

Dear Students,

Please take the time to study the following information some of which will be on the written test. Pay special attention to the states use of force laws listed below, along with the listed state laws found in the 2017 South Dakota Firearms Laws Handbook.

South Dakota Use of Force Laws:

SDCL 22-16-34. Justifiable homicide--Resisting attempted murder--Resisting felony on person or in dwelling house. Homicide is justifiable if committed by any person while resisting any attempt to murder such person, or to commit any felony upon him or her, or upon or in any dwelling house in which such person is. Source: SDC 1939, § 13.2003 (1); SL 2005, ch 120, § 165.

SDCL 22-16-35. Justifiable homicide--Defense of person--Defense of other persons in household. Homicide is justifiable if committed by any person in the lawful defense of such person, or of his or her husband, wife, parent, child, master, mistress, or servant if there is reasonable ground to apprehend a design to commit a felony, or to do some great personal injury, and imminent danger of such design being accomplished. Source: SDC 1939, § 13.2003 (2); SL 2005, ch 120, § 166.

SDCL 22-18-4. Justifiable use of force to protect property--Use of deadly force--Duty to retreat. Any person is justified in the use of force or violence against another person when the person reasonably believes that such conduct is necessary to prevent or terminate the other person's trespass on or other criminal interference with real property or personal property lawfully in his or her possession or in the possession of another who is a member of his or her immediate family or household or of a person whose property he or she has a legal right to protect. However, the person is justified in the use of deadly force only as provided in §§ 22-16-34 and 22-16-35. A person does not have a duty to retreat if the person is in a place where he or she has a right to be. Source: SDC 1939, § 13.2402 (3); SL 2005, ch 120, § 8; SL 2006, ch 116, § 2.

Use of Force Definitions you need to know:

Deadly force:

Deadly force means that force which a reasonable person would consider likely to cause death or serious bodily harm.

Serious Bodily Injury:

"Serious bodily injury" means bodily injury that involves (1) a substantial risk of death; (2) extreme physical pain; (3) protracted and obvious disfigurement; or (4) protracted loss or impairment of the function of a body part, organ, or mental faculty.

Great Bodily Injury:

"Great bodily injury" means physical injury suffered by the victim of a violent crime that causes a substantial risk of death, extended loss or impairment of a body part or function, or permanent disfigurement: physical injury that is more serious than that ordinarily suffered in a battery

Deadly Weapon:

"Dangerous weapon" or "deadly weapon," any firearm, stun gun, knife, or device, instrument, material, or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm, or by the manner in which it is used is likely to inflict death or serious bodily harm

Imminent:

Described as a pending action; meaning immediate or instant.

Means:

Suspects possession of:

- BRUTE FORCE
- FORCE OF NUMBERS
- IMPACT WEAPONS
- EDGED WEAPONS
- FIREARMS

Opportunity:

ESTABLISHED BY POSSESSION OF:

- BRUTE FORCE
- FORCE OF NUMBERS
- EDGED WEAPONS
- IMPACT WEAPONS
- FIREARMS

COMBINED WITH THE SUSPECTS ACTIONS:

- ATTITUDE
- THREATENING MOVEMENTS
- "BODY LANGUAGE"
- VERBAL THREATS
- REACTION TO VERBAL COMMANDS

Jeopardy:

ONCE THE PERPETRATOR HAS THE MEANS AND OPPORTUNITY, DO THEY MAKE SUBSTANTIAL STEPS TOWARDS EMPLOYING THEM, AND PLACE SOMEONE IN JEOPARDY OF EXPERIENCING DEATH OR SERIOUS/GREAT BODILY INJURY?

Please read through the following laws listed in the 2017 South Dakota Firearms Laws Handbook:

SDCL 13-32-7

Notes: _____

SDCL 13-32-7

Notes: _____

SDCL 22-1-2(10)

Notes: _____

SDCL 22-1-2(16)

Notes: _____

SDCL 22-1-2(21)

Notes: _____

SDCL 22-1-2(32)

Notes: _____

SDCL 22-1-2(44A)

Notes: _____

SDCL 22-1-2(6)

Notes: _____

SDCL 22-1-2(9)

Notes: _____

SDCL 22-14-10

Notes: _____

SDCL 22-14-11

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SDCL 22-14-11

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SDCL 22-14-15.2

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SDCL 22-14-16

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SDCL 22-14-20

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SDCL 22-14-21

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SDCL 22-14-22

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SDCL 22-14-26

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SDCL 22-14-27

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SDCL 22-14-7

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SDCL 22-14-8

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SDCL 22-14-9

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SDCL 22-14-9.1

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SDCL 22-14-9.2

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SDCL 23-7-12

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SDCL 23-7-44

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SDCL 23-7-45

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SDCL 23-7-46

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SDCL 23-7-53

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SDCL 23-7-66

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SDCL 23-7-67

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SDCL 23-7-68

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SDCL 23-7-7

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SDCL 23-7-7.1

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SDCL 23-7-7.2

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SDCL 23-7-7.3

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SDCL 23-7-7.4

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SDCL 23-7-8

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SDCL 23-7-8.1

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SDCL 23-7-8.13

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SDCL 23-7-8.3

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SDCL 23-7-8.7

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SDCL 23-7-8.8

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SDCL 23-7-8.9

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SDCL 32-20-6.6

Notes: _____

SDCL 32-20A-11

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