

- VEST FIRST RESPONDER -

HELP FOR HEROES

NORTH CAROLINA

Self-Defense Law Reference Guide

Stand Your Ground (2011) | Castle Doctrine (Home, Vehicle, Workplace) | Criminal & 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.

North Carolina enacted a comprehensive Stand Your Ground and Castle Doctrine framework through Session Law 2011-268, codified in NCGS SS. 14-51.2 through 14-51.4. Before 2011, North Carolina self-defense law was grounded in common law and imposed a conditional duty to retreat. The 2011 reform replaced the common-law framework with explicit statutory provisions that (1) remove the duty to retreat at any lawful location, (2) create a Castle Doctrine presumption for home, vehicle, and workplace, and (3) provide both criminal and civil immunity for justified force. North Carolina's Castle Doctrine explicitly covers three locations - home, vehicle, and workplace - making it one of the broader frameworks in the Southeast.

STATUTE	SUBJECT MATTER
NCGS S. 14-51.2	Castle Doctrine - Home, Motor Vehicle, Workplace Presumption
NCGS S. 14-51.3	Use of Force in Defense of Self or Others - Stand Your Ground
NCGS S. 14-51.4	Limitations - When Defense Is Not Justified
NCGS S. 14-34.2	Assault with a Firearm or Deadly Weapon on Firefighter or EMS - Felony
NCGS S. 14-34.6	Assault Inflicting Serious Injury on Firefighter or EMS - Class F Felony
NCGS S. 14-288.7	Inciting or Attempting to Incite Riot - First Responder Protections
North Carolina POST Standards	Police Use of Force - Neck Restraint Policy

PART I: THE NORTH CAROLINA SELF-DEFENSE STATUTORY FRAMEWORK

NCGS S. 14-51.3 - Use of Force in Defense of Self or Others (Stand Your Ground)

"(a) A person is justified in using force, except deadly force, against another when and to the extent that the person reasonably believes that the conduct is necessary to defend himself or herself or another against the other's imminent use of unlawful force. However, a person is justified in the use of deadly force and does not have a duty to retreat in any place he or she has the lawful right to be if either of the following applies: (1) He or she reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or herself or another. (2) Under the circumstances permitted pursuant to G.S. 14-51.2." - NCGS S. 14-51.3(a)

North Carolina's Stand Your Ground provision is in S. 14-51.3(a): a person 'does not have a duty to retreat in any place he or she has the lawful right to be' when they reasonably believe deadly force is necessary to prevent imminent death or great bodily harm. This applies at any lawful location - any EMS scene, any fire scene, any hospital corridor, any public space.

NCGS S. 14-51.2 - Castle Doctrine (Home, Motor Vehicle, Workplace Presumption)

"The lawful occupant of a home, motor vehicle, or workplace is presumed to have held a reasonable fear of imminent death or serious bodily harm to himself or herself or another when using defensive force that is intended or likely to cause death or serious bodily harm to another if both of the following apply: (1) The person against whom the defensive force was used was in the process of unlawfully and forcefully entering, or had unlawfully and forcibly entered, a home, motor vehicle, or workplace, or if that person had removed or was attempting to remove another against that person's will from the home, motor vehicle, or workplace. (2) The person who uses defensive force knew or had reason to believe that an unlawful and forcible entry or unlawful and forcible act was occurring or had occurred." - NCGS S. 14-51.2(b)

THE THREE PROTECTED LOCATIONS:

- Home - any dwelling, house, apartment, or structure designed for habitation.
- Motor Vehicle - any occupied motor vehicle, including an ambulance or fire apparatus.
- Workplace - any place of employment where the person regularly works.

ALL THREE FIRST-RESPONDER ENVIRONMENTS COVERED:

North Carolina's Castle Doctrine covers the home, motor vehicle, AND workplace - giving first responders statutory presumption protection in an ambulance (vehicle), at their station (workplace), and inside a patient's home. The 2024 North Carolina Supreme Court decision in *State v. Phillips* confirmed the Castle Doctrine's scope and application, reinforcing these protections. This triple coverage is among the strongest in the Southeast.

Criminal and Civil Immunity - NCGS S. 14-51.3(b)

North Carolina provides both criminal and civil immunity for persons who use force justified under SS. 14-51.2 and 14-51.3. A person who uses justified defensive force is immune from criminal prosecution and civil action for that use of force. The immunity is available at pre-trial proceedings, and the defendant may seek dismissal before trial by establishing that force was justified.

PART II: DUTY TO RETREAT - NORTH CAROLINA'S POSITION

North Carolina has NO duty to retreat since Session Law 2011-268 took effect. NCGS S. 14-51.3(a) explicitly states that a person 'does not have a duty to retreat in any place he or she has the lawful right to be.'

