safety. Finally, when a party assaults a homeowner in his own home, as in this case, the homeowner has the right to use whatever force necessary to repel the aggressor.
Washington	Y	Handgun restrictions ^{cv}	Y (21 & Over)	Noncompliant ^{cvi}	WA has a hybrid Stand Your Ground / Castle Doctrine , allowing for use, attempt, or offer to use force upon or toward the person of another is not unlawful in the following cases whenever used by a party about to be injured, or by another lawfully aiding him or her, in preventing or attempting to prevent an offense against his or her person, or a malicious trespass, or other malicious interference with real or personal property lawfully in his or her possession, in case the force is not more than is necessary. ^{cvi} Deadly force is justified when there is a reasonable ground to believe that another person is about to commit a felony or to do some great personal injury to the actor, and there is imminent danger of such a design being accomplished.
West Virginia	Constitutional Carry (Residents Only)	Constitutional Carry	Y (21 & Over)	Noncompliant ^{cix}	Stand Your Ground ^{cx} - A lawful occupant within a home or other place of residence is justified in using reasonable and proportionate force, including deadly force, against an intruder or attacker to prevent a forcible entry into the home or residence or to terminate the intruder's or attacker's unlawful entry if the occupant reasonably apprehends that the intruder or attacker may kill or inflict serious bodily harm upon the occupant or others in the home or residence or if the occupant reasonably believes that the intruder or attacker intends to commit a felony in the home or residence and the occupant reasonably believes deadly force is necessary.
Wisconsin	Y (shall issue)	Y	Y (21 & Over)	Y	Stand Your Ground ^{cx} - Use of force is justified to prevent or terminate what the person reasonably believes to be an unlawful interference with his or her person by such other person. The actor may intentionally use only such force or threat thereof as the actor reasonably believes is necessary to prevent or terminate the interference. The actor may not intentionally use force which is intended or likely to cause death or great bodily harm unless the actor reasonably believes that such force is necessary to prevent imminent death or great bodily harm. The same standards apply to defense of property. ^{cxii}
Wyoming	Constitutional Carry	Constitutional Carry	Y	Y	Stand Your Ground ^{cxiii} - The use of defensive force whether actual or threatened, is reasonable when it is necessary to prevent an injury or loss, , including deadly force if necessary to prevent imminent death or serious bodily injury. A person is presumed to have held a reasonable fear of imminent peril of death or serious bodily injury to himself or another when using defensive force, including deadly force if the intruder against whom the defensive force was used was in the process of unlawfully and forcefully entering, or had unlawfully and forcibly entered, another's home or habitation or, if that intruder had removed or was attempting to remove another against his will from his home or habitation (Castle Doctrine).

* These states ban magazines that hold more than 10 rounds

Stand your ground means a person who is justified under state law in using physical force, including deadly physical force, and who is not engaged in an unlawful activity and is in any place where he or she has the right to be has no duty to retreat and has the right to stand his or her ground.

Castle Doctrine A castle doctrine is a self-defense law that states that a person's home (sometimes also a place of work or vehicle) is a place that grants one protections and immunities from prosecution in certain circumstances to use force or deadly force to defend oneself against an intruder. There is no duty to retreat from the situation in one's home (or workplace or vehicle if applicable) before using force, **but there may be a duty to retreat in a public place.**

Duty to Retreat Law states that one cannot harm another in self-defense when it is possible to retreat from a threatening situation to a place of safety. In all duty to retreat states, the duty to retreat does not apply when the defender is in their own home. In Connecticut, Delaware, Hawaii, Nebraska, and North Dakota, the duty to retreat does not apply when the defender is in their workplace.

Iowa has a variation of the Castle Doctrine and Stand Your Ground variation

ⁱ Alabama Code § 13A-11-52 generally prohibits people from carrying a pistol onto another person’s private property without either a CCW permit or the consent of the property’s owner.

