

— VEST FIRST RESPONDER —
HELP FOR HEROES

MISSOURI

Self-Defense Law Reference Guide

Stand Your Ground | Castle Doctrine | Self-Defense | 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 Missouri. 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 MISSOURI SELF-DEFENSE STATUTORY FRAMEWORK

Missouri's self-defense laws are codified in Chapter 563 of the Missouri Revised Statutes (RSMo). The primary statute — RSMo § 563.031 — integrates the general use-of-force standard, the deadly force threshold, the Stand Your Ground principle, and the Castle Doctrine into a single unified section. Missouri is a robust Stand Your Ground state, and its framework provides strong protections for persons acting lawfully in places where they have a right to be.

CORE STATUTE MAP

STATUTE	SUBJECT MATTER
RSMo § 563.031(1)	Use of Force in Defense of Self or Others — Core Standard
RSMo § 563.031(2)	Deadly Force — Imminent Death, GBI, or Forcible Felony
RSMo § 563.031(3)	Stand Your Ground — No Duty to Retreat Anywhere Lawfully Present
RSMo § 563.031(4)	Castle Doctrine — Dwelling, Residence, or Vehicle Presumption
RSMo §§ 565.081–565.083	Assault of Emergency Personnel — Tiered Enhanced Penalties
RSMo § 590.805	Respiratory Chokehold Prohibition (2021 SB 26)
RSMo § 590.1265	Police Use of Force Transparency Database (2021)

RSMo § 563.031(1) — Use of Force in Defense of Self or Others

This is the foundational force justification provision. It establishes when any person in Missouri may lawfully use force to defend themselves or a third party.

"A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person."

KEY LEGAL ELEMENTS:

- Reasonable Belief Standard — evaluated from the actor's perspective at the moment of the incident, not from hindsight.
- Imminent Use of Unlawful Force — the threat must be immediate. Past threats or anticipated future harm do not satisfy this standard.
- Third-Person Defense — the same justification applies when defending another person.
- Proportionality — only such force as reasonably believed necessary is justified.

RSMo § 563.031(2) — Deadly Force Standard

Deadly force requires an elevated threshold. Under § 563.031(2), deadly force is justified only when the actor reasonably believes it is necessary to:

- Defend against the use or imminent use of unlawful force that would cause death or serious physical injury; OR
- Prevent the commission of a forcible felony — including robbery, burglary, arson, kidnapping, rape, murder, or other felonies involving the use or immediate threat of violence.

FOR FIRST RESPONDERS:

RSMo § 563.031 applies to EMS and fire personnel as civilians. A paramedic or firefighter attacked during a call may use force — including deadly force when the threshold is met — to defend themselves or a partner. No occupational restriction or carve-out limits or expands this right. The civilian standard applies at every scene.

RSMo § 563.031(3) — Stand Your Ground (No Duty to Retreat)

Missouri is a Stand Your Ground state. This provision removes the duty to retreat entirely for persons who are not the initial aggressors and who are lawfully present at the location where force is used.

"A person does not have a duty to retreat from a premises or place where such person has the right to be, and may stand his or her ground and use physical force, including deadly force, if such person is not the initial aggressor and is not otherwise obligated to retreat."

FOUR CONDITIONS FOR STAND YOUR GROUND PROTECTION:

1. You are in a place where you have the legal right to be.
2. You are not the initial aggressor in the confrontation.
3. You did not provoke the encounter.
4. You are not engaged in criminal activity at the time.

Missouri's Stand Your Ground protections apply in any location where the actor is lawfully present — not just in the home or a vehicle. This includes public streets, parking lots, hospital corridors, EMS scenes, fire stations, and any other space where the first responder has a legal right to be.

CRITICAL FOR VEST TRAINERS:

Missouri's Stand Your Ground law applies everywhere EMS and fire crews operate. A paramedic at a scene, a firefighter on a roadway, or an EMT in a patient's home all have the full legal right to stand their ground without retreating first. The absence of a duty to retreat is not limited to enclosed spaces — it applies at any lawful location in Missouri.

RSMo § 563.031(4) — Castle Doctrine

Missouri's Castle Doctrine is embedded in § 563.031(4) and creates a legal PRESUMPTION of reasonableness for persons defending themselves within defined protected spaces against forcible, unlawful entry.

"The defendant shall be presumed to have reasonably believed deadly force was necessary to protect himself or herself or a third person from serious physical harm if the defendant used such force against a person who unlawfully entered, remained after unlawfully entering, or attempted to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such defendant."

