



THE LEGAL USE OF FORCE



Key Topics

- The Legal Use of Force
- Force vs. Deadly Force
- The Four Rules of Deadly Force
- Disparity of Force
- Use-of-Force Options
- What to Do After an Incident
- Self-Defense Decision Tree

The Legal Use of Force

General principle

- You may use reasonable force to protect yourself (or others) from an unlawful threat of harm.
- Force must be necessary and proportionate to the threat you're facing.

Levels of force

- Force (non-deadly force)
- Deadly force



Force and Deadly Force

FORCE

- This is defined as the minimum force required to end a threat.
- In other words, the force you use must not exceed the threat.

DEADLY FORCE

- This is defined as the force that could cause or is likely to cause the death of another person, even if that person does not die.
- This definition varies from state to state.



The Four Rules of Deadly Force

- There must be a reasonable and immediate fear of death or grave bodily harm.
- The person threatened must be an innocent party.
- No lesser force is available to stop the threat.
- No reasonable means of escape is available.



Disparity of Force and Its Factors

- Age difference
- Overwhelming size or strength
- Force of numbers
- Specialized combat skills





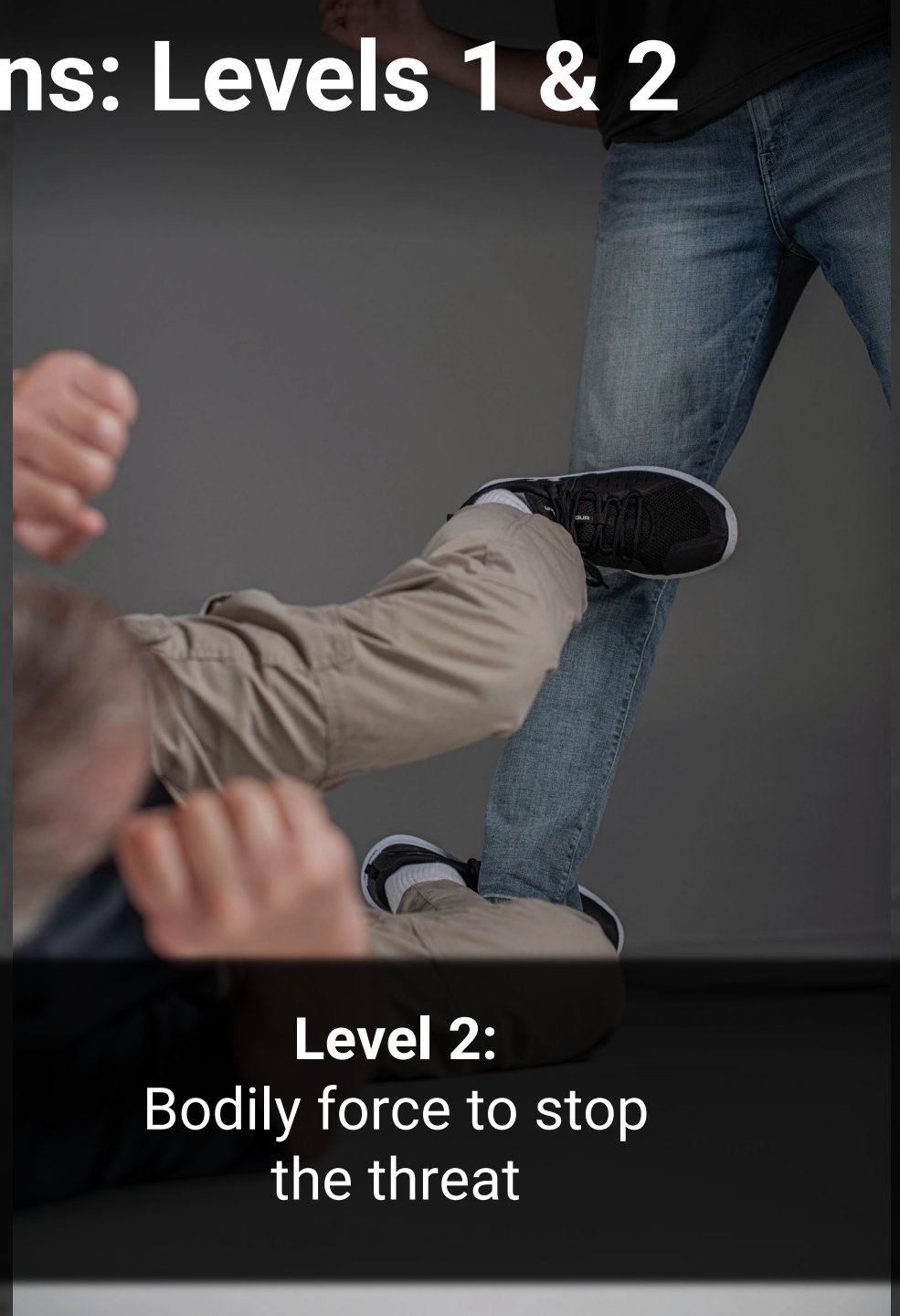
Understanding Force Escalation

- The use of force is fluid.
- You may need to skip or repeat levels as the situation changes.
- Use de-escalation if possible.
- Escape if it's safe to do so.
