

— VEST FIRST RESPONDER —
HELP FOR HEROES

GEORGIA

Self-Defense Law Reference Guide

Stand Your Ground | Castle Doctrine | Duty to Retreat | First Responder Protections

CERTIFIED TRAINER SUPPLEMENTAL DOCUMENT

This document is intended exclusively for VEST Certified Trainers delivering VEST Level I, II, and III curriculum in the state of Georgia. It is not a substitute for legal counsel. Trainers should direct participants with individual legal questions to a licensed attorney in their jurisdiction.

PART I: THE GEORGIA SELF-DEFENSE STATUTORY FRAMEWORK

Georgia's self-defense laws are codified in Title 16, Chapter 3, Article 2 of the Official Code of Georgia Annotated (O.C.G.A.). These statutes form an interlocking system — each addressing a distinct scenario, all anchored to the same foundational legal standard: reasonable belief of imminent unlawful force.

CORE STATUTE MAP

STATUTE	SUBJECT MATTER
O.C.G.A. § 16-3-21	Use of Force in Defense of Self or Others
O.C.G.A. § 16-3-23	Castle Doctrine — Defense of Habitation
O.C.G.A. § 16-3-23.1	Stand Your Ground — No Duty to Retreat
O.C.G.A. § 16-3-24	Defense of Property
O.C.G.A. § 16-3-24.2	Immunity from Criminal Prosecution
O.C.G.A. §§ 16-5-21, 16-5-24	Enhanced Penalties for Attacks on First Responders
HB 838	Bias-Motivated Intimidation of First Responders

O.C.G.A. § 16-3-21 — Use of Force in Defense of Self or Others

This is the foundational self-defense statute in Georgia. It establishes when any person — including first responders — may legally use force, including deadly force, to protect themselves or a third person.

"A person is justified in threatening or using force against another when and to the extent that he or she reasonably believes that such threat or force is necessary to defend himself or herself or a third person against such other's imminent use of unlawful force; however, a person is justified in using force which is intended or likely to cause death or great bodily harm only if he or she reasonably believes that such force is necessary to prevent death or

great bodily injury to himself or herself or a third person or to prevent the commission of a forcible felony."

KEY LEGAL ELEMENTS:

- Reasonableness Standard — Evaluated from the perspective of an average, reasonable person given the totality of circumstances at the time of the incident.
- Imminence Requirement — The threat must be immediate, not hypothetical, anticipated, or future. 'I will come back and hurt you' does not satisfy this standard.
- Proportionality — Force used must be proportionate to the threat faced. Non-deadly force for non-deadly threats; deadly force requires the higher threshold.
- Third-Party Defense — You may use force, including deadly force, to protect a stranger or colleague if you reasonably believe it is necessary to prevent death, serious injury, or a forcible felony.
- Aggressor Disqualification — If you started or provoked the confrontation, you forfeit protection under § 16-3-21(b)(1).

FOR FIRST RESPONDERS:

Section 16-3-21 applies to EMS and fire personnel exactly as it does to any civilian. A paramedic or firefighter attacked while on duty may use force — including deadly force if the threshold is met — to defend themselves or a bystander. There is no occupational restriction limiting these rights, and no additional authority granted beyond what the statute provides.

O.C.G.A. § 16-3-23 — Castle Doctrine (Defense of Habitation)

The Castle Doctrine specifically addresses force used to protect your home, occupied vehicle, or place of business. Unlike the general self-defense statute, the Castle Doctrine applies to forcible entry scenarios and carries a higher degree of legal protection within the protected space.

PROTECTED LOCATIONS:

- Your primary residence or dwelling
- Your occupied vehicle
- Your place of business

TRIGGERING CONDITIONS FOR LAWFUL DEADLY FORCE:

- The intruder is forcibly and unlawfully attempting to enter or has entered the protected space.
- You reasonably believe their entry is intended to commit violence against persons inside.
- You reasonably believe deadly force is necessary to prevent the entry or prevent a forcible felony inside.

FIRST RESPONDER APPLICATION:

A paramedic treating a patient inside a private residence is lawfully present in that habitation. If a third party initiates a violent attack within that space, the first responder may invoke Castle

Doctrine protections in addition to the § 16-3-21 self-defense standard. An EMS crew inside their ambulance is protected under the occupied vehicle provision.

O.C.G.A. § 16-3-23.1 — Stand Your Ground (No Duty to Retreat)

This is Georgia's codified Stand Your Ground provision. It removes any legal obligation to flee before using force in self-defense, in any location where you have a legal right to be.

"A person who uses threats or force in accordance with Code Section 16-3-21, relating to the use of force in defense of self or others, Code Section 16-3-23, relating to the use of force in defense of a habitation, or Code Section 16-3-24, relating to the use of force in defense of property other than a habitation, has no duty to retreat and has the right to stand his or her ground and use force as provided in said Code sections, including deadly force."

