

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 10: SPECIAL ACT FOR FIREARMS ENFORCEMENT (SAFE)

§ 10210. Self defense with deadly force.

(a) An individual is allowed to use a firearm or deadly force in self-defense if:

(1) The individual is protecting him or herself and the use of the firearm or deadly force would reasonably prevent the immediate use of force by an aggressor. Provided further that this use is based upon the reasonable belief that the aggressor is about to inflict an intentional contact that would or could reasonably result in serious bodily harm or death; and the use of force by the aggressor can safely be prevented only by the immediate use of deadly force.

(b) An individual is allowed to use a firearm or deadly force in self-defense of a third party if:

(1) The individual is protecting a third party and the use of the firearm or deadly force would reasonably prevent the immediate use of force by an aggressor. Provided further that this use is based upon the reasonable belief that the aggressor is about to inflict an intentional contact that would or could reasonably result in serious bodily harm or death; and the use of force by the aggressor can safely be prevented only by the immediate use of deadly force.

(c) The right to use deadly force for self defense or defense of a third person does not exist if the individual correctly or reasonably believes that he or she, or the third party in the case of self defense of a third party, can with complete safety avoid the necessity of so defending himself by

(1) retreating if attacked in any place other than his dwelling place, or in a place which is also the dwelling of the other, or

(2) relinquishing the exercise of any right or privilege other than his privilege to prevent intrusion upon or dispossession of his dwelling place.

(d) An individual loses the right to self-defense with a firearm if he or she is the initial aggressor or intentionally provoked the aggressor by word or deed that is reasonably calculated to elicit a violent response from a reasonable person or the individual aggressor.

Source: [PL 19-42](#) § 6 (Apr. 11, 2016), modified.

Commission Comment: The Commission numbered this section pursuant to [1 CMC § 3806\(a\)](#). The Commission changed the capitalization of the section title for the purpose of conformity pursuant to [1 CMC § 3806\(f\)](#).