

New Hampshire Deadly Force Basics

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(Note: The following is an overview of New Hampshire's deadly force law under RSA 627:4. It is not intended as legal advice. Contact a knowledgeable attorney to discuss your specific legal situation.)

☛ **You may use deadly force when you reasonably believe that someone is:**

- 1) About to use unlawful, deadly force against you or another; or
- 2) Likely to use unlawful force against you or another while committing a burglary; or
- 3) Likely to use any unlawful force while committing a felony against you in your home or curtilage*; or
- 4) Committing or about to commit a kidnapping or a rape.

☛ **HOWEVER, you may NOT use deadly force to defend yourself or another if both of you can, with complete safety:**

- 1) Retreat from the encounter. Except you are not required to retreat if you are in your home, curtilage*, or anywhere you have a right to be, so long as you were not the initial aggressor; or
- 2) Surrender property to a person claiming to have a right to it; or
- 3) Comply with a demand NOT to do something, which you are NOT otherwise required to do.

☛ **You cannot use deadly force if you have provoked the use of force against you in the same encounter.**

☛ **You may display a firearm or other weapon with the intent to warn away a threat of serious bodily injury or death to you or to another.**

* Curtilage means the outbuildings near your home and all the grounds surrounding your home which are regularly used for domestic purposes.