

- VEST FIRST RESPONDER -

## HELP FOR HEROES

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# KANSAS

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## Self-Defense Law Reference Guide

*Stand Your Ground | Castle Doctrine (Dwelling, Workplace, Vehicle) | Immunity | First Responder  
Protections | Police Use of Force*

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### CERTIFIED TRAINER SUPPLEMENTAL DOCUMENT

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

Kansas is a Stand Your Ground state. Its self-defense framework, codified in K.S.A. Chapter 21, Article 52, removes any duty to retreat before using force in defense of self or others. Kansas is notable for extending its Castle Doctrine presumption explicitly to the dwelling, place of work, AND occupied vehicle in K.S.A. 21-5223 - a three-location framework that places Kansas among the most protective states for first responders. Kansas also provides both criminal immunity and civil immunity for justified defensive force, and limits law enforcement's ability to arrest persons asserting a self-defense claim.

| STATUTE                | SUBJECT MATTER                                                                         |
|------------------------|----------------------------------------------------------------------------------------|
| K.S.A. 21-5222         | Defense of a Person - Stand Your Ground, No Duty to Retreat                            |
| K.S.A. 21-5223         | Defense of Dwelling, Place of Work, or Occupied Vehicle - Castle Doctrine              |
| K.S.A. 21-5224         | Presumptions - Reasonable Belief Presumption for Castle Locations                      |
| K.S.A. 21-5225         | Defense of Another Person                                                              |
| K.S.A. 21-5226         | No Duty to Retreat - Public Spaces                                                     |
| K.S.A. 21-5230         | Criminal and Civil Immunity for Justified Force                                        |
| K.S.A. 21-5412         | Assault/Aggravated Assault of Law Enforcement Officer - Severity Level 6 Person Felony |
| K.S.A. 21-5413         | Battery/Aggravated Battery Against Certain Persons (Peace Officers, Healthcare)        |
| Kansas KLETC Standards | Police Use of Force - Neck Restraint Policy                                            |

## PART I: THE KANSAS SELF-DEFENSE STATUTORY FRAMEWORK

### K.S.A. 21-5222 - Defense of a Person (Stand Your Ground)

*"A person is justified in the use of force against another when and to the extent it appears to such person and such person reasonably believes that such use of force is necessary to defend such person or a third person against such other's imminent use of unlawful force... A person who is not engaged in an unlawful activity and who is attacked in a place where such person has a right to be has no duty to retreat and has the right to stand such person's ground and meet force with force, including deadly force." - K.S.A. 21-5222*

Deadly force is justified under K.S.A. 21-5222 when a person reasonably believes such force is necessary to prevent imminent death or great bodily harm to themselves or another person. The no-duty-to-retreat provision applies at any location where a person has a right to be and is not engaged in unlawful activity.

#### KEY ELEMENTS:

- Reasonably believes - standard evaluated objectively from the actor's perspective at the moment.
- Imminent use of unlawful force - threat must be immediate, not past or anticipated.
- Not engaged in unlawful activity - persons committing crimes forfeit Stand Your Ground protection.
- Right to be there - lawful presence at the location is required.

**FOR FIRST RESPONDERS:**

K.S.A. 21-5222 gives every Kansas EMS provider and firefighter the right to stand their ground at any lawful location, including any emergency scene. A paramedic or firefighter attacked during a call may use force - including deadly force when the threshold is met - without any obligation to retreat. Kansas's framework is among the clearest statutory Stand Your Ground provisions in the country.

**K.S.A. 21-5223 - Defense of Dwelling, Place of Work, or Occupied Vehicle**

*"A person is justified in the use of force against another when and to the extent that it appears to such person and such person reasonably believes that such use of force is necessary to prevent or terminate such other's unlawful entry into or attack upon such person's dwelling, place of work or occupied vehicle." - K.S.A. 21-5223(a)*

This statute explicitly names THREE protected spaces where defensive force is authorized: the dwelling, the place of work, and the occupied vehicle. Deadly force is additionally justified when the person using force reasonably believes it necessary to prevent the commission of a forcible felony within these spaces.

**AMBULANCE, STATION, AND WORKPLACE - ALL PROTECTED:**

K.S.A. 21-5223's explicit three-location framework - dwelling, place of work, and occupied vehicle - provides comprehensive Castle Doctrine protection for Kansas first responders. An EMS crew attacked in their ambulance (occupied vehicle), at their base (place of work), or at a patient's home (occupied dwelling) has Castle Doctrine authority in all three scenarios. This triple coverage is among the broadest Castle Doctrine frameworks in the country.

**K.S.A. 21-5224 - Castle Doctrine Presumption**

When force is used against a person unlawfully entering or who has entered a dwelling, place of work, or occupied vehicle, K.S.A. 21-5224 creates a statutory presumption that the person using force had a reasonable belief that deadly force was necessary. The prosecution must overcome this presumption. The presumption applies when the person against whom force is used is unlawfully and forcibly entering, or has unlawfully and forcibly entered, and remains in, any of the three protected locations.

**K.S.A. 21-5230 - Criminal and Civil Immunity**

Kansas provides explicit criminal and civil immunity for persons who use force that is justified under K.S.A. 21-5222 through 21-5224. This dual immunity means a person who acts in justified self-defense cannot be prosecuted criminally or sued civilly for that use of force. Additionally, K.S.A. 21-5230 limits law enforcement's ability to arrest a person who asserts a self-defense claim, creating an early procedural protection.

