

— VEST FIRST RESPONDER —
HELP FOR HEROES

ILLINOIS

Self-Defense Law Reference Guide

Self-Defense | Castle Doctrine | No Duty to Retreat | First Responder Protections | Chokehold Law

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 Illinois. It is not a substitute for legal counsel.

PART I: THE ILLINOIS SELF-DEFENSE STATUTORY FRAMEWORK

Illinois's self-defense laws are codified in Article 7 of the Illinois Criminal Code of 2012, found in Chapter 720 of the Illinois Compiled Statutes (ILCS). The primary provisions are 720 ILCS 5/7-1 (general self-defense justification), 720 ILCS 5/7-2 (defense of dwelling), and 720 ILCS 5/7-3 (defense of others). Illinois does not have a statutory Stand Your Ground law, but the Illinois Supreme Court has held through case law that there is no duty to retreat before using force in public.

CORE STATUTE MAP

STATUTE	SUBJECT MATTER
720 ILCS 5/7-1	Use of Force in Defense of Self or Others — Core Standard
720 ILCS 5/7-2	Use of Force in Defense of Dwelling (Castle Doctrine)
720 ILCS 5/7-3	Use of Force in Defense of Other Property
720 ILCS 5/7-4	Limitations — Aggressors and Provocation
720 ILCS 5/7-5.5	Prohibition on Police Chokeholds and Neck Restraints (2021)
720 ILCS 5/12-2	Aggravated Assault — Enhanced for Attacks on First Responders
720 ILCS 5/12-3.05	Aggravated Battery — Enhanced for Attacks on First Responders
IL Supreme Court Case Law	No Duty to Retreat in Public — Established Through Case Law

720 ILCS 5/7-1 — Use of Force in Defense of Self or Others

This is the core self-defense provision in Illinois. It establishes when any person may use force — including deadly force — to defend themselves or another person.

"A person is justified in the use of force against another when and to the extent that he reasonably believes that such conduct is necessary to defend himself or another against

such other's imminent use of unlawful force. However, he is justified in the use of force which is intended or likely to cause death or great bodily harm only if he 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."

THREE ELEMENTS FOR SELF-DEFENSE IN ILLINOIS:

1. You or another person were threatened by the other person's imminent use of unlawful force.
2. The use of force was necessary to protect yourself or another person.
3. You used only the degree of force necessary to prevent the danger or harm.

Deadly force is only justified when you reasonably believe it is necessary to prevent: imminent death, great bodily harm to yourself or another person, or the commission of a forcible felony. Forcible felonies under Illinois law (720 ILCS 5/2-8) include: murder, criminal sexual assault, robbery, burglary, arson, kidnapping, aggravated battery, and any felony involving the use or threat of physical force or violence.

FOR FIRST RESPONDERS:

720 ILCS 5/7-1 applies to EMS and fire personnel as civilians. A paramedic or firefighter attacked on duty may use force — including deadly force when the threshold is met — to defend themselves or a partner. No occupational restriction limits or expands this right. The same civilian standard applies at every location where an Illinois first responder is deployed.

720 ILCS 5/7-2 — Defense of Dwelling (Castle Doctrine)

Illinois's Castle Doctrine is codified in 720 ILCS 5/7-2 and applies exclusively to dwellings and places where the actor resides. Unlike Texas, Missouri, and South Dakota, Illinois does NOT extend the Castle Doctrine to vehicles through this statute.

"A person is justified in the use of force against another when and to the extent that he reasonably believes that such conduct is necessary to prevent or terminate such other's unlawful entry into or attack upon a dwelling. However, he is justified in the use of force which is intended or likely to cause death or great bodily harm only if: (1) The entry is made or attempted in a violent, riotous, or tumultuous manner, and he reasonably believes that such force is necessary to prevent an assault upon, or offer of personal violence to, him or another then in the dwelling, or (2) He reasonably believes that such force is necessary to prevent the commission of a felony in the dwelling."

KEY ELEMENTS OF ILLINOIS'S CASTLE DOCTRINE:

- Applies to dwelling — where the actor legally resides, including a house, apartment, or condo.
- Two triggers for deadly force inside dwelling: (1) violent/tumultuous entry with threat of personal violence, or (2) reasonable belief force necessary to prevent a felony inside.
- No duty to retreat from your own dwelling — explicitly stated in the statute.
- Does NOT extend to vehicles or workplaces under 720 ILCS 5/7-2.
- 'Dwelling' is broadly defined — includes any place where a person resides, even temporarily.

