

- VEST FIRST RESPONDER -

HELP FOR HEROES

NEW HAMPSHIRE

Self-Defense Law Reference Guide

Stand Your Ground (2011 Expansion) | Castle Doctrine (Dwelling and Curtilage) | Civil Immunity | First Responder Protections | Police Use of Force

CERTIFIED TRAINER SUPPLEMENTAL DOCUMENT

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

New Hampshire is the ONLY New England state with a Stand Your Ground law. RSA 627:4, amended in 2011, expanded the state's self-defense framework from a Castle Doctrine (limited to dwelling and curtilage) to a full Stand Your Ground provision covering anywhere a person has a legal right to be. RSA 627:4(III)(a)'s 2011 amendment added the phrase 'or anywhere he or she has a right to be' to the existing no-retreat exceptions - effectively converting New Hampshire into a Stand Your Ground state and making it unique among its New England neighbors (Maine, Vermont, Massachusetts, Connecticut, and Rhode Island all impose a duty to retreat in public). New Hampshire also provides civil immunity under RSA 627:1-a.

STATUTE	SUBJECT MATTER
RSA 627:4	Physical Force in Defense of a Person - Stand Your Ground Core Statute
RSA 627:4(III)(a)	No Duty to Retreat - Dwelling, Curtilage, or Anywhere Person Has Right to Be (2011)
RSA 627:7	Physical Force in Defense of Premises - Castle Doctrine
RSA 627:1-a	Civil Immunity for Justified Force
RSA 627:9	Definitions - Dwelling, Curtilage, Deadly Force
RSA 631:1	First Degree Assault - Enhanced When Victim Is Law Enforcement or EMS
RSA 631:2	Second Degree Assault - Enhanced for Emergency Personnel on Duty

PART I: THE NEW HAMPSHIRE SELF-DEFENSE STATUTORY FRAMEWORK

RSA 627:4 - Physical Force in Defense of a Person

A person is justified in using force to protect themselves or a third person from what they reasonably believe to be the imminent use of unlawful force. Non-deadly force is authorized to protect against non-deadly threats; deadly force requires the higher threshold of preventing imminent death, serious bodily injury, kidnapping, forcible sex offense, or a felony accompanied by force while burglarizing an occupied dwelling.

RSA 627:4(III)(a) - Stand Your Ground (Enacted 2011 Amendment)

"A person is not justified in using deadly force on another to defend himself or herself or a third person from deadly force by the other if he or she knows that he or she and the third person can, with complete safety: (a) Retreat from the encounter, except that he or she is not required to retreat if he or she is within his or her dwelling, its curtilage, or anywhere he or she has a right to be, and was not the initial aggressor..." - RSA 627:4(III)(a)

This is the key provision. The 2011 legislature added 'or anywhere he or she has a right to be' to the existing no-retreat exception (which previously applied only to dwelling and curtilage). This single phrase expanded New Hampshire from a Castle Doctrine state to a Stand Your Ground state, making it the only New England state to have taken this step.

PRE-2011 vs. POST-2011:

- BEFORE 2011: No duty to retreat only in the dwelling and its curtilage.

- AFTER 2011: No duty to retreat in the dwelling, curtilage, OR ANYWHERE A PERSON HAS A RIGHT TO BE.
- The 2011 amendment - a single added phrase - expanded New Hampshire from Castle Doctrine to Stand Your Ground.

NEW HAMPSHIRE IS UNIQUE IN NEW ENGLAND:

RSA 627:4(III)(a)'s 2011 expansion makes New Hampshire the only New England state with a Stand Your Ground law. Maine, Vermont, Massachusetts, Connecticut, and Rhode Island all impose a duty to retreat in public. New Hampshire EMS and fire providers operating in New Hampshire have no retreat obligation at any lawful EMS or fire scene - a significantly stronger legal position than their counterparts in the surrounding New England states.

RSA 627:7 - Physical Force in Defense of Premises (Castle Doctrine)

RSA 627:7 governs defense of premises - homes, businesses, and any controlled property. Force is authorized to prevent or stop criminal trespass. Deadly force against a trespasser is authorized when the actor reasonably believes it necessary to prevent the commission of a felony within the dwelling. RSA 627:9 defines 'curtilage' broadly: 'outbuildings which are proximately, directly and intimately connected with a dwelling, together with all the land or grounds surrounding the dwelling such as are necessary, convenient, and habitually used for domestic purposes.'

RSA 627:1-a - Civil Immunity

New Hampshire provides civil immunity for persons who use force in defense of themselves, others, or premises. A person who uses justified force cannot be sued for personal injuries sustained by the perpetrator. The statute also awards attorney's fees and court costs to the person who successfully invokes this immunity.