ⁱⁱ Alabama Code Title 13A. Criminal Code § 13A-3-23 - The legal presumption that a person using deadly physical force is justified to do so pursuant to this subdivision does not apply if: a. The person against whom the defensive force is used has the right to be in or is a lawful resident of the dwelling, residence, or vehicle, such as an owner or lessee, and there is not an injunction for protection from domestic violence or a written pretrial supervision order of no contact against that person; b. The person sought to be removed is a child or grandchild, or is otherwise in the lawful custody or under the lawful guardianship of, the person against whom the defensive force is used; c. The person who uses defensive force is engaged in an unlawful activity or is using the dwelling, residence, or occupied vehicle to further an unlawful activity; or d. The person against whom the defensive force is used is a law enforcement officer acting in the performance of his or her official duties. (c) Notwithstanding the provisions of subsection (a), a person is not justified in using physical force if: (1) With intent to cause physical injury or death to another person, he or she provoked the use of unlawful physical force by such other person. (2) He or she was the initial aggressor, except that his or her use of physical force upon another person under the circumstances is justifiable if he or she withdraws from the encounter and effectively communicates to the other person his or her intent to do so, but the latter person nevertheless continues or threatens the use of unlawful physical force.

(3) The physical force involved was the product of a combat by agreement not specifically authorized by law.

ⁱⁱⁱ Ala. Code § 13A-3-23 (“A person may use deadly physical force . . . if the person reasonably believes that another person is: . . . In the process of unlawfully and forcefully entering, or has unlawfully and forcefully entered, a dwelling, residence, business property, or occupied vehicle . . .”)

^{iv} While Alaska allows for concealed carry in the form of Constitutional Carry, meaning that, anyone that can legally carry a weapon may do so without a permit, it also allows for individuals to obtain a concealed carry permit. *See* Alaska Stat. Ann. § 18.65.700 (West).

^v Alaska law requires the government to “enter into reciprocity agreements with other states.” Alaska Stat. Ann. § 18.65.775 (West).

^{vi} Alaska Statutes Title 11. Criminal Law § 11.81.335. A person may not use deadly force under this section if the person knows that, with complete personal safety and with complete safety as to others being defended, the person can avoid the necessity of using deadly force by leaving the area of the encounter, except there is no duty to leave the area if the person is (1) on premises (A) that the person owns or leases; (B) where the person resides, temporarily or permanently; or (C) as a guest or express or implied agent of the owner, lessor, or resident; (2) a peace officer acting within the scope and authority of the officer's employment or a person assisting a peace officer under AS 11.81.380 ; (3) in a building where the person works in the ordinary course of the person's employment; (4) protecting a child or a member of the person's household; or (5) in any other place where the person has a right to be.

^{vii} Alaska Stat. Ann. § 11.81.330 (West).

^{viii} Alaska Stat. Ann. § 11.81.335 (West)

^{ix} Alaska Stat. Ann. § 11.81.350 (West); *see also* Alaska Stat. Ann. § 09.65.330 (West) (“A person who uses force in defense of self, other persons, or property as permitted in AS 11.81 is not liable for the death of or injury to the person against whom the force was intended to be used . . .”).

^x Alaska Stat. Ann. § 11.81.335 (West).

^{xi} Arizona Revised Statutes Title 13. Criminal Code § 13-411.

^{xii} Ariz. Rev. Stat. Ann. § 13-407. Note however that the provision only allows for use of deadly physical force to defend oneself and/or third parties and one must reasonably believe that it is immediately necessary to prevent or terminate the commission of a criminal trespass.

^{xiii} *See* AR LEGIS 250 (2021), 2021 Arkansas Laws Act 250 (S.B. 24).