VEHICLE AND WORKPLACE LIMITATION:

Illinois's Castle Doctrine statute (§ 7-2) covers only dwellings. An ambulance, fire apparatus, or EMS station does NOT receive Castle Doctrine protection under 720 ILCS 5/7-2. However, Illinois's general self-defense statute (§ 7-1) applies at all lawful locations, and the Illinois Supreme Court has held there is no duty to retreat in public — so an EMS provider attacked in their vehicle may still use justified force under § 7-1, they just do not receive the Castle Doctrine's specific protections.

PART II: DUTY TO RETREAT — ILLINOIS'S POSITION

Illinois does NOT have a statutory Stand Your Ground law. However, the Illinois Supreme Court has established through case law that there is NO duty to retreat before using force in self-defense in public spaces. This no-retreat principle is based on case law rather than statute.

"Under 720 ILCS 5/7-1, there is generally no duty to retreat before using force in self-defense if you are in a place where you have a legal right to be. The Illinois Supreme Court has established through case law that individuals do not have a duty to retreat when faced with a threat of death or great bodily harm in public spaces."

The practical effect: an Illinois first responder at a scene has no obligation to flee before using force. However, unlike Texas and Missouri, this principle derives from case law rather than statute — which means it is subject to judicial reinterpretation and does not carry the same evidentiary bar (that a jury CANNOT consider retreat failure) as Texas's statutory provision.

- No statutory duty to retreat — Illinois case law establishes no obligation to flee.
- Unlike Texas: failure to retreat CAN be argued by prosecutors as circumstantial evidence in Illinois, though it is not required for the state's case.
- Inside dwelling (Castle Doctrine) — no duty to retreat under § 7-2.
- Illinois does not have the explicit evidentiary bar in § 9.32(d) that Texas has — retreat failure may still be relevant to the jury's analysis.

PART III: FIRST RESPONDER ASSAULT — ENHANCED CRIMINAL PROTECTIONS**720 ILCS 5/12-2 — Aggravated Assault on First Responders**

Illinois elevates assault to aggravated assault — a Class A misdemeanor that can escalate to a felony — when the victim is a police officer, corrections officer, firefighter, or first responder engaged in the performance of their duties. The actor must know the victim is a public servant or emergency responder.

Specifically, aggravated assault is committed when directed at: a police or corrections officer, firefighter, first responder, sports coach, transit employee, teacher, or other enumerated public

official. The enhancement elevates what would otherwise be a simple assault to an aggravated offense with heightened consequences.

720 ILCS 5/12-3.05 — Aggravated Battery on First Responders

Illinois elevates battery to aggravated battery — a Class 3 Felony (2–5 years) — when the victim is a peace officer, fireman, private security officer, correctional institution employee, or other enumerated first responder performing official duties, and the attacker knows the victim is such a person. When the battery causes great bodily harm or permanent disability, the enhancement escalates further to a Class 2 or Class 1 Felony.

TRAINER EMPHASIS:

Illinois's aggravated battery statute classifies battery against firefighters and emergency personnel as a Class 3 Felony (2–5 years) at minimum, escalating to Class 2 (3–7 years) or Class 1 (4–15 years) based on harm. Even a simple unwanted physical contact directed at an on-duty first responder can trigger felony charges when the attacker knew the victim was an emergency responder.

PART IV: POLICE USE OF FORCE & THE CHOKEHOLD STATUTE

720 ILCS 5/7-5.5 — Illinois Chokehold Prohibition (2021)

Illinois enacted a statutory chokehold prohibition in 2021, codified in the Criminal Code at 720 ILCS 5/7-5.5. This is notable because Illinois placed its chokehold restriction in the Criminal Code itself — not in a separate police policy statute — making it directly enforceable as criminal law.

"A peace officer, or any other person acting under the color of law, shall not use a chokehold or restraint above the shoulders with risk of asphyxiation in the performance of his or her duties, unless deadly force is justified under this Article. A peace officer, or any other person acting under the color of law, shall not use a chokehold or restraint above the shoulders with risk of asphyxiation, or any lesser contact with the throat or neck area of another, in order to prevent the destruction of evidence by ingestion."

DEFINITIONS — 720 ILCS 5/7-5.5(c) and (d):

- Chokehold — applying any direct pressure to the throat, windpipe, or airway of another. Does NOT include a headlock where only pressure is applied to the head with no intent to reduce air intake.
- Restraint Above the Shoulders with Risk of Positional Asphyxia — any technique used to restrain a person above the shoulders that creates a risk of positional asphyxia through restriction of breathing.

