

- VEST FIRST RESPONDER -

HELP FOR HEROES

TENNESSEE

Self-Defense Law Reference Guide

Stand Your Ground | Castle Doctrine (Residence, Business, Vehicle) | Prosecution Burden | First Responder Protections (TCA 39-13-116) | Police Use of Force

CERTIFIED TRAINER SUPPLEMENTAL DOCUMENT

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

Tennessee's self-defense laws are codified in T.C.A. S. 39-11-611. Tennessee is a Stand Your Ground state with no duty to retreat anywhere a person is lawfully present and not engaged in unlawful activity. Tennessee's Castle Doctrine creates a statutory presumption of reasonable belief in a residence, business, or vehicle. Once self-defense evidence is properly raised, the prosecution bears the burden to disprove it beyond a reasonable doubt. Tennessee also has a specific standalone statute for assault on law enforcement officers and first responders (T.C.A. S. 39-13-116) with mandatory penalties, amended in 2024 to expand coverage and increase penalties.

STATUTE	SUBJECT MATTER
T.C.A. S. 39-11-611(a)	Self-Defense - Core Standard; Reasonable Belief
T.C.A. S. 39-11-611(b)(2)	Stand Your Ground - No Duty to Retreat at Any Lawful Location
T.C.A. S. 39-11-611(c)	Castle Doctrine - Residence, Business, Vehicle Presumption
T.C.A. S. 39-11-612	Defense of Third Persons
T.C.A. S. 39-11-622	Civil Immunity for Justified Force
T.C.A. S. 39-13-116	Assault on Law Enforcement Officer or First Responder - Mandatory Penalties (Amended 2024)
Tennessee POST Standards	Police Use of Force - Neck Restraint Policy

PART I: THE TENNESSEE SELF-DEFENSE FRAMEWORK

T.C.A. S. 39-11-611(a) - Self-Defense Core Standard

A person is justified in threatening or using force against another when and to the degree the person reasonably believes the force is immediately necessary to protect against the other's use or attempted use of unlawful force. Deadly force is justified only when the person reasonably believes it is immediately necessary to protect against: (1) death; (2) serious bodily injury; or (3) grave sexual abuse. Tennessee uses an objective 'reasonably believes' standard.

T.C.A. S. 39-11-611(b)(2) - Stand Your Ground (No Duty to Retreat)

"Notwithstanding S. 39-17-1322, a person who is not engaged in unlawful activity and is in a place where the person has a right to be has no duty to retreat before threatening or using force against another person when the person reasonably believes the force is immediately necessary to protect the person against the use or attempted use of unlawful force." - T.C.A. S. 39-11-611(b)(2)

Tennessee's Stand Your Ground provision removes the duty to retreat at any place where the person has a right to be, provided they are not engaged in unlawful activity. This applies at any EMS scene, fire scene, hospital, station, or public space.

T.C.A. S. 39-11-611(c) - Castle Doctrine Presumption

"Any person using force intended or likely to cause death or serious bodily injury within a residence, business, dwelling or vehicle is presumed to have held a reasonable belief of imminent death or serious bodily injury to self, family, a member of the household or a person visiting as an invited guest, when that force is used against another person, who unlawfully and forcibly enters or has unlawfully and forcibly entered the residence, business, dwelling or vehicle, and the person using defensive force knew or had reason to believe that an unlawful and forcible entry occurred." - T.C.A. S. 39-11-611(c)

Tennessee's Castle Doctrine presumption covers four locations: (1) residence, (2) business, (3) dwelling, and (4) vehicle. Notably, the presumption also applies to protect family, household members, AND persons visiting as invited guests. An EMS crew invited into a residence or business qualifies as 'invited guests' - extending the Castle Doctrine presumption to them when defending against an unlawful intruder in those spaces.

THE FOUR PROTECTED LOCATIONS:

- Residence - home, apartment, or any place a person currently resides.
- Business - fire station, EMS base, hospital, or any business or commercial space.
- Dwelling - fixed habitation or structure used for residence.
- Vehicle - ambulance, fire apparatus, or any occupied motor vehicle.

INVITED GUESTS EXTENSION - CRITICAL FOR FIRST RESPONDERS:

T.C.A. S. 39-11-611(c)'s inclusion of 'a person visiting as an invited guest' in the list of persons the Castle Doctrine presumption protects is operationally significant. EMS providers summoned to a patient's residence or business are lawfully invited - when an unlawful intruder threatens them in that location, the Castle Doctrine presumption applies. This is functionally similar to Oklahoma's Make My Day extension to lawful occupants.

T.C.A. S. 39-11-622 - Civil Immunity

Tennessee provides civil immunity for persons who use force justified under T.C.A. S. 39-11-611. A person who uses justified force is immune from civil lawsuits arising from that use of force. Tennessee does not have a separate standalone criminal immunity provision identical to Florida's, but once self-defense evidence is presented, the prosecution bears the burden to disprove it beyond a reasonable doubt.

PART II: DUTY TO RETREAT - TENNESSEE'S POSITION

Tennessee has NO duty to retreat. T.C.A. S. 39-11-611(b)(2) explicitly provides that a person 'has no duty to retreat before threatening or using force against another person' when at any lawful location and not engaged in unlawful activity.