FOUR REQUIRED CONDITIONS:

1. You must be in a place where you have a legal right to be.
2. You must not be the initial aggressor or have provoked the encounter.
3. You must not be engaged in criminal activity at the time.
4. The threat must be immediate and real — not hypothetical or anticipated.

CRITICAL FOR TRAINERS:

EMS and fire personnel are legally present at every location they respond to — residential, commercial, roadway, or public space. This means Stand Your Ground protections apply fully while on duty. A paramedic or firefighter has NO legal duty to flee before defending themselves against an attacker. This applies at a patient's home, a street scene, an ambulance bay, or a fire station.

O.C.G.A. § 16-3-24.2 — Immunity from Criminal Prosecution

This is one of the most powerful provisions in Georgia's self-defense framework. It is not merely a defense at trial — it is a pre-trial immunity from prosecution entirely.

"An individual who uses threats or force in accordance with Code Sections 16-3-21, 16-3-23, 16-3-23.1, or 16-3-24 shall be immune from criminal prosecution therefor unless in the use of deadly force, such person utilizes a weapon the carrying or possession of which is unlawful by such person."

Georgia allows defendants to request a pre-trial immunity hearing before a judge. At this hearing, the prosecution must prove by a preponderance of the evidence that the defendant was NOT justified in using force. If they cannot meet that burden, charges must be dismissed — before any trial occurs.

FIRST RESPONDER SIGNIFICANCE:

If a paramedic or firefighter uses force in a workplace violence incident that meets the statutory thresholds, this immunity provision could shield them from arrest and prosecution entirely. This pre-trial protection is a powerful legal safeguard that should be understood by every VEST-

certified trainer.

PART II: DUTY TO RETREAT — GEORGIA'S POSITION

Georgia has NO duty to retreat. This is one of the most operationally critical legal facts for first responders working in Georgia.

WHAT 'NO DUTY TO RETREAT' MEANS IN PRACTICE:

- You are NOT required to attempt escape before using force in self-defense.
- You are NOT required to exit a room, building, or vehicle before defending yourself.
- Your failure to retreat CANNOT be used against you to argue your use of force was unnecessary.
- These protections apply in any location where you have a legal right to be — including any EMS or fire scene.

WHAT DOES NOT CHANGE WITH NO DUTY TO RETREAT:

- The threat must still be imminent — not past or anticipated.
- Force must still be proportionate to the threat.
- You must still be lawfully present at the location.
- You must not be the initial aggressor.
- Self-defense no longer applies once the threat has ended — continuing force after neutralization may be criminal.

PART III: ENHANCED PROTECTIONS FOR FIRST RESPONDERS

Georgia has enacted a robust set of statutes that specifically criminalize violence against first responders. These laws create elevated legal consequences for attackers and reinforce the societal recognition that violence against fire/EMS personnel is unacceptable.

O.C.G.A. § 16-5-21 — Aggravated Assault on a Public Safety Officer

A person who knowingly commits aggravated assault upon a public safety officer engaged in official duties faces significantly elevated penalties. When the assault involves a firearm by a person 17 or older, the mandatory minimum is 10 years with no early release. A person who commits aggravated assault upon an emergency health worker or healthcare worker on a hospital campus faces 3 to 20 years imprisonment.

O.C.G.A. § 16-5-24 — Aggravated Battery on First Responders

Aggravated battery upon an emergency health worker or healthcare worker while performing official duties on a hospital campus carries imprisonment of 3 to 20 years. This applies to EMS personnel responding to emergency calls at hospital facilities.

HB 838 — Bias-Motivated Intimidation of First Responders

Georgia enacted House Bill 838, creating the crime of bias-motivated intimidation. This law applies to anyone responsible for the death or serious bodily injury of a police officer, firefighter, or EMT, and to anyone who causes more than \$500 in property damage to first responders based on their employment status. Violations carry up to 5 years in prison and \$5,000 in fines, with the sentence stacked on top of any other related conviction.

PART IV: POLICE USE OF FORCE & NECK RESTRAINT FRAMEWORK

Understanding the framework that governs law enforcement use of force — and how it differs from the civilian self-defense framework — is essential for VEST trainers who work alongside law enforcement personnel and who may train joint teams.

O.C.G.A. § 17-4-20 — Peace Officer Use of Deadly Force

Peace officers in Georgia may use deadly force to apprehend a suspected felon only when:

- The officer reasonably believes the suspect possesses a deadly weapon likely to cause serious bodily injury;
- The officer reasonably believes the suspect poses an immediate threat of physical violence to the officer or others; or
- There is probable cause to believe the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm.

Critically, § 17-4-20(d) states that no law enforcement agency may adopt a policy more restrictive than what state law and case law allow — meaning individual departments cannot ban tactics that state law permits.

Chokeholds & Carotid Restraints in Georgia

Unlike California, Minnesota, and several other states, Georgia has NO statewide statutory ban on chokeholds or carotid restraints. The restriction exists only at the policy and training (GLECP certification) level.