-
- ^{xiv} Ark. Code Ann. § 5-2-608 (West). Note however that the provision does not automatically allow for use of deadly physical force.
- ^{xv} § 198.5. Use of deadly force by any person within his or her residence against an intruder; presumption of fear of death or great bodily injury
§ 197. Justifiable homicide; any person/ murder, under Penal Code 187 PC, domestic battery, under Penal Code 243e1 PC, and assault, under Penal Code 240 PC.
- ^{xvi} Colo. Rev. Stat. Ann. § 18-1-704 (West).
- ^{xvii} Colo. Rev. Stat. Ann. § 18-1-704.5 (West).
- ^{xviii} Conn. Gen. Stat. Ann. § 53a-19 (West)
- ^{xix} Conn. Gen. Stat. Ann. § 53a-20 (West).
- ^{xx} Del. Code Ann. tit. 11, § 464 (West) (“[A] person employing protective force may estimate the necessity thereof under the circumstances as the person believes them to be when the force is used, without retreating, surrendering possession, doing any other act which the person has no legal duty to do or abstaining from any lawful action.”)
- ^{xxi} Del. Code Ann. tit. 11, § 469 (West).
- ^{xxii} Smith v. United States, 686 A.2d 537, 544 (D.C. 1996).
- ^{xxiii} Dawkins v. United States, 189 A.3d 223, 233 (D.C. 2018).
- ^{xxiv} Florida Statutes Title XLVI. Crimes § 776.012. Use or threatened use of force in defense of person
- ^{xxv} Fla. Stat. Ann. § 776.013 (West).
- ^{xxvi} Ga. Code Ann. § 16-3-21 (West).
- ^{xxvii} Ga. Code Ann. § 16-3-23 (West) (“A person is justified . . . in the use of force which is intended or likely to cause death or great bodily harm only if: . . . [T]he person using such force reasonably believes that the entry is made or attempted for the purpose of committing a felony therein and that such force is necessary to prevent the commission of the felony.”).
- ^{xxviii} Hawaii Revised Statutes §703-304 Use of force in self-protection.
- ^{xxix} Haw. Rev. Stat. Ann. § 703-306 (West).
- ^{xxx} Idaho Statutes Title 19. Criminal Procedure § 19-202A. Defense of self, others and certain places
- ^{xxxi} 720 Ill. Comp. Stat. Ann. 5/7-2.
- ^{xxxii} 720 Ill. Comp. Stat. Ann. 5/7-1.
- ^{xxxiii} Indiana Code Title 35. Criminal Law and Procedure § 35-41-3-2. a person is not justified in using force if the person: (1) is committing, or is escaping after the commission of, a crime; (2) provokes unlawful action by another person, with intent to cause bodily injury to the other person; or (3) continues to combat another person after the other person withdraws from the encounter and communicates the other person's intent to stop hijacking, attempting to hijack, or otherwise seizing or attempting to seize unlawful control of an aircraft in flight. (i) A person is justified in using reasonable force against a public servant if the person reasonably believes the force is necessary to: (1) protect the person or a third person from what the person reasonably believes to be the imminent use of unlawful force; (2) prevent or terminate the public servant's unlawful entry of or attack on the person's dwelling, curtilage, or occupied motor vehicle; or

(3) prevent or terminate the public servant's unlawful trespass on or criminal interference with property lawfully in the person's possession, lawfully in possession of a member of the person's immediate family, or belonging to a person whose property the person has authority to protect.

^{xxxiv} Ind. Code Ann. § 35-41-3-2 (West) (“A person . . . is justified in using reasonable force, including deadly force, against any other person; and . . . does not have a duty to retreat . . . if the person reasonably believes that the force is necessary to prevent or terminate the other person's unlawful entry of or attack on the person's dwelling, curtilage, or occupied motor vehicle.”).

^{xxxv} Iowa Code Ann. § 704.3 (West).

^{xxxvi} Iowa Code Ann. § 704.2A (West) ([A] person is presumed to reasonably believe that deadly force is necessary to avoid injury or risk to one's life or safety or the life or safety of another [when] [t]he person against whom force is used, at the time the force is used, is . . . [u]nlawfully entering by force or stealth the dwelling, place of business or employment, or occupied vehicle of the person using force, or has unlawfully entered by force or stealth and remains within the dwelling, place of business or employment, or occupied vehicle of the person using force.”).