- No retreat required at any lawful location.
- Castle Doctrine presumption for residence, business, dwelling, and vehicle.
- Invited guests receive the same Castle Doctrine presumption as residents and owners.
- Prosecution bears the burden to disprove self-defense beyond a reasonable doubt.
- Civil immunity for justified force under T.C.A. S. 39-11-622.
- Exception: Must not be engaged in unlawful activity; must not have provoked the confrontation without clearly withdrawing.

PART III: FIRST RESPONDER ASSAULT - T.C.A. S. 39-13-116 (AMENDED 2024)

T.C.A. S. 39-13-116 - Assault Against Law Enforcement Officer or First Responder

Tennessee's S. 39-13-116 is a standalone statute specifically addressing assault against law enforcement officers and first responders. The statute was significantly amended in 2024 (2024 Tenn. Acts, Ch. 976, effective July 1, 2024) to expand coverage and increase penalties. 'First responder' is defined to include firefighters, emergency services personnel, and any person who responds to calls for emergency assistance from a 911 call.

"A person commits assault against a first responder, who is discharging or attempting to discharge the first responder's official duties, who: (1) Knowingly causes bodily injury to a first responder; or (2) Knowingly causes physical contact with a first responder and a reasonable person would regard the contact as extremely offensive or provocative, including, but not limited to, spitting, throwing, or otherwise transferring bodily fluids, bodily pathogens, or human waste onto the person of a first responder." - T.C.A. S. 39-13-116

KEY PROVISIONS OF T.C.A. S. 39-13-116:

- MANDATORY FINE: \$5,000.00 - cannot be waived or suspended.
- MANDATORY MINIMUM JAIL: 30 days - must be physically served before any release.
- Covers: knowingly causing bodily injury to a first responder.
- Covers: spitting, throwing bodily fluids, bodily pathogens, or human waste on a first responder.
- 'First responder' explicitly includes firefighters, emergency services personnel, and 911-response personnel.
- 2024 amendment expanded coverage and increased penalty provisions.

TENNESSEE'S MANDATORY PENALTY FRAMEWORK:

T.C.A. S. 39-13-116's mandatory \$5,000 fine and mandatory 30-day minimum jail sentence for assault on a first responder are among the strongest mandatory provisions in this state series for this offense. Combined with the expanded 2024 coverage (including bodily fluid transfer/spitting), Tennessee has created comprehensive mandatory accountability for any assault on an on-duty EMS provider or firefighter.

PART IV: POLICE USE OF FORCE & NECK RESTRAINT FRAMEWORK

Tennessee does not have a statewide statutory chokehold ban. Police neck restraint policy is governed by the Peace Officer Standards and Training Commission (POST) and individual agency use-of-force policies.

- NO statewide statutory chokehold ban as of 2024-2025.
- Tennessee POST training standards address high-risk force techniques.
- Individual agencies may adopt more restrictive policies.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

Tennessee's law enforcement use-of-force standards do not apply to civilian EMS and fire personnel in personal self-defense. An EMS provider or firefighter is evaluated under T.C.A. S. 39-11-611 only. There is no statutory restriction on civilian Tennessee first responders using any defensive technique in genuine life-safety self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER TENNESSEE LAW

1. Invited Guests Have Castle Doctrine Protection - Know When It Applies

T.C.A. S. 39-11-611(c)'s invited guest extension is one of the most operationally significant Castle Doctrine provisions in this series. An EMS crew invited to treat a patient, a firefighter admitted to a building - these are invited guests. If an unlawful intruder threatens them inside that location, the Castle Doctrine presumption applies. VEST Level I indoor scene safety training directly supports this legal protection.

2. The 2024 Amendment to S. 39-13-116 Must Be in Your Curriculum

Tennessee's 2024 amendment to its first-responder assault statute expanded coverage and updated penalty provisions. VEST curriculum delivered in Tennessee must reflect this 2024 change. Trainers should verify the most current version of S. 39-13-116 and communicate the mandatory \$5,000 fine and 30-day minimum to participants.

3. Prosecution Bears the Burden - Documentation Supports the Defense

Once self-defense evidence is presented in Tennessee, the prosecution must disprove it beyond a reasonable doubt. Documentation - PCR narratives, incident reports, partner statements - makes this burden more difficult to meet. Document thoroughly and immediately after any defensive force incident.

4. Civil Immunity Under S. 39-11-622

Tennessee's civil immunity provision protects against lawsuits arising from justified force. Combined with the prosecution burden-shift, Tennessee provides meaningful dual-track protection for first responders who use justified defensive force.

5. De-Escalation Documents Reasonableness and Proportionality

Tennessee's 'reasonably believes immediately necessary' standard requires genuine proportionality. VEST Level I de-escalation curriculum creates the record that force was a last resort - supporting both the S. 39-11-611 justification and the S. 39-11-622 civil immunity claim.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Tennessee Code Annotated Title 39; T.C.A. S. 39-13-116 as amended by 2024 Tenn. Acts Ch. 976 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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