- No retreat required at any lawful location, including any EMS or fire scene.
- Before 2011: North Carolina imposed a common-law duty to retreat in some circumstances - VEST trainers must understand this historical context.
- Since 2011: Stand Your Ground applies at all lawful locations.
- Castle Doctrine presumption covers home, motor vehicle, and workplace.
- Criminal and civil immunity for justified force.
- Exception: NCGS S. 14-51.4 - defensive force is not justified against law enforcement officers performing lawful duties; against persons with lawful custody rights in the location; or when the defender was the initial aggressor.

IMPORTANT NOTE - NOT AGAINST LAWFUL LAW ENFORCEMENT:

NCGS S. 14-51.4(1) explicitly provides that stand-your-ground protections do NOT apply when force is used against a law enforcement officer performing their official duties. This is a critical limitation for joint training scenarios and situations where a first responder and law enforcement are both at the same scene. VEST trainers should address this limitation explicitly.

PART III: FIRST RESPONDER ASSAULT - ENHANCED CRIMINAL PROTECTIONS**NCGS S. 14-34.2 - Assault with Firearm or Deadly Weapon on EMS/Firefighter (Class F Felony)**

Assault with a firearm or deadly weapon on a firefighter or EMS provider in the performance of their duties is a Class F Felony in North Carolina, carrying a maximum of 41 months imprisonment. This is a significant enhancement from standard assault with a deadly weapon (Class E Felony) - the first-responder victim status escalates the felony class.

NCGS S. 14-34.6 - Assault Inflicting Serious Injury on Firefighter or EMS

Assault inflicting serious injury (great bodily harm) on a firefighter or EMS provider engaged in official duties is a Class F Felony. Standard assault inflicting serious injury is a Class A1 misdemeanor - the first-responder victim status converts a misdemeanor assault into a felony.

- Class F Felony for serious injury assault on first responder: up to 41 months.
- Class F Felony for assault with deadly weapon on first responder: up to 41 months.
- Misdemeanor assault inflicting serious injury becomes felony when victim is on-duty first responder.

NORTH CAROLINA'S MISDEMEANOR-TO-FELONY CONVERSION:

NCGS S. 14-34.6's conversion of assault inflicting serious injury from a misdemeanor to a Class F Felony when the victim is a firefighter or EMS provider is an important deterrent provision. The same physical act that would be a Class A1 misdemeanor against a civilian becomes a felony when directed at an on-duty North Carolina first responder. VEST trainers should communicate this legal reality.

PART IV: POLICE USE OF FORCE & NECK RESTRAINT FRAMEWORK

North Carolina does not have a statewide statutory chokehold ban comparable to Colorado, Delaware, Maryland, or New York. Police neck restraint policy in North Carolina is governed by the North Carolina Criminal Justice Education and Training Standards Commission (NC POST) and individual agency use-of-force policies.

- NO statewide statutory chokehold ban as of 2024-2025.
- NC POST training standards classify neck restraints as high-risk force techniques authorized only when deadly force is justified.
- Individual agencies may adopt more restrictive policies; some North Carolina departments have administratively prohibited chokeholds.
- North Carolina's Legislature has considered but not enacted standalone chokehold legislation.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

North Carolina's law enforcement use-of-force standards do not apply to civilian first responders in personal self-defense. EMS and fire personnel are evaluated under NCGS S. 14-51.3 only. There is no statutory restriction on civilian North Carolina first responders using any defensive technique in genuine life-safety self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER NORTH CAROLINA LAW**1. The 2011 Reform Is the Legal Landmark**

North Carolina's 2011 statutory reform replaced common-law duty-to-retreat with Stand Your Ground at all lawful locations. VEST trainers should be familiar with the pre-2011 framework (common-law retreat obligation) because some providers may have trained under the old rules. Post-2011 North Carolina law is clear: no duty to retreat at any lawful location.

2. Triple-Location Castle Doctrine Protects Your Full Operational Environment

NCGS S. 14-51.2's Castle Doctrine covers home, motor vehicle, and workplace with a statutory presumption of reasonable fear. Every major environment where a North Carolina first responder operates - ambulance, station, and patient home - is covered. VEST compartment security, station security, and scene safety training all support the factual record for these presumptions.

3. Stand Your Ground Does Not Apply Against Lawful Law Enforcement

NCGS S. 14-51.4(1)'s exception for lawful law enforcement actions must be addressed in joint training with North Carolina law enforcement partners. A first responder cannot invoke Stand Your Ground protections against a law enforcement officer performing lawful duties. This exception shapes how VEST delivers cross-agency training in North Carolina.

4. De-Escalation Preserves Immunity and Documents Proportionality

VEST Level I de-escalation curriculum creates the record that force became necessary only after alternatives were exhausted. In North Carolina, this documentation supports both the underlying NCGS S. 14-51.3 justification and the civil and criminal immunity claim.

5. Partner Defense Is Fully Covered

NCGS S. 14-51.3 explicitly covers defense of another person under the same no-retreat, Stand Your Ground standards as self-defense. 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. North Carolina General Statutes Chapter 14, Article 14A (Session Law 2011-268) 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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