PROTECTED LOCATIONS:

- Dwelling — any private residential structure, including a house or apartment.
- Residence — any place temporarily used as a living space, including a hotel room.
- Vehicle — any occupied motor vehicle, including an ambulance, fire apparatus, or personal vehicle.

The Castle Doctrine creates a legal PRESUMPTION — not merely a permission. Once the factual predicate (unlawful entry into a protected space) is established, the prosecution bears the burden of overcoming the presumption that deadly force was reasonable. This is stronger legal protection than states that merely permit force without this burden shift.

AMBULANCE AS CASTLE:

An ambulance qualifies as a vehicle under Missouri's Castle Doctrine. A violent forced entry into an occupied ambulance activates the presumption of reasonableness for deadly force. Missouri's combination of Stand Your Ground (anywhere lawfully present) and Castle Doctrine (presumption in vehicle/dwelling/residence) gives Missouri EMS crews among the strongest on-duty self-defense protections available in the country.

PART II: DUTY TO RETREAT — MISSOURI'S POSITION

Missouri has NO duty to retreat. Under RSMo § 563.031(3), any person who is lawfully present, is not the initial aggressor, and is not engaged in criminal activity has no legal obligation to flee before using force.

- You are NOT required to attempt escape before using force at any location where you are lawfully present.

- Your failure to retreat CANNOT be used as evidence against you in any self-defense proceeding.
- These protections apply at every EMS scene, fire scene, hospital, station, or public space in Missouri.
- Exception: If you were the initial aggressor or provoked the confrontation, Stand Your Ground protection is lost — unless you withdraw from the fight in good faith and the aggressor continues the threat.

PART III: FIRST RESPONDER ASSAULT — ENHANCED CRIMINAL PROTECTIONS

Missouri has a three-tiered system of assault statutes specifically protecting emergency personnel. The definition of 'emergency personnel' in these statutes explicitly includes paid and volunteer firefighters, emergency room and trauma center personnel, and emergency medical technicians.

RSMo § 565.081 — Assault of Emergency Personnel, First Degree

A person commits this offense when they knowingly cause serious physical injury to emergency personnel. Classification: Class A Felony — carrying 10 to 30 years or life imprisonment with no possibility of probation. This is the most serious non-capital felony classification in Missouri.

RSMo § 565.082 — Assault of Emergency Personnel, Second Degree

Second-degree assault covers: knowingly causing physical injury by means of a deadly weapon (Class B Felony, 5–15 years); knowingly causing physical injury by other means (Class C Felony, 3–10 years); and recklessly causing serious physical injury (Class C Felony). The victim must be acting in their official capacity and the offender must know or have reason to know they are emergency personnel.

RSMo § 565.083 — Assault of Emergency Personnel, Third Degree

Third-degree assault applies to reckless physical injury, purposely placing emergency personnel in apprehension of immediate physical injury, and knowing offensive physical contact. This includes spitting, striking, intentional offensive touching, and credible threats. Violation is a Class A misdemeanor (up to 1 year and/or \$2,000 fine). Even the lowest tier of this statute provides criminal consequences for any unwanted physical contact directed at first responders on duty.

TRAINER EMPHASIS:

Missouri's tiered assault structure provides escalating criminal consequences for any attack on EMS or fire personnel — from a misdemeanor offensive touch up to a life sentence for first-degree assault with serious injury. Trainers should ensure all participants understand this legal protection exists and that attackers face serious criminal exposure for any level of violence directed at on-duty first responders.

PART IV: POLICE USE OF FORCE & THE CHOKEHOLD STATUTE

RSMo § 590.805 — Respiratory Chokehold Prohibition (SB 26, 2021)

Missouri enacted SB 26 in 2021, signed by Governor Parson, establishing the first statutory restriction on police chokeholds in Missouri history. The statute targets respiratory restriction specifically.

"A law enforcement officer is prohibited from knowingly using a respiratory chokehold unless it is being used in defense of the officer or another person from serious physical injury or death."

DEFINITION OF RESPIRATORY CHOKEHOLD:

A respiratory chokehold is defined as the use of any body part or object to attempt to control or disable a person by applying pressure to the person's neck with the purpose of controlling or restricting the person's breathing.

CRITICAL DISTINCTION — RESPIRATORY vs. VASCULAR RESTRAINT:

Missouri's 2021 statute ONLY prohibits respiratory chokeholds — those that restrict the airway. The statute does NOT explicitly prohibit carotid artery (vascular) restraints that restrict blood flow without compressing the airway. This distinguishes Missouri from Minnesota, California, and Illinois, which prohibit both techniques. Carotid restraints used to restrict blood flow remain governed by general use-of-force standards and agency policy — not by § 590.805.

