

- VEST FIRST RESPONDER -

HELP FOR HEROES

INDIANA

Self-Defense Law Reference Guide

Stand Your Ground | Castle Doctrine | Self-Defense | First Responder Protections | Chokehold Definition in Law

CERTIFIED TRAINER SUPPLEMENTAL DOCUMENT

Intended exclusively for VEST Certified Trainers. Not a substitute for legal counsel.

Indiana's self-defense laws are codified in Indiana Code Article 35-41-3. Indiana is a Stand Your Ground state with no duty to retreat. The state has a robust Castle Doctrine covering dwellings, curtilage, and occupied motor vehicles. Indiana has a unique distinction: in 2012, it became the first state to explicitly allow the use of force against police officers when they use unlawful force - codified at IC 35-41-3-2(i). Indiana also has a statutory definition of 'chokehold' within its use-of-force provisions, providing a clear legal baseline for both law enforcement restrictions and civilian understanding.

STATUTE	SUBJECT MATTER
IC 35-41-3-2	Use of Force to Protect Person or Property - Stand Your Ground & Castle Doctrine
IC 35-41-3-2(c)	Self-Defense - No Duty to Retreat When Justified
IC 35-41-3-2(d)	Castle Doctrine - Dwelling, Curtilage, Occupied Motor Vehicle
IC 35-41-3-2(i)	Right to Use Force Against Unlawfully Acting Public Servants (2012)
IC 35-41-3-3	Use of Force in Arrest - Chokehold Definition
IC 35-42-2-1	Battery - Enhanced Penalty When Victim Is Public Safety Official
IC 35-44.1-3-1	Resisting Law Enforcement / Interfering With Public Safety - First Responder Provisions

PART I: THE INDIANA SELF-DEFENSE STATUTORY FRAMEWORK

IC 35-41-3-2 - Use of Force to Protect Person or Property

"In enacting this section, the general assembly finds and declares that it is the policy of this state to recognize the unique character of a citizen's home and to ensure that a citizen feels secure in his or her own home against unlawful intrusion by another individual or a public servant. By reaffirming the long standing right of a citizen to protect his or her home against unlawful intrusion, however, the general assembly does not intend to diminish in any way the other robust self-defense rights that citizens of this state have always enjoyed." - IC 35-41-3-2(a)

A person is justified in using reasonable force against another when they reasonably believe force is necessary to prevent or terminate unlawful entry or attack on their dwelling, curtilage, or occupied motor vehicle. Deadly force is justified when the person reasonably believes it is necessary to prevent serious bodily injury to themselves or others, or the commission of a forcible felony.

IC 35-41-3-2(c) - Stand Your Ground (No Duty to Retreat)

Indiana's Stand Your Ground provision is embedded within IC 35-41-3-2(c): 'A person is justified in using reasonable force against any other person and does not have a duty to retreat if the person reasonably believes that the force is necessary to prevent or terminate the other person's unlawful entry of or attack on the person's dwelling, curtilage, or occupied motor vehicle.' Additionally, the general Stand Your Ground rule applies in public: a person who is in a place they have a right to be, who is not the initial aggressor, may stand their ground.

IC 35-41-3-2(d) - Castle Doctrine (Dwelling, Curtilage, Occupied Vehicle)

Indiana's Castle Doctrine covers: (1) dwelling - the home and any structure used for residence; (2) curtilage - the yard, porch, driveway, and attached areas immediately surrounding the home; and (3) occupied motor vehicle. The curtilage extension is notably broader than many states, covering the area immediately surrounding the home even when not inside it.

- Dwelling - home, apartment, or residential structure.
- Curtilage - yard, porch, shed, driveway, garage, and surrounding areas of the home.
- Occupied Motor Vehicle - any motor vehicle where the defender is present, including an ambulance or fire apparatus.

AMBULANCE AS OCCUPIED VEHICLE:

Indiana's Castle Doctrine explicitly covers occupied motor vehicles. A violent forced entry into an occupied Indiana ambulance activates Castle Doctrine protections. Combined with the general Stand Your Ground no-retreat rule, Indiana EMS crews have strong legal protection when attacked in or near their vehicles.

IC 35-41-3-2(i) - Use of Force Against Unlawfully Acting Public Servants (2012)

In 2012, Indiana became the first state to explicitly codify the right to use force, including deadly force, against a public servant - including a law enforcement officer - when that official is using unlawful force. This provision was enacted following the Indiana Supreme Court's 2011 *Barnes v. State* decision. While this statute creates unique considerations for joint law enforcement/EMS training, it primarily addresses lawful force rights of Indiana citizens and does not alter the self-defense framework for civilian first responders.

PART II: DUTY TO RETREAT - INDIANA'S POSITION

Indiana has NO duty to retreat. Indiana's Stand Your Ground law makes clear that a person does not have a duty to retreat before using justified force anywhere they have a right to be.

- No retreat required anywhere a person is lawfully present.
- Applies to defense of self, others, dwelling, curtilage, and occupied vehicle.
- Exception: Must not be the initial aggressor.
- Exception: Must not have provoked the confrontation.

