

THE 5 ELEMENTS OF SELF-DEFENSE LAW

Every claim of self-defense is based on (up to) 5 legal elements. If a prosecutor disproves any one required element, your entire self-defense justification collapses.

Innocence

Don't start the fight

A person who is the initial physical aggressor in a confrontation is not the innocent party and cannot justify their use of force as self-defense.

Imminence

Attack in progress

The threat being defended against must be actually occurring or immediately about to occur. An already completed threat or a speculative future threat does not justify the defensive use of force.

Avoidance

Run if you can

Some states impose a legal duty to retreat, when safely possible, before you may use deadly force in self-defense. In all states retreat is the smart choice if safely possible.

Proportionality

Right tool, right job

Deadly defensive force may be used only to counter a deadly force threat. If the threat is non-deadly, only non-deadly defensive force may be used.

Reasonableness

Good decisions, under the circumstances

You don't have to make perfect decisions in self-defense, but you do have to make reasonable decisions. Mistakes, if any, must be reasonable mistakes.

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