

# Legal Advice on Defending Yourself Against Others

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At one time, it was not illegal to defend yourself if someone attacked you on the streets. However, in a few states, if you retaliate when assaulted, both parties are arrested, even though you were merely defending yourself against the attacker.

This sounds like insanity, but the laws have determined that “word against word” is the issue; thus, the crime should be taken to court to determine what caused the incident, why the incident occurred, and who is responsible for the crime committed. If there is a third party involved in the act--rather if a third person intervenes in an attempt to protect the victim--it may fall under the “alter ego rule” or rather the third person is permitted to defend the victim on particular grounds.

Under the Texas Penal Codes, for example, the law states that under a defending act of a third party, that the person is legally excused if this person utilizes “force against another to... [protect the third party.]” This person cannot use this action if he feels that the third party is in no danger; however, if the party feels that the victim is in a life threatening situation, or else brutality is involved, then this person must use thoughtful consideration in taking action to protect the third party.

Other states may only permit the party to restrain the culprit until the police arrive. Yet, few states will consider this act a Citizen’s Arrest, where the party holds the culprit temporarily in his/her custody until the police arrive at the scene of the crime. For more information on self-defense, check your local state laws. This is crucial because your state may have completely different laws than the law cited above from the state of Texas--and if you have to defend yourself in court, you will want to know what those laws are and if they work in your favor or against you. Emanuele Allenti offers valuable tips and help about professional legal advice and personal legal advice. Enter now!