THE GEORGIA STANDARD FOR LAW ENFORCEMENT:

- Carotid artery holds and chokeholds are classified as DEADLY FORCE under Georgia law enforcement policy.
- As deadly force, they are subject to the § 17-4-20(b) threshold — only permissible when the suspect poses an immediate threat of serious bodily injury or death.
- Because § 17-4-20(d) prohibits agencies from being MORE restrictive than state law, no Georgia department can issue a complete blanket ban if state law would otherwise permit deadly force.

STATE COMPARISON: NECK RESTRAINT LAWS

STATE	STATUTORY BAN?	STANDARD
Georgia	NO — Policy only	Classified as deadly force; permitted only when § 17-4-20(b) is met
California	YES — Gov't Code § 7286.5	Complete statutory prohibition on all neck restraints
Louisiana	Conditional — RS 40:2553	Prohibited except when great bodily harm or death is threatened
Minnesota	YES — Statutory ban	Complete ban post-2020

FOR FIRST RESPONDERS (NOT LAW ENFORCEMENT):

EMS and fire personnel operate under the CIVILIAN self-defense statutes — NOT § 17-4-20. A paramedic who applies physical restraint in a life-threatening attack is evaluated under § 16-3-21 only — asking: did they reasonably believe deadly force was necessary to prevent death or great bodily injury? There is no agency policy prohibition, no GLECP standard, and no statutory ban that applies to civilian first responders using physical techniques in genuine self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER GEORGIA LAW

The VEST First Responder curriculum is designed to operate within — and reinforce — the legal frameworks of each state where our certified trainers operate. In Georgia, the law is unambiguous: first responders have the right to defend themselves, and the legal system provides meaningful protections when that defense is lawful. The following principles connect Georgia law directly to VEST training doctrine.

1. You Have the Legal Right to Defend Yourself at Your Job

Under O.C.G.A. § 16-3-23.1, any place where you have a legal right to be is a protected location. Every EMS scene, every structure fire, every hospital corridor is a place you are legally present. Georgia law gives you the right to stand your ground and use force — including deadly force if necessary — without retreating first. VEST training reinforces this right by equipping providers with the situational awareness, verbal de-escalation skills, and physical techniques to respond appropriately across the force continuum.

2. Verbal De-escalation First — Force When Necessary

Georgia's self-defense standard requires that force be 'immediately necessary.' This aligns directly with VEST Level I curriculum: verbal de-escalation is always the preferred intervention. The law does not require you to absorb a physical attack before responding — but it does require that your response be proportionate. VEST's progressive force continuum framework prepares trainers to articulate why each level of response was appropriate in their specific situation.

3. Protect Your Partner — § 16-3-21 Covers Third-Person Defense

Georgia law explicitly allows you to use force — including deadly force — to protect a partner, crew member, or bystander from unlawful violent force. VEST Level III scenario-based training emphasizes partner protection as a core operational skill. In Georgia, that training has direct legal backing: intervening to protect your partner from a violent assault is legally justified under the same standard as protecting yourself.

4. Your Ambulance and Station Are Your Castle

Under O.C.G.A. § 16-3-23, your occupied vehicle and place of business are protected spaces under the Castle Doctrine. A violent forced entry into your ambulance, your fire apparatus, or your station activates the heightened Castle Doctrine protections. VEST training addresses compartment security, scene setup, and vehicle positioning as part of environmental risk reduction — all of which are legally relevant to establishing your lawful presence and right to defend the space.

5. Document and Report — Build Your Legal Defense Before You Need It

Georgia's immunity provision (§ 16-3-24.2) can shield a first responder from prosecution — but only if the force used was objectively lawful. VEST trainers should emphasize to all participants: thorough incident documentation is a legal asset. PCR narratives, body cam footage, partner statements, and supervisor notifications all become part of the evidence record in any post-incident review. The better your documentation, the stronger your immunity claim.

6. Know When Force Ends — Proportionality Is Ongoing

Georgia law does not protect force that continues after a threat has been neutralized. VEST curriculum teaches threat reassessment as a continuous process — not a one-time evaluation. Once a subject is restrained, compliant, or no longer capable of causing harm, the justification for force ends. This is not just an ethical standard: it is a legal boundary. Crossing it converts a justified defense into an actionable offense.

7. You Are Protected — And So Is Your Attacker's Victim

HB 838 and §§ 16-5-21 and 16-5-24 create real criminal consequences for those who attack first responders. VEST trainers should help participants understand that the law recognizes the unique vulnerability and societal importance of their role. At the same time, VEST training reinforces professional restraint: using force lawfully, proportionately, and documentably protects both the provider and the integrity of the profession.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Georgia statutes are subject to legislative amendment, and individual incidents are always fact-specific. VEST Certified Trainers and their agencies should consult with a licensed attorney, their medical director, and agency legal counsel before developing or delivering formal use-of-force or defensive tactics policies. Reference statutes as of the 2024 Code of Georgia.

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