- Reduce your level of force if the threat lessens.
- Stop using force if or when the threat stops.

Use-of-Force Options: Levels 1 & 2



Level 1:
Situational awareness and verbal
communication



Level 2:
Bodily force to stop
the threat

Use-of-Force Options: Levels 3 & 4



Level 3:
Non-lethal force



Level 4:
Deadly force

Duty to Retreat vs. Stand Your Ground

Duty to retreat

Duty to retreat requires you to attempt to escape before you use force.

Stand your ground

Stand your ground removes your duty to retreat before you can use force in self-defense.



USCCA Training



S12 Ep1: Attacked in the Great Outdoors - Campground Attack



S12 Ep2: Attacked in the Great Outdoors - Learn How to Control the Situation

✓ Completed



S12 Ep5: Attacked in the Great Outdoors



S12 Ep6: Attacked in the Great Outdoors

USCCA Protector Academy

All USCCA Training Classes

Classes Near You

[Advanced Filters](#) [Clear All Filters](#)

Meets Permit Requirements

Shooting Class

Official Partner

USCCA Sponsored

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17.3 mi.

Fri, Nov. 15, 2024

MK Protection Strategies WI...

with **Malissa Misch** ★ 5.0

Menomonee Falls, WI

\$89

17.3 mi.

Sat, Nov. 16, 2024

Concealed Carry Course

with **Lonnie Harrington** ★ 5.0

Mequon, WI

\$100

17.2 mi.

Sun, Nov. 17, 2024

Shepard Arms CCW class.

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MENOMONEE FLS, WI

\$75

17.3 mi.

Fri, Nov. 22, 2024

MK Protection Strategies WI...

