

## Self Defense—The Major Common-Law Rules

You may intentionally:

- [1] use force against another person [i.e., the  $\pi$ ];
- [2] cause an apprehension of imminent harmful or offensive contact to another person [ $\pi$ ];
- [3] or imprison or confine another person [ $\pi$ ];

### I. When Privilege is Triggered:

**IF** you actually and reasonably believe that the other person [ $\pi$ ] is intentionally or negligently either

- [1]. Imminently going to cause a harmful or offensive contact to yourself or a third person; or
- [2]. Imminently going to confine or imprison yourself or a third person.

### II. Force That May Be Used: You may only use an amount of force/confinement that is reasonably necessary to prevent or repel the impending contact or confinement.

- [1] You may **threaten** to use (but not actually use) an amount of force or confinement that would exceed what is reasonably necessary.

### III. When Retreat Necessary: In some cases, if a safe and reasonable retreat is available, you must retreat, rather than stand and defend yourself.

- [1] If the impending threat is one that **would not**—in the mind of a reasonable person—cause death or serious bodily injury, you may stand your ground and defend yourself with whatever is permitted under § II *supra*; you are not obligated to use a safe and reasonable retreat.
- [2] If the impending threat is one that **could** cause death or serious bodily injury—in the mind of a reasonable person—and there is a safe and reasonable retreat available then:
  - [a]. In some jurisdictions, you must (1) use that escape, (2) limit your actions to threats intended to cause apprehension, *see* § II.[1] *supra*, or (3) limit your use of actual force or confinement to something less than that intended or likely to cause death or serious bodily harm.
    - [i]. Unless you are in your home, in which case you may use force or confinement intended or likely to cause death or serious bodily harm.
  - [b]. In some jurisdictions, you may stand your ground and defend yourself and use force or confinement intended or likely to cause death or serious bodily harm when you are in any place you have a right to be.