^{xxxvii} Kan. Stat. Ann. § 21-5222 (West)

^{xxxviii} Kan. Stat. Ann. § 21-5223 (West).

^{xxxix} Ky. Rev. Stat. Ann. § 503.050 (West).

^{xl} Ky. Rev. Stat. Ann. § 503.055 (West).

^{xli} Louisiana Revised Statutes Tit. 14, § 19. Use of force or violence in defense

^{xlii} Me. Rev. Stat. tit. 17-A, § 108.

^{xliii} Me. Rev. Stat. tit. 17-A, § 104.

^{xliv} Md. Code Ann., Cts. & Jud. Proc. § 5-808 (West).

^{xlv} *Porter v. State*, 455 Md. 220, 235, 166 A.3d 1044, 1053 (2017).

^{xlvi} Mass. Gen. Laws Ann. ch. 278, § 8A (West); *see also* Mass. Gen. Laws Ann. ch. 231, § 85U (West) (civil immunity).

^{xlvii} *Com. v. Benoit*, 452 Mass. 212, 226, 892 N.E.2d 314, 326 (2008) (“Moreover, the privilege to use self-defense arises only in circumstances in which the defendant uses all proper means to avoid physical combat.”).

^{xlviii} Mich. Comp. Laws Ann. § 780.972 (West).

^{xlix} Minn. Stat. Ann. § 609.06 (West).

^l Minn. Stat. Ann. § 609.065 (West).

^{li} *State v. Devens*, 852 N.W.2d 255, 258 (Minn. 2014) (“The fourth element of self-defense—the duty to retreat—is at issue in this case. Generally, the law requires that a person retreat if reasonably possible before acting in self-defense.”).

^{lii} Miss. Code. Ann. § 97-3-15 (West).

^{liii} Miss. Code. Ann. § 97-3-15 (West).

^{liv} Mo. Rev. Stat. § 21.750. Open carry is generally legal in Missouri without a permit, however more open carry restrictions can be placed on people without CCW permits

^{lv} Missouri Revised Statutes Title XXXVIII. Crimes and Punishment; Peace Officers and Public Defenders § 563.031. Use of force in defense of persons
A person is not justified in using force if (1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided: (a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or (b) He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046 ; or (c) The aggressor is justified under some other provision of this chapter or other provision of law;

^{lvi} Montana Title 45. Crimes § 45-3-110. No duty to summon help or flee

^{lvii} Mont. Code Ann. § 45-3-103 (West).

^{lviii} Neb. Rev. Stat. Ann. § 28-1409 (West).

^{lix} Neb. Rev. Stat. Ann. § 28-1411 (West).

^{lx} Nevada Revised Statutes Title 15. Crimes and Punishments § 200.120. “Justifiable homicide” defined; no duty to retreat under certain circumstances

^{lxi} TITLE LXII CRIMINAL CODE CHAPTER 627JUSTIFICATIONSection 627:4

^{lxii} N.H. Rev. Stat. Ann. § 627:7.

^{lxiii} N.J. Stat. Ann. § 2C:3-4 (West).

^{lxiv} State v. Southworth, 2002-NMCA-091, ¶ 11, 132 N.M. 615, 619, 52 P.3d 987, 991 (implying that there is no duty to retreat).

^{lxv} N.M. Stat. Ann. § 30-2-7 (West).

^{lxvi} N.Y. Penal Law § 35.10 (McKinney).

^{lxvii} N.Y. Penal Law § 35.20 (McKinney).

^{lxviii} Some areas are off-limits, including schools, state or federal buildings, offices of the state or federal government, and the State Capitol grounds.