with **Malissa Misch** ★ 5.0

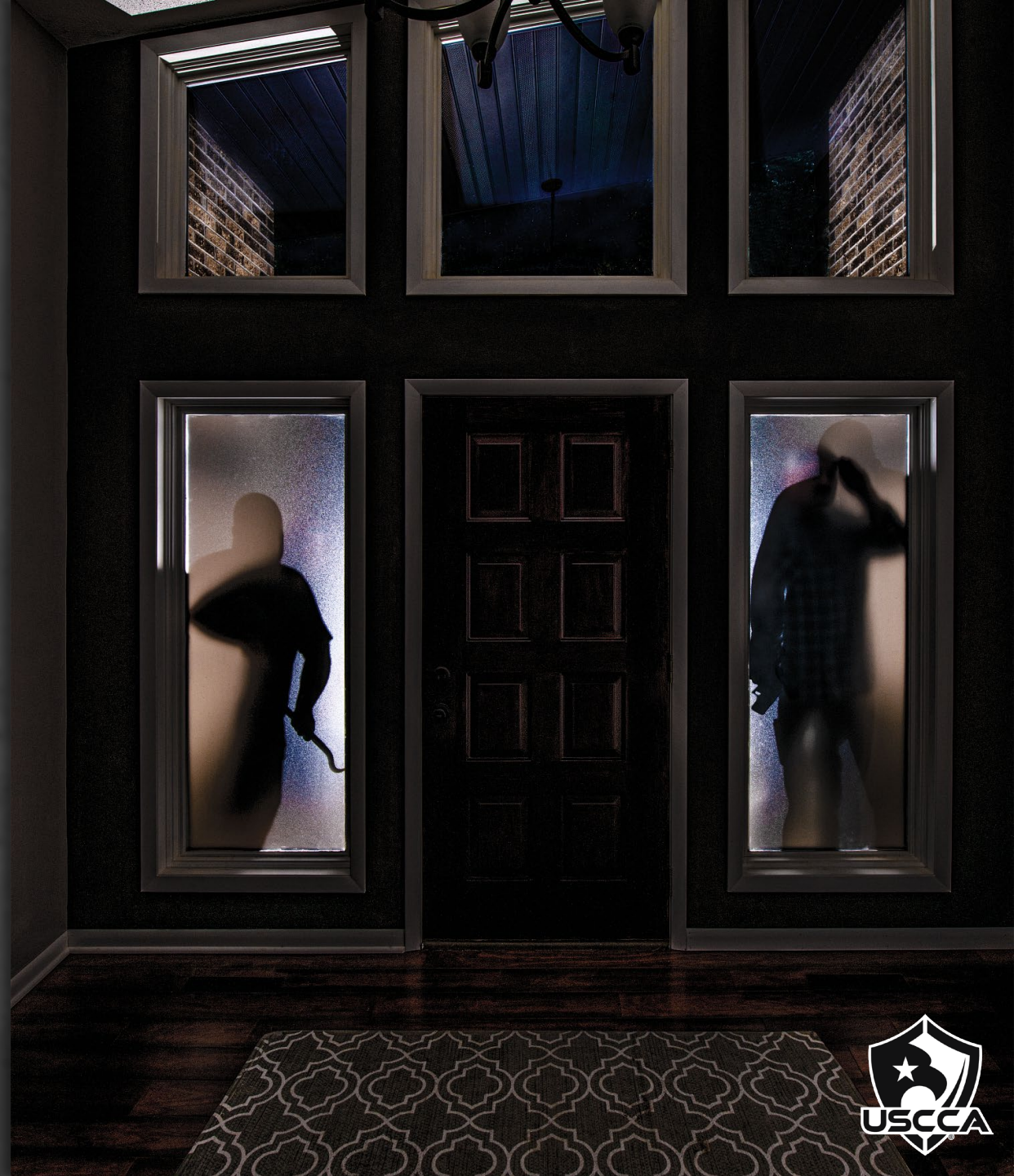
Menomonee Falls, WI

\$89

USCCA Certified Instructors

Castle Doctrine

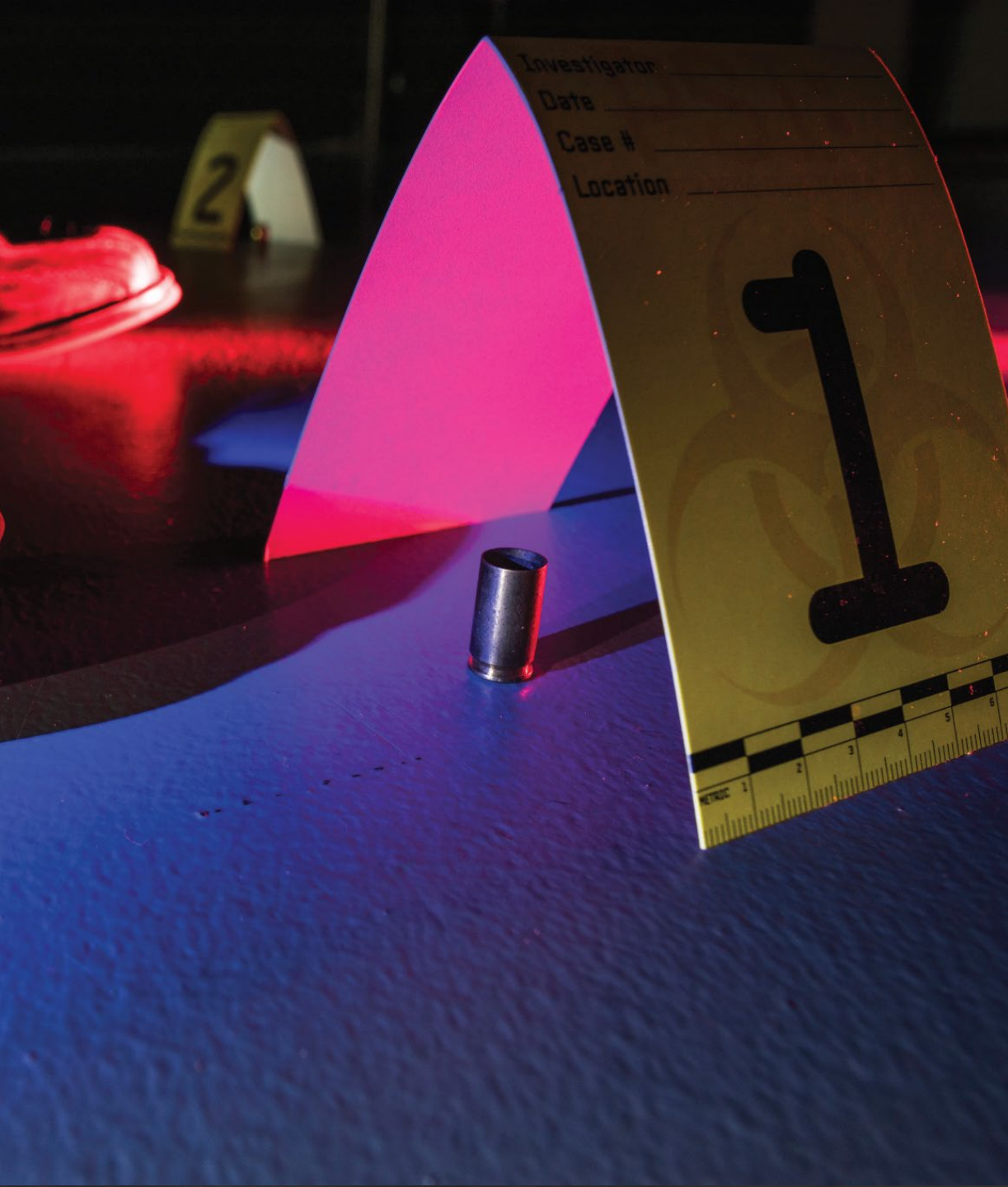
- The Castle Doctrine grants you the right to use deadly force.
- It may apply to your home, vehicle and/or business.
- It establishes a legal principle, not a tactic.
- It varies in interpretation by jurisdiction.



What to Do After an Incident

- Be the first to call 911.
- Contact the USCCA Critical Response Team and/or your attorney.
- Secure your firearm safely once the threat has ended.
- Stay calm and composed.
- Follow law enforcement directions carefully.

