

- VEST FIRST RESPONDER -

HELP FOR HEROES

WASHINGTON

Self-Defense Law Reference Guide

*Stand Your Ground (Case Law & Statute) | Castle Doctrine | Civil Immunity | First Responder Protections |
RCW 10.116 Complete Chokehold Ban*

CERTIFIED TRAINER SUPPLEMENTAL DOCUMENT

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

WASHINGTON HAS A COMPLETE STATUTORY CHOKEHOLD BAN

Washington enacted a statewide chokehold prohibition for all peace officers under RCW 10.116.020 (enacted 2021 as part of SB 5051 and related reforms). This prohibition has NO life-safety exception - it applies in all circumstances for all Washington law enforcement officers. This makes Washington's chokehold ban comparable in scope to Colorado's SB 20-217. VEST trainers delivering joint agency training in Washington must address this explicitly.

STATUTE	SUBJECT MATTER
RCW 9A.16.020	Use of Force - Justification; Core Standard
RCW 9A.16.050	Homicide - Justifiable; Felony Prevention; Defense of Dwelling
RCW 9.01.200	No Legal Jeopardy for Protecting Self/Family/Property (Reimbursement)
RCW 9A.36.031(1)(e)	Assault in 3rd Degree - Class C Felony When Victim Is On-Duty Firefighter or EMS
RCW 9A.36.021	Assault in 2nd Degree - Class B Felony for Serious Assault on First Responders
RCW 10.116.020	Complete Chokehold/Neck Restraint Ban for All Peace Officers (SB 5051, 2021)

PART I: THE WASHINGTON SELF-DEFENSE FRAMEWORK

RCW 9A.16.020 - Use of Force; Justification

"The use, attempt, or offer to use force upon or toward the person of another is not unlawful in the following cases: (1) Whenever necessarily used by a person who is not the aggressor, in lawful self-defense or in defense of the person's family, in any place where such person has a right to be." - RCW 9A.16.020(1)

Washington's core justification statute establishes that force is lawful when used by a non-aggressor in self-defense or defense of family 'in any place where such person has a right to be.' This language - combined with the absence of any retreat requirement in the text and court decisions holding no duty to retreat exists - gives Washington a de facto Stand Your Ground framework through statutory interpretation and case law.

RCW 9.01.200 - No Legal Jeopardy; Attorney's Fee Reimbursement

"No person in the state shall be placed in legal jeopardy of any kind whatsoever for protecting by any reasonable means necessary, himself or herself, his or her family, or his or her real or personal property, or for coming to the aid of another who is in imminent danger of or the victim of assault, robbery, kidnapping, arson, burglary, rape, murder, or any other violent crime." - RCW 9.01.200(1)

Washington's 'no legal jeopardy of any kind whatsoever' language is among the strongest statutory self-defense protections in the country - identical to Idaho's. Additionally, if a person is found not guilty by reason of self-defense for a listed crime, the STATE OF WASHINGTON reimburses the defendant for all reasonable costs, including legal fees, loss of income, and other defense expenses. This attorney's fee reimbursement is

extraordinary and unique in this series.

WASHINGTON'S TWO EXCEPTIONAL PROTECTIONS:

- No legal jeopardy of any kind whatsoever - among the broadest statutory self-defense protection language in any state.
- Attorney's fee reimbursement from the State - if found not guilty by reason of self-defense, Washington reimburses all reasonable defense costs including legal fees.

WASHINGTON'S ATTORNEY'S FEE PROVISION:

RCW 9.01.200(2)'s attorney's fee reimbursement from the STATE OF WASHINGTON when a defendant is acquitted on self-defense grounds is extraordinary. Most states provide at most civil immunity from lawsuits - Washington goes further by having the state pay the defendant's legal fees when self-defense is vindicated. This provision is unique to Washington in this entire state series.

RCW 9A.16.050 - Justifiable Homicide (Castle Doctrine/Defense of Dwelling)

Washington's justifiable homicide statute covers defense of dwelling and personal property against felony offenses. Homicide is justified when committed in defense of an occupied dwelling to prevent a felony therein or when the killer reasonably believes the deceased intends to commit a felony and there is imminent danger of harm. Washington's case law establishes no duty to retreat in either the home or any lawful public location.

PART II: DUTY TO RETREAT - WASHINGTON'S POSITION

Washington has NO duty to retreat - established through both statutory interpretation and case law. The Washington Legislature recognized this explicitly in a 1986 legislative finding that private citizens' use of deadly force 'is not restricted and remains broader than the limitations imposed on peace officers.'

- No duty to retreat - established through statutory interpretation and case law.
- 'Any place where such person has a right to be' - RCW 9A.16.020 language establishes the no-retreat principle.
- No legal jeopardy of any kind for protecting self, family, or property - RCW 9.01.200.
- Attorney's fee reimbursement if acquitted on self-defense grounds.
- Exception: Must not be the initial aggressor; force must be 'necessary' and proportionate.

PART III: FIRST RESPONDER ASSAULT - ENHANCED CRIMINAL PROTECTIONS

RCW 9A.36.031(1)(e) - Assault 3rd Degree (Class C Felony) When Victim Is On-Duty Firefighter or Fire Department Employee

Washington's assault-in-the-third-degree statute (RCW 9A.36.031) includes a specific provision elevating assault to a CLASS C FELONY when the victim is a firefighter or other fire department employee performing their official duties. A Class C Felony carries up to 5 years imprisonment and \$10,000 in fines. The victim must be 'on-call or performing official duties' at the time - satisfied by being in uniform, operating a marked vehicle, or actively on an emergency response.