KEY FEATURES OF ILLINOIS'S PROHIBITION:

- Placed in the Criminal Code — making violation directly subject to criminal prosecution, unlike Wisconsin's placement in municipal law.
- Deadly force exception — chokeholds may be used when deadly force is justified under the Article (meaning when §§ 7-1 or 7-2 deadly force thresholds are met).

- Evidence ingestion exception — prohibited even for lesser neck contact when used to prevent evidence ingestion. This is an affirmative restriction with no exception.
- Applies to 'persons acting under the color of law' — broader than just sworn officers; includes anyone acting in an official law enforcement capacity.

Illinois State Police Policy — VNR Prohibition

The Illinois State Police Directive OPS-046 explicitly prohibits the use of Vascular Neck Restraints (VNR) as well as chokeholds, consistent with 720 ILCS 5/7-5.5. This aligns agency policy with the statutory prohibition, creating a dual accountability framework.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

720 ILCS 5/7-5.5 applies to 'peace officers and persons acting under color of law' — not to civilian first responders acting in personal self-defense. An Illinois paramedic defending their life against a violent attack is evaluated only under the civilian § 7-1 self-defense standard. There is no statutory restriction on civilian first responders using physical defensive techniques in lawful self-defense. The criminal code placement of the prohibition makes it clear it governs governmental authority — not private defensive action.

PART V: APPLYING VEST PRINCIPLES UNDER ILLINOIS LAW

Illinois's self-defense framework provides strong protections for first responders — no duty to retreat at any lawful location (through case law), Castle Doctrine inside the dwelling, and felony-level enhancements for attacks on first responders. The statutory chokehold prohibition in the Criminal Code reflects Illinois's commitment to accountability for use of force. VEST principles align directly with what Illinois law requires and protects.

1. You Have the Legal Right to Defend Yourself — No Duty to Retreat in Illinois

The Illinois Supreme Court has established that Illinois residents — including first responders — have no duty to retreat before using force in self-defense in any location where they are lawfully present. A paramedic or firefighter attacked at a scene may stand their ground and use proportionate force. VEST Level I through III training prepares providers with the situational awareness, verbal intervention skills, and physical response capabilities to exercise this right effectively.

2. Document More Carefully Than in Statutory Stand Your Ground States

Because Illinois's no-retreat principle derives from case law rather than statute, and because there is no explicit evidentiary bar like Texas's § 9.32(d), thorough documentation is especially important. PCR entries, incident reports, and partner statements should establish: the nature of the threat, why force was necessary, all pre-force de-escalation attempts, and the physical circumstances that made retreat unavailable or unsafe. This documentation record supports the reasonableness standard Illinois courts apply.

3. De-Escalation Is Both Ethical and Legally Expected

Illinois's 'necessary force' standard in § 7-1 expects that force be used only when necessary. Documenting verbal de-escalation attempts before force was required demonstrates that force was not chosen but was necessary. VEST Level I de-escalation curriculum builds this evidentiary foundation at every level of the force continuum.

4. The Dwelling Castle Doctrine Applies — The Vehicle Statute Does Not

Illinois's Castle Doctrine under § 7-2 covers dwellings only. An EMS provider attacked inside a patient's home may benefit from the dwelling Castle Doctrine. An EMS provider attacked in their ambulance relies on the general § 7-1 self-defense standard without the Castle Doctrine's specific protections. VEST training should address this distinction and ensure providers understand how to document threats inside both environments.

5. Protect Your Partner — Defense of Others Is Fully Authorized

720 ILCS 5/7-1 covers defense of 'another' using the same standard as self-defense. A VEST-trained Illinois first responder who uses force to protect a partner from violent attack has full legal justification under § 7-1. VEST Level III partner defense scenarios are directly backed by this statutory authority.

6. The Criminal Code Chokehold Ban Affects Joint Training

Illinois's 720 ILCS 5/7-5.5 places the chokehold prohibition in the Criminal Code with a deadly force exception. When VEST delivers joint agency training with Illinois law enforcement, this statutory framework must be addressed: officers may only use neck restraints when deadly force is otherwise justified under §§ 7-1 or 7-2. Civilian first responders are not subject to this restriction in personal self-defense situations.

7. Know When Force Ends

720 ILCS 5/7-1 limits force to that necessary to defend against the 'imminent use of unlawful force.' Once the threat is neutralized, the justification ends. Continuing force after a subject is compliant or restrained is not protected under § 7-1 and may constitute aggravated battery. VEST curriculum's continuous threat reassessment framework is both operationally and legally necessary in Illinois.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Illinois Compiled Statutes 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.

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