^{lxix} North Carolina General Statutes Chapter 14. Criminal Law § 14-51.3. Use of force in defense of person; relief from criminal or civil liability

^{lxx} N.C. Gen. Stat. Ann. § 14-51.2.

^{lxxi} In North Dakota, a person may openly carry a handgun during daylight hours, as long as the gun is unloaded. N.D. Cent. Code § 62.1-03-01(1). If the person has a concealed weapons permit, he or she may carry the handgun loaded at any time of day. N.D. Cent. Code § 62.1-03-01(2)(a)

^{lxxii} N.D. Cent. Code Ann. § 12.1-05-03 (West).

^{lxxiii} N.D. Cent. Code Ann. § 12.1-05-07 (West).

^{lxxiv} Ohio Rev. Code Ann. § 2901.05 (West).

^{lxxv} Ohio Rev. Code Ann. § 2901.09 (West).

^{lxxvi} S.B. 175, 133rd Gen. Assemb., Reg. Sess. (Ohio 2020).

^{lxxvii} Constitutional Carry went into effect in Oklahoma on November 1, 2019. *See* Okla. Stat. Ann. tit. 21, § 1272 (West) (“[I]t shall be unlawful for any person to carry upon or about his or her person, or in a purse or other container belonging to the person, any pistol, revolver, shotgun or rifle whether loaded or . . . , whether such weapon be concealed or unconcealed, except this section shall not prohibit: . . . The carrying of a firearm, concealed or unconcealed, loaded or unloaded, by a person who is twenty-one (21) years of age or older.”)

^{lxxviii} Okla. Stat. Ann. tit. 21, § 1289.25 (West) .

^{lxxix} *Id.*

^{lxxx} Or. Rev. Stat. Ann. § 161.209 (West).

^{lxxxi} Or. Rev. Stat. Ann. § 161.219 (West).

^{lxxxii} Or. Rev. Stat. Ann. § 161.225 (West).

^{lxxxiii} Open carrying of handguns is allowed everywhere in the state except Philadelphia. 18 Pa. Cons. Stat. Ann. § 6108. A person must be licensed to carry a firearm in order to openly carry in Philadelphia

^{lxxxiv} 18 Pa. Stat. and Cons. Stat. Ann. § 505 (West). Deadly force is not justifiable if: (i) the actor, with the intent of causing death or serious bodily injury, provoked the use of force against himself in the same encounter; or (ii) the actor knows that he can avoid the necessity of using such force with complete safety by retreating, except the actor is not obliged to retreat from his dwelling or place of work, unless he was the initial aggressor or is assailed in his place of work by another person whose place of work the actor knows it to be.

^{lxxxv} 18 Pa. Stat. and Cons. Stat. Ann. § 507 (West).

^{lxxxvi} 11 R.I. Gen. Laws Ann. § 11-8-8 (West).

^{lxxxvii} 11 R.I. Gen. Laws Ann. § 11-8-8 (West).

^{lxxxviii} 22-18-4. Justifiable use of force to protect property--Use of deadly force--Duty to retreat.

^{lxxxix} S.D. Codified Laws § 22-16-34.

^{xc} S.D. Codified Laws § 22-16-35.

^{xc}i Tenn. Code Ann. § 39-11-611 (West).

^{xcii} Tenn. Code Ann. § 39-11-611 (West).

^{xciii} Tex. Penal Code Ann. § 9.31 (West).

The use of force against another is not justified: (1) in response to verbal provocation alone; (2) to resist an arrest or search that the actor knows is being made by a peace officer, or by a person acting in a peace officer's presence and at his direction, even though the arrest or search is unlawful, unless the resistance is justified under Subsection (c); (3) if the actor consented to the exact force used or attempted by the other; (4) if the actor provoked the other's use or attempted use of unlawful force, unless: (A) the actor abandons the encounter, or clearly communicates to the other his intent to do so reasonably believing he cannot safely abandon the encounter; and (B) the other nevertheless continues or attempts to use unlawful force against the actor; or (5) if the actor sought an explanation from or discussion with the other person concerning the actor's differences with the other person while the actor was: (A) carrying a weapon in violation of Section 46.02 ; or (B) possessing or transporting a weapon in violation of Section 46.05 .

