

# Castle Doctrine Feature Comparison<sup>(1)</sup>

	No duty to retreat in home (A)	No duty to retreat outside home (B)	Presumption of "reasonable fear" in home (C)	Presumption of "reasonable fear" in car/jacking (D)	Protection for law enforcement officers (E)	Forbid use as legal defense by attackers (F)	Immunity for victims from prosecution (G)	Protection for victim from arrest (H)	Immunity for victims from civil action (I)	Reimbursement of civil court costs to victim (J)
<b>Current NC law</b>										
<b>HB 74 (Hilton)</b>										
<b>SB 34 &amp; HB 52 (E 1)</b>										
<b>Other States</b>										
<b>Alabama</b>										
<b>Arizona</b>										
<b>Florida</b>										
<b>Georgia</b>										
<b>Indiana</b>										
<b>Kentucky</b>										
<b>Louisiana</b>										
<b>Oklahoma</b>										
<b>South Carolina</b>										
<b>Tennessee</b>										
<b>Texas</b>										
<b>Utah</b>										
<b>Washington</b>										

**Headings:**

- (A) Victim does not have duty to retreat prior to using deadly force if faced with reasonable fear of imminent death or great bodily harm in victim's dwelling or residence.
- (B) Victim does not have duty to retreat prior to using deadly force if faced with reasonable fear of imminent death or great bodily harm outside home provided victim is in a place he or she lawfully has a right to be.
- (C) Victim presumed to have reasonable fear of imminent death or great bodily harm if attacker is in process of or has forcefully and unlawfully entered the dwelling or residence.
- (D) Victim presumed to have reasonable fear of imminent death or great bodily harm if attacker is in process of or has forcefully and unlawfully victim's vehicle.
- (E) Presumption set forth in (C) and (D) above does not apply if person against whom defensive force is used is a law enforcement officer in performance of official duties.

- (F) Presumption set forth in (C) and (D) above does not apply if person who uses defensive force is engaged in forcible felony or, in some states, unlawful activity.
- (G) Victim may not be criminally prosecuted for use of deadly force which is justifiable under statutes.
- (H) Law enforcement agencies may use standard investigative procedures but may not arrest victim without probable cause that force used against attacker was unlawful.
- (I) Victim may not be held civilly liable for use of deadly force which is justifiable under statutes.
- (J) Victims immune from civil action may recoup legal costs if they prevail in such litigation.

**Footnotes:**

1. State statutes vary widely. This document serves only as a general comparison.