

TIP OF THE WEEK

Maryland Defense of Habitation

A simple educational summary of when force may be justified in the home

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Core Rule

- Maryland recognizes a limited castle doctrine inside the home.
- A resident may use force when they reasonably believe an intruder intends to commit a felony in the home or cause death or serious bodily harm.
- Inside the home, there is generally no duty to retreat before using lawful defensive force.

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Key Criteria

- 1 The person entered or attempted to enter the home.
- 2 The resident actually believed there was an imminent serious threat.
- 3 That belief was objectively reasonable.
- 4 The resident believed force was necessary to stop the threat.
- 5 Any deadly force used was reasonably necessary and proportionate.
- 6 No more force than necessary was used.

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Important Limits

- ! Deadly force is not justified for mere trespassing alone.
- ! Deadly force is not justified solely to protect property.
- ! The threat must be imminent and serious.
- ! Whether the response was reasonable depends on the facts of the situation.

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Outside the Home

- Maryland is not a stand-your-ground state in public places.
- Outside the home, deadly force generally requires safe retreat if retreat is possible.



Educational summary only — not legal advice.
Maryland self-defense cases are highly fact-specific.