

— VEST FIRST RESPONDER —
HELP FOR HEROES

MINNESOTA

Self-Defense Law Reference Guide

Self-Defense | Castle Doctrine | 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 Minnesota. It is not a substitute for legal counsel.

⚠ IMPORTANT: MINNESOTA HAS A DUTY TO RETREAT IN PUBLIC SPACES

Minnesota does NOT have a Stand Your Ground law. Outside the home, individuals must retreat when it is reasonably possible to do so safely before using force in self-defense. The Castle Doctrine provides an exception inside the home, where no retreat is required. First responders operating in public — at roadway scenes, patient homes, or open areas — must understand this distinction.

PART I: THE MINNESOTA SELF-DEFENSE STATUTORY FRAMEWORK

Minnesota's self-defense laws are primarily codified in Minn. Stat. §§ 609.06 and 609.065. Section 609.06 establishes when reasonable (non-deadly) force may be used, and § 609.065 governs when deadly force is justified. Minnesota is NOT a Stand Your Ground state — it retains a judicially created duty to retreat outside the home when retreat is reasonably possible.

CORE STATUTE MAP

STATUTE	SUBJECT MATTER
Minn. Stat. § 609.06	Use of Reasonable Force — When Authorized
Minn. Stat. § 609.065	Justifiable Taking of Life — Deadly Force Standard
Minn. Stat. § 609.06, Subd. 2	Restriction — Deadly Force Against Peace Officers
Case Law (State v. Blevins, 2024)	Duty to Retreat Applies Even to Threatening Use of Weapon
Minn. Stat. § 626.8452	Chokehold and Neck Restraint Prohibition (2020 Reform)
Minn. Stat. § 609.2231	Assault of Emergency Personnel — Enhanced Penalties

Minn. Stat. § 609.06 — Use of Reasonable Force

Under § 609.06, reasonable force may be used against another person without that person's consent when the actor reasonably believes that force is necessary to resist or aid another to resist an offense against their person, or to prevent the commission of a crime.

"Except as otherwise provided in subdivision 2, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist: (3) when used by any person in resisting or aiding another to resist an offense against the person."

KEY STANDARDS:

- Reasonable Belief — evaluated objectively from the actor's perspective at the moment.
- Proportionality — force used must be reasonable in relation to the threat.
- Imminent Threat — the danger must be immediate; past or anticipated threats do not qualify.
- Defense of Others — § 609.06 extends to aiding another person resist an offense.

Minn. Stat. § 609.065 — Deadly Force (Justifiable Taking of Life)

Deadly force is only authorized under § 609.065 in two circumstances:

1. The actor reasonably believes that death or great bodily harm is about to be inflicted upon them; OR
2. The actor is using force to prevent the commission of a felony inside their place of abode (the home — Castle Doctrine application).

"The intentional taking of the life of another is not authorized by section 609.06, except when necessary in resisting or preventing an offense which the actor reasonably believes would expose the actor or another person to great bodily harm or death, or in the course of preventing the commission of a felony in the actor's place of abode."

FOR FIRST RESPONDERS:

Minn. Stat. §§ 609.06 and 609.065 apply to EMS and fire personnel as civilians. A paramedic attacked on duty may use reasonable force to resist an offense against their person, and deadly force if they reasonably believe death or great bodily harm is imminent. The same duty-to-retreat consideration that applies in public applies to first responders in public spaces.

PART II: DUTY TO RETREAT — MINNESOTA'S STANDARD

⚠ CRITICAL: DUTY TO RETREAT EXISTS IN PUBLIC

Minnesota law requires retreat when it is reasonably possible to do so safely before using force in public spaces. Jurors are permitted to consider whether retreat was available when evaluating whether force was truly necessary. This is a meaningful legal constraint that first responders must understand and factor into their situational awareness and documentation practices.

Minnesota's duty to retreat is judicially created — it is not codified in § 609.06 directly, but courts have interpreted the 'necessary' element to include consideration of whether retreat was available.

The Minnesota Supreme Court reinforced this in *State v. Blevins* (July 31, 2024), ruling that the duty to retreat extends even to the threatened use of a deadly weapon, not just physical force.