- Assault on on-duty firefighter or fire department employee: Class C Felony (up to 5 years).

- 'Performing official duties' - uniform, marked vehicle, or active response satisfies this element.
- Class C Felony classification means sentencing guidelines and no simple diversion programs.

RCW 9A.36.021 - Assault 2nd Degree (Class B Felony) for Serious Assaults

Second-degree assault - intentionally assaulting with a deadly weapon or causing substantial bodily harm - is a Class B Felony (up to 10 years). When the victim is a first responder in the performance of their duties, this charge and its sentence range apply with full force.

TRAINER EMPHASIS:

Washington's Class C Felony designation for assault on a firefighter (RCW 9A.36.031(1)(e)) means that even a threat-level assault - causing the firefighter to reasonably fear harm without physical contact - is a felony. VEST trainers should communicate this: any action that makes an on-duty Washington firefighter or fire department employee reasonably fear harm is already a felony, before any physical contact occurs.

PART IV: POLICE USE OF FORCE - RCW 10.116 COMPLETE CHOKEHOLD BAN

RCW 10.116.020 - Complete Prohibition on Chokehold and Neck Restraint (SB 5051, 2021)

"A peace officer may not use a chokehold or neck restraint on another person in the course of his or her duties as a peace officer." - RCW 10.116.020(1)

Washington's SB 5051, signed in 2021 and effective July 25, 2021, created a complete statutory prohibition on chokeholds and neck restraints for all Washington peace officers. The prohibition has NO exceptions - not for deadly force situations, not for life-safety emergencies. This makes Washington's chokehold ban one of the most absolute in the country, comparable to Colorado's SB 20-217.

KEY PROVISIONS OF WASHINGTON'S CHOKEHOLD BAN:

- Covers ALL peace officers - applies statewide to every law enforcement agency in Washington.
- Covers both chokeholds (airway restriction) and neck restraints (any neck restraint technique).
- NO EXCEPTIONS - no life-safety carve-out, no deadly force exception.
- Violations subject officers to misconduct investigation and potential decertification.
- 2021 reform package (SB 5051, HB 1310, HB 1054) was among the most comprehensive police accountability legislation in the country.

WASHINGTON COMPARED TO OTHER STATES:

- Washington: Complete ban, NO exceptions (comparable to Colorado's SB 20-217).
- New York: Class C Felony for unauthorized use causing injury (Eric Garner Act).
- Delaware: Class D/C Felony for unauthorized use (HB 350).
- Louisiana: Prohibited except for great bodily harm or deadly force authorized.
- Virginia, West Virginia, Wyoming: No statewide statutory ban.

FIRST RESPONDERS VS. LAW ENFORCEMENT:

RCW 10.116.020 applies ONLY to peace officers. Washington EMS and fire personnel acting in personal self-defense are evaluated under the civilian RCW 9A.16.020 and RCW 9.01.200 framework. The Washington Legislature explicitly recognized that 'private citizens' permissible use of deadly force... is not restricted and remains broader than the limitations imposed on peace officers.' There is no statutory restriction on civilian Washington first responders using any defensive technique in genuine life-safety self-defense.

PART V: APPLYING VEST PRINCIPLES UNDER WASHINGTON LAW**1. Washington Provides Among the Strongest Protective Provisions in This Series**

The combination of no-legal-jeopardy language (RCW 9.01.200), attorney's fee reimbursement, and the legislative finding that private citizens' defensive force rights exceed law enforcement's creates one of the most comprehensive self-defense protection frameworks in the country. VEST training reinforces these rights through professional restraint, graduated force continuum, and thorough documentation.

2. Know Your Attorney's Fee Reimbursement Right

RCW 9.01.200(2)'s attorney's fee reimbursement from the State of Washington is extraordinary. A Washington first responder acquitted on self-defense grounds for any listed offense (assault, robbery, murder, burglary, etc.) may be reimbursed for all reasonable defense costs by the state. This provision is unique in this entire series.

3. The Complete Chokehold Ban Requires Joint Training Attention

Washington's RCW 10.116.020 complete prohibition on chokeholds and neck restraints has NO exceptions. When VEST delivers joint agency training with Washington law enforcement, this absolute prohibition must be addressed explicitly. Officers face misconduct and decertification consequences for any violation. Civilian first responders are not bound by this restriction.

4. Class C Felony for Threatening Firefighters

Washington's RCW 9A.36.031(1)(e) makes any assault on an on-duty firefighter a Class C Felony - including threat-level assaults without physical contact. VEST trainers should communicate this: the legal accountability begins at the moment a patient or bystander causes a firefighter to reasonably fear harm, before any physical contact.

5. De-Escalation Documents Non-Aggressor Status

Washington's self-defense framework requires that the defender 'is not the aggressor.' VEST Level I de-escalation curriculum creates the evidentiary record that the first responder was the non-aggressor throughout the incident. Every de-escalation attempt is evidence of non-aggressor status.

LEGAL DISCLAIMER

This document is produced by VEST First Responder LLC for educational and trainer development purposes only. It does not constitute legal advice. Revised Code of Washington Title 9A and Chapter 9.01; RCW 10.116 (SB 5051, 2021) 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