^{xciv} Tex. Penal Code Ann. § 9.32 (West). A person is not justified in using force under the circumstances specified in Subsection (1) if the person: (i) initially provokes the use of force against the person with the intent to use force as an excuse to inflict bodily harm upon the assailant; (ii) is attempting to commit, committing, or fleeing after the commission or attempted commission of a felony; or (iii) was the aggressor or was engaged in a combat by agreement, unless the person withdraws from the encounter and effectively communicates to the other person his intent to do so and, notwithstanding, the other person continues or threatens to continue the use of unlawful force.

^{xcv} Tex. Penal Code Ann. § 9.41 (West); Tex. Penal Code Ann. § 9.42 (West).

^{xcvi} H.B. 60, 64th Leg., Gen. Sess. (Utah 2021) (recently amended to allow for concealed carry without permit for individuals 21 and over).

^{xcvii} Utah Code Ann. § 76-2-402 (West).

^{xcviii} Utah Code Ann. § 76-2-405 (West).

^{xcix} Any Vermont Criminal Justice Training Council certified firearms instructor can conduct qualifications shoots for retired LEOs. Each agency is responsible for issuing the appropriate documentation as evidence of annual qualification.

^c Vt. Stat. Ann. tit. 13, § 2305 (West).

^{ci} State v. Hatcher, 167 Vt. 338, 348, 706 A.2d 429, 435 (1997) (“As for the duty to retreat, the court instructed that if defendant honestly and reasonably believed ‘it was immediately necessary to use deadly force to protect himself from an imminent threat of death or bodily injury, the law does not require him to retreat.’ Thus the jury could have acquitted on the basis of self-defense even if it found that defendant failed to exercise an opportunity to retreat.”).

^{cii} In Virginia, the open carrying of certain handguns is prohibited in specific populous cities and counties. See Va. Code Ann. § 18.2-287.4.

^{ciii} Hines v. Commonwealth, 292 Va. 674, 679–80, 791 S.E.2d 563, 565 (2016).

^{civ} *Id.*

^{cv} Open carrying in Washington is subject to certain location limits under Wash. Rev. Code § 9.41.300

^{cvi} Washington does not require a permit, certification, or identification for LEOs to carry a concealed firearm. Retired LEOs are allowed to carry concealed weapons as long as they retired in good standing from their law enforcement agencies. We strongly recommend that LEOs from this state should familiarize themselves with the states that have reciprocity with Washington or should not carry their concealed firearm out of state. If a LEO moves out of this state, he/she should qualify for a LEOSA identification in the new state.

^{cvii} Wash. Rev. Code Ann. § 9A.16.020 (West).

^{cviii} Wash. Rev. Code Ann. § 9A.16.050 (West).

^{cix} West Virginia is “LEOSA friendly.” But it does not require an identification for retired LEOs that qualify under LEOSA. West Virginia law enforcement agencies can qualify their own retired officers. On an individual basis, some retired officers from out of state and federal agencies have been qualified by West Virginia State Police or by local law enforcement agencies. We strongly recommend that LEOs from this state should familiarize themselves with the states that have reciprocity with West Virginia or should not carry their concealed firearm out of state. If a LEO moves out of this state, he/she should qualify for a LEOSA identification in the new location.

^{cx} West Virginia Code Chapter 55. Actions, Suits and Arbitration; Judicial Sale § 55-7-22. Civil relief for persons resisting certain criminal activities.

^{cxii} Wis. Stat. Ann. § 939.48 (West).

^{cxiii} Wis. Stat. Ann. § 939.49 (West).

^{cxiiii} Wyo. Stat. Ann. § 6-2-602 (West).