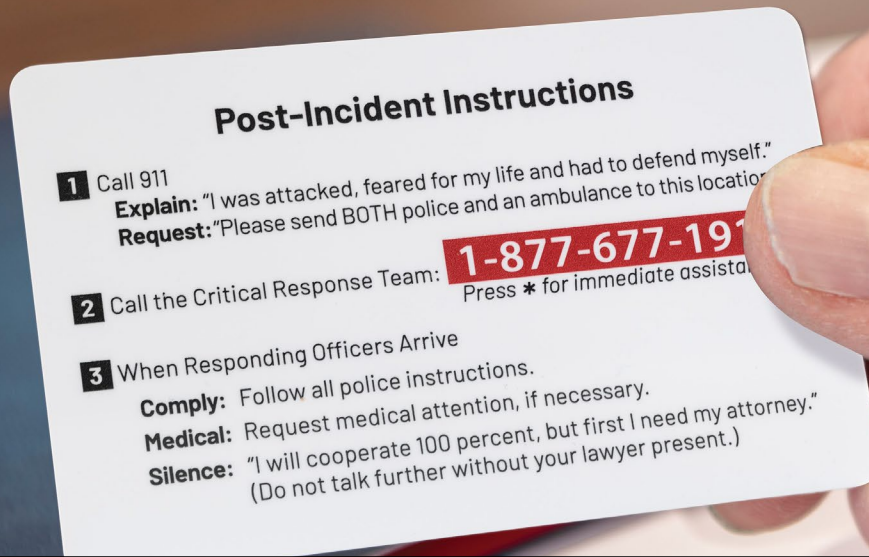




Your Rights After a Self-Defense Shooting

- Make a mental note of the scene and any key details.
- Clearly state: “I was attacked, I feared for my life, and I had to defend myself.”
- Request that your attorney be present before giving a full statement.
- Exercise your Fifth Amendment right to remain silent.
- Understand that your thinking and memory will likely be impaired due to stress and adrenaline.

