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## Castle Doctrine

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## Read The Law About ...

### New Hampshire Statutes

- Revised Statutes Online. RSA 507. Actions

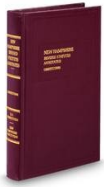
See RSA 507:8-d, Liability Limited.

- Revised Statutes Online. RSA 626. General Principles

See RSA 626:7, Defenses, Affirmative Defenses and Presumptions.

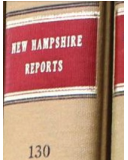
- Revised Statutes Online. RSA 627. Justification

As we have often said, statutes are interrelated; it isn't enough to read just one section without reading the other, related sections. Although RSA 627:7 is the main section which covers defending a dwelling or premises, RSA 627:4 III (a) discusses when a person within a dwelling is or is not required to retreat from an encounter. RSA 627:9 defines terms used in the statute, including “dwelling”, “deadly force” and “non-deadly force”. And finally, RSA 627:1-a, discusses possible immunity from civil liability in certain situations under this statute, including when people are acting under RSA 627:7, in defense of a dwelling. Researchers must read all the relevant sections of the statute to understand what the law requires.



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## New Hampshire Cases

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- Google Scholar. State v. Pugliese 122 N.H. 1141 (1982)  
"A defendant asserting the defense of self-defense to a homicide charge tacitly admits the killing was intentional but claims it was justified or excused for some reason as defined by our Criminal Code."
- Google Scholar. State v. Chen 148 N.H. 565 (2002)  
"Subject to exceptions [...] a person is entitled to use non-deadly force in self defense from what he reasonably believes to be the *imminent* use of unlawful, non-deadly force by another person."
- Google Scholar. State v. West, 167 N.H. 465 (2015)  
"In order for the defendant's use of non-deadly force to be justified in defense of premises, the defendant must have actually and reasonably believed it was necessary to use non-deadly force to prevent or terminate the commission of a criminal trespass."
- New Hampshire Judicial Branch. 2024 N.H. 1, State v. Shea   
"Prior to 2011, RSA 627:4, III codified the "duty to retreat" doctrine, providing that a person is not justified in using deadly force to defend himself from the use of deadly force by another when the person could, with complete safety, retreat from the encounter, unless he is in his dwelling or its curtilage and is not the initial aggressor." ... "[R]equiring a person to respond to a threat likely to cause serious bodily injury or death by retreating before being justified in responding with the non-deadly force of displaying a firearm would be inconsistent with the 2011 amendment of RSA 627:4, III(a). After 2011, a person is justified in using deadly force when he reasonably believes that another person is about to use unlawful, deadly force against him, and he is not required to retreat if he is anywhere he has a right to be and was not the initial aggressor."

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