PART III: FIRST RESPONDER ASSAULT - ENHANCED CRIMINAL PROTECTIONS

IC 35-42-2-1 - Battery (Enhanced When Victim Is Public Safety Official)

Indiana's battery statute is elevated to a Level 6 Felony (6 months to 2.5 years) when committed against a public safety official while the official is engaged in their official duty. 'Public safety official' includes law enforcement officers, firefighters, and emergency medical services providers. When the battery results in moderate bodily injury, the offense is elevated further. When the battery results in serious bodily injury, it escalates to a Level 5 Felony (1-6 years).

- Battery on public safety official in official duty - Level 6 Felony minimum.
- Battery causing moderate bodily injury to public safety official - enhanced further.
- Battery causing serious bodily injury - Level 5 Felony (1-6 years).

IC 35-44.1-3-1 - Resisting Law Enforcement / Interfering With Public Safety

Indiana creates a Level 2 Felony (10-30 years) when a person operates a vehicle in a manner that causes DEATH or CATASTROPHIC INJURY to a firefighter, emergency medical services provider, or law enforcement officer while that person is engaged in official duties. This addresses vehicle-as-weapon scenarios at EMS and fire scenes - a critical provision for roadway safety.

- Vehicular death or catastrophic injury of EMS/fire while on duty - Level 2 Felony.
- Mandatory minimum sentence of 30 days for vehicle use that results in harm to a first responder.
- Applies to firefighters, EMTs, paramedics, and law enforcement officers performing official duties.

INDIANA'S VEHICLE PROTECTION PROVISION:

Indiana's Level 2 Felony for causing death or catastrophic injury to an EMS provider or firefighter using a motor vehicle is among the most serious first-responder protection provisions in the country. A 10-30 year sentence for a vehicular attack on an on-duty EMS crew sends a strong deterrent message. VEST trainers should address roadway scene safety as both a tactical necessity and a legally protected environment.

PART IV: POLICE USE OF FORCE - CHOKEHOLD DEFINITION IN STATUTE

IC 35-41-3-3 - Chokehold Definition in Use-of-Force Statute

Indiana's use-of-force statute (IC 35-41-3-3) includes a definition of 'chokehold' directly in the law enforcement arrest/force chapter. While Indiana has not enacted a complete statutory ban equivalent to Minnesota or California, the 2021 amendment (P.L.12-2021) added a chokehold definition that establishes the legal baseline:

"Chokehold means applying pressure to the throat or neck of another person in a manner intended to obstruct the airway of the other person." - IC 35-41-3-3(1)

A 2024 policy update further clarified Indiana's approach: the updated use-of-force policy prohibits 'true chokeholds' (tracheal compression) except in deadly-force situations, while vascular neck restraints remain permitted with required training - distinguishing Indiana as using the same dual-track approach as Nebraska.

- Chokeholds (tracheal/airway compression) - prohibited except in deadly-force situations.
- Vascular neck restraints - permitted below the level of deadly force with required training (Indiana POST 2024 update).
- Definition codified in statute - creates a clear legal baseline for enforcement.
- NO complete statutory ban equivalent to Minnesota, California, or Delaware.

INDIANA'S DUAL-TRACK APPROACH:

Indiana's 2024 policy update mirrors Nebraska's approach: treating respiratory chokeholds and vascular (carotid) restraints differently, with more restrictions on the former than the latter. This is a nuanced position that VEST trainers must address carefully in joint agency training - law enforcement participants face different standards for these two techniques.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

IC 35-41-3-3's chokehold definition and police use-of-force restrictions apply to law enforcement officers. EMS and fire personnel are governed by the civilian IC 35-41-3-2 framework. A civilian first responder defending their life against a violent attack is evaluated only under the civilian standard. There is no statutory restriction on civilian Indiana first responders using any defensive technique in genuine life-safety self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER INDIANA LAW**1. Stand Your Ground Covers All Lawful Locations - Including EMS Scenes**

Indiana Code IC 35-41-3-2 gives every Indiana first responder the right to stand their ground at any lawful location. No retreat is required before using justified force at any scene. VEST training reinforces this right through the graduated force continuum and de-escalation as the preferred first response.

2. The Curtilage Extension Provides Broader Outdoor Protection

Indiana's Castle Doctrine covers the curtilage of the home - the yard, porch, and surrounding areas. An EMS crew treating a patient in the driveway or on the porch of a home may benefit from this broader Castle Doctrine protection compared to states that limit protection to the interior of the dwelling.

3. Your Ambulance Is an Occupied Vehicle - Castle Doctrine Applies

Indiana's Castle Doctrine covers occupied motor vehicles. A violent forced entry into an occupied Indiana ambulance activates these protections. VEST compartment security and vehicle lockdown protocols directly support this legal framework.

4. Vehicular Attack Protections Are Among the Strongest in the Country

Indiana's Level 2 Felony (10-30 years) for causing death or catastrophic injury to an EMS provider using a motor vehicle creates real deterrence for roadway incidents. VEST scene safety training addressing vehicle positioning and traffic management is directly supported by this legal framework.

5. De-Escalation Documents Proportionality

Even with Stand Your Ground protection, force must be 'reasonable.' VEST Level I de-escalation curriculum documents that force was a last resort, supporting the proportionality analysis that Indiana courts apply.

6. Know the Chokehold Framework for Joint Training

Indiana's dual-track approach (chokehold prohibition vs. vascular restraint permission with training) must be addressed in joint agency training. The statutory definition of 'chokehold' as tracheal compression provides a clear legal reference point. Civilian first responders are evaluated under IC 35-41-3-2 in personal self-defense.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Indiana Code Title 35 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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