PART II: DUTY TO RETREAT - NEW HAMPSHIRE'S POSITION

New Hampshire has NO duty to retreat since the 2011 amendment to RSA 627:4(III)(a). The no-retreat rule applies at the dwelling, curtilage, and any location where a person has a right to be.

- No retreat required anywhere a person has a right to be - any lawful EMS or fire scene.
- Castle Doctrine's curtilage extension provides additional coverage around the dwelling and station area.
- Civil immunity available for justified force under RSA 627:1-a (with attorney's fees).
- Prosecution must prove beyond a reasonable doubt that the person was not in justified self-defense.
- Exception: Initial aggressors who provoked the confrontation may not claim the no-retreat right without clear withdrawal.
- Note: New Hampshire is the ONLY New England state with Stand Your Ground - critical context for cross-border training.

PART III: FIRST RESPONDER ASSAULT - ENHANCED CRIMINAL PROTECTIONS

RSA 631:1 - First Degree Assault (Enhanced When Victim Is Law Enforcement or EMS)

New Hampshire's assault statutes carry enhanced penalties when the victim is a law enforcement officer, firefighter, or emergency medical services provider engaged in their official duties. First degree assault (serious

bodily injury or deadly weapon) is elevated to a more serious felony classification when directed at these protected persons. The attacker must know or have reason to know the victim's status.

RSA 631:2 - Second Degree Assault (Enhanced for Emergency Personnel)

Second degree assault committed against emergency services personnel on duty carries enhanced penalties above the standard second-degree assault charge. Combined with the first-degree assault enhancement, New Hampshire creates a graduated system of escalating consequences for attacks on first responders.

TRAINER EMPHASIS:

New Hampshire's assault enhancement for attacks on emergency personnel creates felony-level consequences even for lower-level assaults when directed at on-duty first responders. Operating in uniform, in a marked vehicle, or with visible agency identification satisfies the knowledge element. VEST trainers should reinforce that uniform discipline has direct legal significance in New Hampshire.

PART IV: POLICE USE OF FORCE & NECK RESTRAINT FRAMEWORK

New Hampshire does NOT have a statewide statutory chokehold ban. Police neck restraint policy in New Hampshire is governed by the New Hampshire Police Standards and Training Council (NHPSTC) and individual agency use-of-force policies.

- NO statewide statutory chokehold or carotid restraint ban as of 2024-2025.
- NHPSTC training standards address high-risk force techniques.
- Individual agencies may restrict further; some New Hampshire departments have adopted administrative chokehold bans.
- New Hampshire's Stand Your Ground culture creates a strong individual-rights orientation that has historically resisted broad police restriction legislation.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

New Hampshire's law enforcement use-of-force standards do not apply to civilian EMS and fire personnel in personal self-defense. A New Hampshire paramedic or firefighter defending their life is evaluated under RSA 627:4 only. There is no statutory restriction on civilian New Hampshire first responders using any defensive technique in genuine life-safety self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER NEW HAMPSHIRE LAW

1. New Hampshire Stands Alone in New England - Context Matters

New Hampshire is the only New England state with Stand Your Ground. If VEST delivers cross-border training with agencies from Maine, Vermont, Massachusetts, Connecticut, or Rhode Island, the distinction must be clearly explained. A New Hampshire provider on a New Hampshire scene has no retreat obligation; the same provider at a mutual aid scene in Massachusetts operates under a duty-to-retreat framework.

2. The 2011 Amendment Is the Legal Landmark

The single phrase 'or anywhere he or she has a right to be' added to RSA 627:4(III)(a) in 2011 is the legal event that made New Hampshire a Stand Your Ground state. VEST trainers should be familiar with this legislative history - it is frequently referenced in New Hampshire self-defense cases and is important context for understanding the breadth of the protection.

3. Curtilage Extension Provides Outdoor Station Coverage

New Hampshire's curtilage definition (all land 'necessary, convenient, and habitually used for domestic purposes') covers outdoor areas around a fire station or EMS base. VEST station security training addressing outdoor approaches, parking areas, and access points is legally significant in New Hampshire.

4. Civil Immunity With Attorney's Fees

RSA 627:1-a's civil immunity with attorney's fee recovery means a successful immunity claim protects from both the lawsuit and legal costs. Documentation is essential to sustain this claim.

5. Partner Defense Is Covered

RSA 627:4's Stand Your Ground protection explicitly covers defense of a third person. VEST Level III partner defense training is directly grounded in this statute.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. New Hampshire RSA Chapter 627; RSA 627:1-a 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.

(c) VEST First Responder LLC | vestfirstresponder.com | firstresponderviolence.com