

SEQ CHAPTER \h \r 1CR07-101 11/09/07

SELF-DEFENSE

The issue of self-defense is presented in this case. If (Def)_____ acted in lawful self-defense, then [his] [her] actions are excused, and [he] [she] is not guilty of any crime.

(Def)_____ is not required to prove that [he] [she] acted in self-defense. Instead, the State must have proven, beyond a reasonable doubt, that [he] [she] did not act in self-defense.

[He] [she] had a right to use a reasonable amount of force to defend [himself] [herself], if [he] [she] reasonably believed the following three things:

1. that [he] [she] was in immediate danger of bodily harm;
2. that the use of force was necessary to avoid this harm; and
3. that the amount of force [he] [she] used was necessary.

A person acting in self-defense may only use the amount of force that reasonably appears to be necessary under the circumstances. Whether (Def)_____’s actions were justified as self-defense depends upon whether it reasonably appeared to [him] [her] that it was necessary to use the force that [he] [she] actually used. If [he] [she] used more force than was reasonably necessary to avoid injury, then [he] [she] did not act in self defense.