- DOES: Prohibit respiratory chokeholds except when necessary to defend the officer or another from serious physical injury or death.
- DOES: Create a life-safety exception consistent with the deadly force threshold.
- DOES NOT: Prohibit vascular (carotid artery) restraints that restrict blood flow without compressing the airway.
- DOES NOT: Specify criminal penalties for officers who violate the prohibition — enforcement relies on existing criminal statutes and POST certification review.

RSMo § 590.1265 — Police Use of Force Transparency Database

Enacted alongside § 590.805, this statute requires law enforcement agencies to annually report use-of-force incidents involving serious injury or death to the FBI National Use of Force Data Collection. The Department of Public Safety publishes the data and analyzes trends. This transparency infrastructure supports post-incident review and accountability.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

Missouri's § 590.805 applies ONLY to law enforcement officers. EMS and fire personnel are governed exclusively by the civilian § 563.031 self-defense framework. A paramedic defending their life against a violent attack is evaluated only under the civilian standard — not the police chokehold statute. There is no statutory prohibition on civilian first responders using physical defensive techniques in lawful self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER MISSOURI LAW

Missouri's self-defense framework is among the most protective for first responders in the country. The combination of Stand Your Ground (anywhere lawfully present), the Castle Doctrine presumption (in vehicles and dwellings), and no duty to retreat creates a legal environment that aligns closely with VEST's training philosophy.

1. You Have the Legal Right to Defend Yourself — Anywhere You Are Deployed

RSMo § 563.031(3) removes the duty to retreat from every location where you are lawfully present. A Missouri EMS provider or firefighter has no obligation to flee before using force — whether at a roadway scene, in a patient's home, at a hospital, or at the station. VEST Level I through III training prepares providers to recognize threats early, de-escalate where possible, and respond with proportionate force when necessary. Knowing you have the legal right to stand your ground supports confident, lawful decision-making under stress.

2. Your Ambulance Is Your Castle — With a Legal Presumption of Reasonableness

An ambulance qualifies as a vehicle under Missouri's Castle Doctrine (§ 563.031(4)). A violent forced entry into your unit activates the legal presumption that deadly force was reasonable. VEST training covering compartment security, cab lockdown procedures, and vehicle positioning directly supports the factual foundation of a Castle Doctrine defense if an incident occurs.

3. De-Escalation Is Your First and Best Defense

Missouri's 'reasonably believes necessary' standard requires proportionality. VEST Level I curriculum — verbal control, threat recognition, and communication under stress — builds both the behavioral and evidentiary foundation for any lawful use of force. A provider who attempted verbal de-escalation before force became necessary is in a legally stronger position than one who did not. Document each step.

4. Protect Your Partner — Missouri Fully Covers Defense of Others

RSMo § 563.031(1) explicitly extends the self-defense justification to third-person defense. A Missouri first responder who uses force to protect a partner being violently attacked has the same legal justification as if defending themselves. VEST Level III training on partner protection and mutual defense is directly backed by this statutory authority.

5. Document Thoroughly — Build Your Legal Record Before You Need It

PCR narratives, incident reports, body cam footage, partner statements, and supervisor notifications create the evidentiary record that supports the § 563.031 justification in any post-incident review, criminal proceeding, or civil litigation. Missouri does not have an explicit civil immunity statute equivalent to Texas's § 83.001, making thorough documentation even more critical for Missouri providers.

6. Know When Force Ends — Missouri Requires Proportionality Throughout

Missouri law justifies force only to the extent 'reasonably believed necessary.' Once a subject is restrained, compliant, or no longer capable of harm, the justification for force ends. VEST curriculum teaches continuous threat reassessment as an operational and legal imperative. Continuing force after neutralization converts a lawful defense into potential criminal exposure. This is not just an ethical boundary — it is a legal line in Missouri law.

7. Understand the Law Enforcement Framework You Work Alongside

Missouri's § 590.805 restricts law enforcement from using respiratory chokeholds outside deadly force scenarios. When VEST delivers joint agency training, this distinction must be addressed clearly: police officers face a statutory restriction on respiratory neck restraints while civilian first responders face only the civilian force justification standard. Both operate under deadly force thresholds for life-threatening scenarios, but the specific prohibition applies only to sworn officers.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Missouri 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 Missouri Revised Statutes and 2021 SB 26.

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