USCCA Self-Defense Liability Insurance



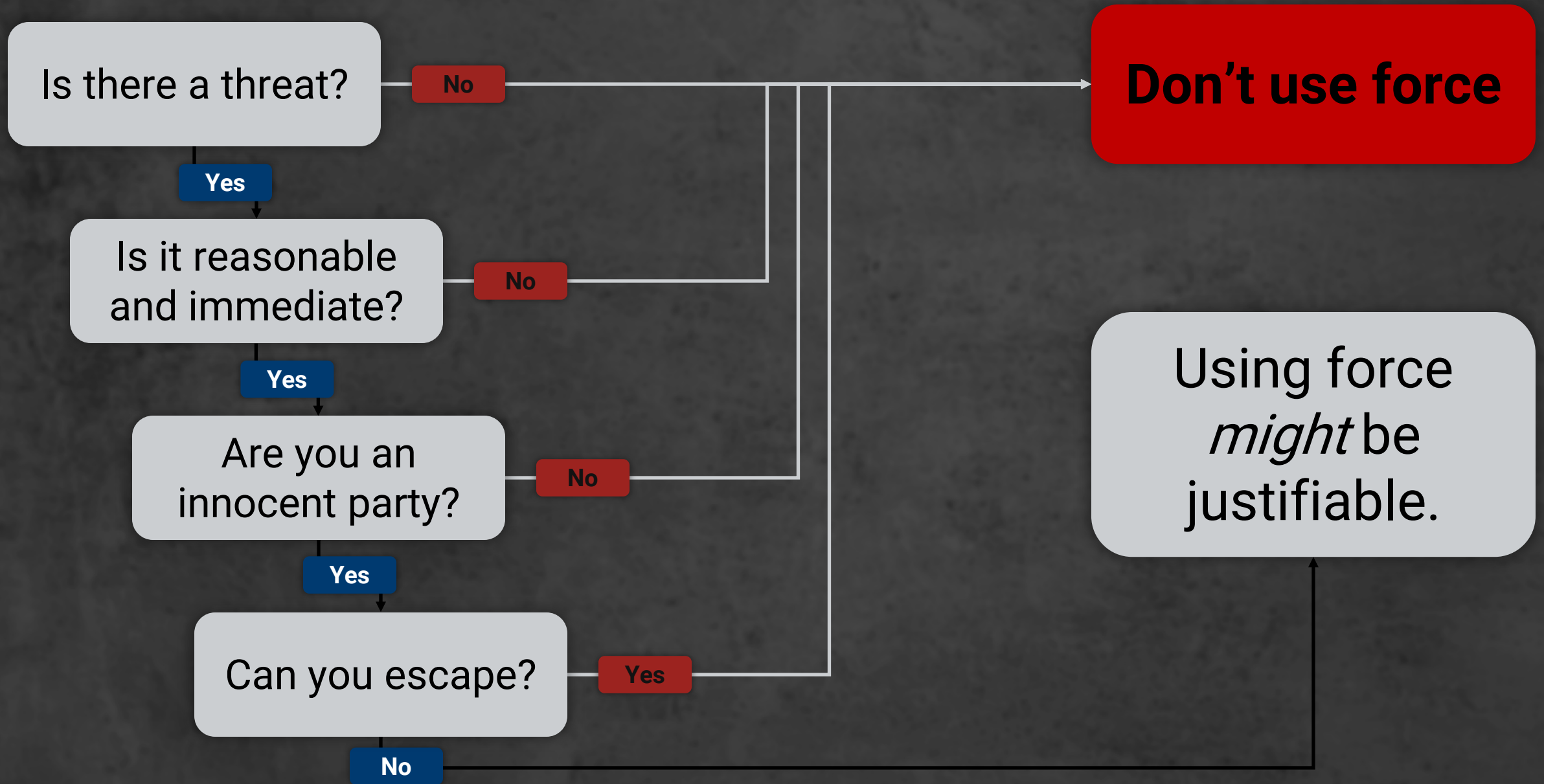
\$2,000,000
Annual Liability

NO LIMIT Defense
Expenses

\$250,000
Bail Expense

Critical
Response Team

Self-Defense Decision Tree



ACTIVITY

Scenario: Immediate Fear of Death or Great Bodily Harm

- You arrive home and see a neighbor standing on his third-floor balcony.
- This neighbor has previously threatened you.
- He pulls a knife and yells, “You’re a dead man!”
- Fearing death, you fire in response.
- **Question:** Were you justified in your use of deadly force?





Scenario: Must Be an Innocent Party

- You're in a bar when someone accidentally steps on your toe.
- You mutter, "Idiot."
- He responds by bumping your shoulder, knocking you backward.
- You shove him to the floor.
- He jumps up, pulls a knife and charges at you.
- You draw your firearm and shoot.
- **Question:** Were you justified in your use of deadly force?

Scenario: No Lesser Force Available to Stop the Threat

- You're in an alley when a smaller man reveals a firearm tucked in his waistband.
- You shout, "Don't hurt me!" and draw your gun, leaving your pepper spray in your pocket.
- He pulls the firearm and raises it. You fire, striking his shoulder.
- He drops the gun, which slides under a dumpster, out of his reach.
- Bleeding, he begins stumbling toward you.
- Ignoring your commands to stop, he continues moving closer into your "danger zone," so you fire again.
- **Question:** Were you justified in your use of deadly force?



Scenario: No Reasonable Means of Escape

- You're rear-ended after swerving to avoid a dog on the freeway.
- You pull over onto the shoulder, and your car is still running fine.
- The other driver's vehicle appears disabled, and he pulls over about 100 yards behind you.
- The driver exits his vehicle wielding a machete, charging and yelling threats.
- You exit your car and take cover behind the driver's door.
- You issue verbal commands for roughly 40 seconds as he continues to approach.
- When the attacker closes to within 21 feet, you fire.
- **Question:** Were you justified in your use of deadly force?





QUESTIONS?

NEXT STEPS



Visit the USCCA
Concealed Carry
Reciprocity Map



Develop mental plans for
probable scenarios



Become a USCCA Member
and visit the USCCA
Protector Academy



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APP

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