THE BLEVINS (2024) STANDARD:

"The Minnesota Supreme Court maintains that a judicially created duty to retreat when reasonably possible applies to self-defense claims, affirming that people must attempt to avoid conflict before using or brandishing deadly weapons." — State v. Blevins, MN Supreme Court, July 31, 2024

Where NO Retreat Is Required in Minnesota

- **INSIDE THE HOME (Castle Doctrine)** — § 609.065 explicitly permits deadly force to prevent a felony in one's 'place of abode.' No retreat is required inside the home, regardless of who the aggressor is (even a co-resident — *State v. Glowacki*).
- **WHEN RETREAT IS NOT REASONABLY POSSIBLE** — If safe retreat was not available before force became necessary, the failure to retreat cannot defeat the self-defense claim.
- **WHEN DEFENDING ANOTHER PERSON** — the right to defend another is 'logically incompatible with imposing a duty to retreat on the defendant' (*State v. Valdez*, MN Supreme Court 2024).

PRACTICAL IMPACT FOR FIRST RESPONDERS:

A Minnesota EMS provider or firefighter attacked in public — at a roadway scene, in a patient's yard, or on a hospital campus — may have a legal obligation to retreat if doing so was reasonably possible before using force. VEST training's emphasis on early threat recognition, situational awareness, and verbal de-escalation is not just tactically sound in Minnesota — it is legally necessary. Document all pre-incident threat indicators and all verbal intervention attempts.

PART III: CASTLE DOCTRINE — MINN. STAT. § 609.065

Minnesota's Castle Doctrine is embedded in § 609.065 and applies exclusively to the 'place of abode' — the home. It does not extend to vehicles or workplaces in the same way as Texas, Missouri, or Wisconsin.

- Deadly force may be used without a duty to retreat to prevent the commission of a felony inside one's place of abode.
- This protection extends to all persons lawfully present in the home, including co-residents (*State v. Glowacki*).
- The Castle Doctrine does NOT extend to an ambulance, a fire station, or a place of employment under current Minnesota statutory law.
- A shooting in a parking lot of an apartment complex does NOT qualify as 'inside the dwelling' — the doctrine is geographically strict.

⚠ IMPORTANT LIMITATION:

Minnesota's Castle Doctrine is limited to the literal place of abode. Unlike Texas (which includes vehicles and places of employment) and Missouri (which includes vehicles and residences), Minnesota's statutory Castle Doctrine covers only the home. First responders in a vehicle or at a work location do not receive the Castle Doctrine presumption in Minnesota.

However, EMS providers who are injured or attacked inside a patient's home may benefit from the Castle Doctrine analysis if the attack occurs inside the dwelling and the circumstances meet the felony-prevention threshold.

PART IV: FIRST RESPONDER ASSAULT — ENHANCED PROTECTIONS

Minn. Stat. § 609.2231 — Assault of Emergency Personnel

Minnesota classifies assault against emergency medical personnel and other first responders as a gross misdemeanor or felony based on the nature and severity of the attack. 'Emergency medical personnel' is defined to include EMTs, paramedics, firefighters, and law enforcement. When the assault involves bodily harm, the classification is enhanced. When the assault involves the use of a deadly weapon against a peace officer, paramedic, or firefighter in the performance of their duties, the offense is elevated to a felony.

Key provision: If a person assaults a licensed peace officer, paramedic, or firefighter and inflicts demonstrable bodily harm, the offense is a gross misdemeanor. If the assault uses a dangerous weapon and the victim is a peace officer, firefighter, or emergency medical personnel acting in official capacity, it escalates to a fifth-degree felony. Repeat offenses carry additional enhancement.

TRAINER EMPHASIS:

Minnesota's assault-of-emergency-personnel statute provides real criminal consequences for attacks on first responders. The enhancement provisions mean that even minor physical assaults can carry felony-level charges when the victim is a uniformed EMS or fire provider acting in official capacity. Trainers should ensure participants know this protection exists.

PART V: POLICE USE OF FORCE & THE CHOKEHOLD STATUTE

Minn. Stat. § 626.8452 — Chokehold and Neck Restraint Prohibition (2020)

Minnesota enacted a comprehensive chokehold and neck restraint prohibition as part of the 2020 police reform package signed by Governor Walz following the death of George Floyd. The law took effect July 24, 2020.