**PART II: DUTY TO RETREAT - KANSAS'S POSITION**

Kansas has NO duty to retreat. K.S.A. 21-5222(b) explicitly states: 'A person who is not engaged in an unlawful activity and who is attacked in a place where such person has a right to be has no duty to retreat and has the right to stand such person's ground and meet force with force, including deadly force.' This applies at every lawful location, including any EMS or fire scene.

- No retreat required anywhere a person is lawfully present and not engaged in unlawful activity.

- Applies at public spaces, patient homes, roadway scenes, hospitals, stations, and all lawful EMS/fire deployment locations.
- Castle Doctrine presumption provides ADDITIONAL protection in the dwelling, workplace, and vehicle.
- Criminal and civil immunity available for justified force under K.S.A. 21-5230.
- Exception: Initial aggressors who provoked the confrontation may lose the protection unless they clearly withdraw.

## PART III: FIRST RESPONDER ASSAULT - ENHANCED CRIMINAL PROTECTIONS

### K.S.A. 21-5412 - Aggravated Assault of a Law Enforcement Officer

Aggravated assault of a law enforcement officer - when committed with a deadly weapon, while disguised, or with the intent to cause great bodily harm - is a Severity Level 6 Person Felony. Kansas's sentencing grid assigns significant prison time to Severity Level 6 Person Felonies based on criminal history. Additionally, K.S.A. 21-6804(g) provides presumptive prison sentences for aggravated assault of a law enforcement officer, removing the possibility of probation for these offenses.

### K.S.A. 21-5413 - Battery and Aggravated Battery Against Certain Persons

Kansas's battery statute contains enhanced provisions when the victim is a peace officer, emergency medical services provider, or healthcare provider engaged in official duties. Battery (intentional harmful contact) against these protected persons carries elevated penalties. Aggravated battery (causing great bodily harm or using a deadly weapon) against law enforcement is a Severity Level 4 Person Felony - one of the most serious non-lethal offenses in Kansas sentencing.

- Battery on peace officer/EMS/healthcare provider on duty - enhanced from misdemeanor to felony.
- Aggravated battery on law enforcement officer - Severity Level 4 Person Felony.
- Presumptive prison - no probation available for aggravated battery on law enforcement under K.S.A. 21-6804.

#### TRAINER EMPHASIS:

Kansas's battery-on-law-enforcement framework creates escalating felony consequences for attacks on first responders. The 'engaged in the performance of their duty' element is met whenever a first responder is in uniform, operating a marked vehicle, or otherwise identifiable as an emergency services provider on an active call. VEST trainers should reinforce that uniform discipline and marked apparatus operation are legal assets - they establish the statutory knowledge element.

## PART IV: POLICE USE OF FORCE & NECK RESTRAINT FRAMEWORK

Kansas does NOT have a statewide statutory chokehold ban. Neck restraint policy is governed by the Kansas Law Enforcement Training Center (KLETC) and individual agency use-of-force policies. Kansas has not enacted legislation comparable to Minnesota, California, Colorado, or Delaware that specifically restricts police neck restraints through statute.

- NO statewide statutory chokehold or carotid restraint ban as of 2024-2025.
- KLETC training standards classify neck restraints as high-risk force options subject to the deadly force justification standard.

- Individual agency policies may impose additional restrictions; many Kansas departments have administratively prohibited chokeholds following national reforms.
- Kansas's broader police accountability framework has not yet included statutory neck restraint provisions.

#### **FIRST RESPONDERS VS. LAW ENFORCEMENT:**

Kansas's law enforcement use-of-force standards do not apply to civilian EMS and fire personnel in personal self-defense. A Kansas paramedic or firefighter defending their life is evaluated under the civilian K.S.A. 21-5222 framework. There is no statutory prohibition on civilian Kansas first responders using any defensive technique in genuine life-safety self-defense.

## **PART V: APPLYING VEST PRINCIPLES UNDER KANSAS LAW**

### **1. Triple-Location Castle Doctrine Protection**

Kansas Code S. 21-5223's explicit coverage of dwelling, place of work, and occupied vehicle - with the S. 21-5224 reasonable-belief presumption - gives Kansas first responders one of the most comprehensive Castle Doctrine protections in the country. An ambulance attack, a station confrontation, and a patient-home violence scenario all trigger distinct legal protections. VEST compartment security, station access control, and scene safety training all support these legal frameworks.

### **2. Dual Immunity - Document to Preserve It**

K.S.A. 21-5230's criminal and civil immunity is available for any justified use of force under K.S.A. 21-5222 through 21-5224. Thorough documentation - PCR narratives, incident reports, partner statements, dispatch logs - creates the evidentiary record that sustains the immunity claim in any post-incident proceeding. Document immediately and specifically.

### **3. De-Escalation Is Professionally Sound and Legally Strategic**

Even with Stand Your Ground protection and presumptive immunity, Kansas's 'reasonably believes necessary' standard requires genuine proportionality. VEST Level I de-escalation curriculum documents that force was a last resort - strengthening both the justification and the immunity claim.

### **4. Partner Defense Is Explicitly Covered**

K.S.A. 21-5225 authorizes force to protect a third person under the same standards as self-defense. VEST Level III partner defense training is directly backed by this statute. Kansas's immunity provisions extend to defense of others as well as self-defense.

### **5. Know When Force Ends**

Kansas's force standard requires a 'reasonably necessary' response - once the threat is neutralized, the necessity ends. VEST's continuous threat reassessment curriculum is both operationally and legally essential. Continuing force after neutralization defeats the K.S.A. 21-5222 justification and forfeits immunity under K.S.A. 21-5230.

## **LEGAL DISCLAIMER**

*This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Kansas Statutes Annotated Chapter 21 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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