"Effective July 24, 2020, the law prohibits a peace officer from using a chokehold, tying a person's limbs together behind their back to render them immobile, and securing someone in any way that results in transporting the person face-down in a vehicle."

DEFINITION OF CHOKEHOLD — MINN. STAT. § 626.8452:

"A chokehold means a method by which a person applies sufficient pressure to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing or reduce the intake of air. Chokehold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries."

Minnesota's definition is notably comprehensive — it explicitly covers BOTH respiratory chokeholds (pressure to the airway) AND carotid artery restraints (pressure to either side of the windpipe that stops blood flow). This is one of the broadest statutory chokehold definitions in the country, covering both vascular and respiratory techniques under a single prohibition.

- Respiratory chokeholds — PROHIBITED under all circumstances for law enforcement.
- Carotid artery (vascular) restraints — PROHIBITED under all circumstances for law enforcement.
- Prone restraint transport — PROHIBITED.
- Limb-tying immobilization — PROHIBITED.
- No life-safety exception is codified in the statute for carotid restraints.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

Minnesota's chokehold prohibition applies ONLY to peace officers under § 626.8452. EMS and fire personnel are governed by the civilian §§ 609.06/609.065 self-defense framework. A Minnesota paramedic defending their life against a violent attack is not subject to the peace officer chokehold prohibition. Their use of any physical defensive technique is evaluated solely under the civilian force standards. This distinction matters when delivering joint agency training.

PART VI: APPLYING VEST PRINCIPLES UNDER MINNESOTA LAW

Minnesota's self-defense framework is the most restrictive of the six states covered in this series. The duty-to-retreat standard in public spaces and the narrow Castle Doctrine create a legal environment that places a premium on early intervention, de-escalation, and thorough documentation. VEST training principles are not just tactically sound in Minnesota — they are legally necessary.

1. Situational Awareness Is Your Legal Shield

In Minnesota, the 'necessity' analysis considers whether retreat was reasonably available. A provider who recognizes a developing threat early, positions themselves appropriately, maintains distance, and attempts verbal de-escalation before force becomes necessary is in a dramatically stronger legal position than one who does not. VEST Level I — threat recognition, color code, pre-attack indicators — is not optional in Minnesota. It is the legal foundation of your self-defense claim.

2. Document Every Pre-Incident Threat Indicator

Because a Minnesota jury can consider whether retreat was possible, your documentation must establish WHY retreat was not safe or feasible. PCR entries, incident reports, and partner statements should record: the nature of the threat, the speed of escalation, the physical environment, and why disengagement was not safely available at the moment force became necessary. This documentation is the evidentiary backbone of your self-defense claim.

3. De-Escalation Is Both Your First Weapon and a Legal Obligation

Minnesota's necessity standard treats de-escalation attempts as relevant evidence of good faith. A provider who exhausted verbal options before using force has documented that force was 'necessary' — not merely chosen. VEST Level I verbal intervention curriculum aligns directly with what Minnesota law expects before force is deployed.

4. Your Ambulance Is NOT Automatically a Castle in Minnesota

Unlike Texas and Missouri, Minnesota's Castle Doctrine does not extend statutory protections to vehicles or places of employment. A Minnesota EMS provider attacked inside their ambulance must rely on the general § 609.06/609.065 civilian self-defense standard — not a Castle Doctrine presumption. VEST training on compartment security and cab lockdown remains tactically essential, but it does not carry the same legal presumption it does in Texas or Missouri.

5. Protect Your Partner — Defense of Others Has Teeth in Minnesota

The Minnesota Supreme Court held in *State v. Valdez* (2024) that the right to defend another is 'logically incompatible with imposing a duty to retreat on the defendant.' When intervening to protect a partner under attack, retreat considerations are lessened. VEST Level III partner defense training is backed by this case law authority.

6. Know the Force Continuum — Proportionality Is Non-Negotiable

Minnesota's force standard demands that force be reasonable and necessary. VEST's graduated force continuum is both tactically sound and legally required. Once a threat is neutralized, force must stop. Continuing force after a subject is restrained or compliant exposes a provider to criminal liability under Minnesota's assault statutes.

LEGAL DISCLAIMER

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