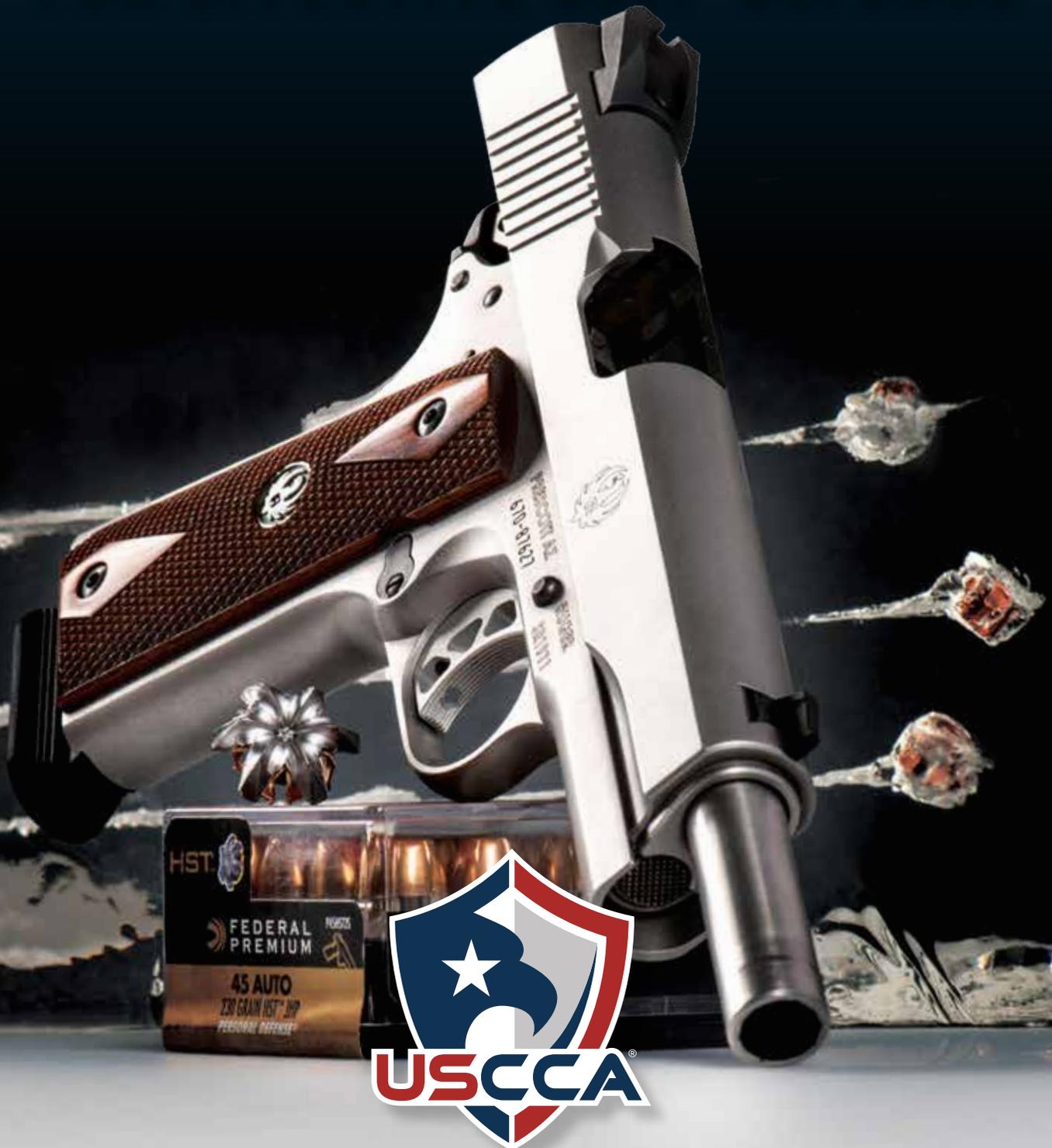


23 PROVEN STRATEGIES

FOR EFFECTIVE SELF-DEFENSE



THE ULTIMATE RESPONSIBILITY OF PROTECTING THE ONES YOU LOVE

CONCEALED CARRY

WHO IS TIM SCHMIDT?

You might know me as the president and founder of the United States Concealed Carry Association (www.USConcealedCarry.com) — an organization that teaches and empowers its tens of thousands of members to confidently and responsibly protect the ones they love.

Above all, though, I am a husband and a father. The love I have for my wife and my children, and the responsibility and duty I have to keep them safe, have taken me many places in life. In addition to found-

ing the USCCA and growing it to its incredible size, I hold a black belt in Tae Kwon Do, and I've studied personal security and home defense from some of the greatest minds in the country. The reports, how-to guides, newsletters and magazines I publish feature authors of the highest esteem in the law enforcement, military and civilian realms of personal protection, family security and armed self-defense.

The bottom line is that I **know** self-defense. I understand the mind of the criminal, and I understand what it takes to defeat him — both mentally and physically. And I understand the mind of the concerned, prepared citizen, because **that is who I am.**



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There are really two kinds of people in this world. The first kind is the person who is always looking for someone else to take care of him. You know what I'm talking about. Nowadays, it's all we hear on the news. These people want the government to provide for them, and they want the police to protect them and provide their safety. (Some call these people sheep or sheeple!)

Then there's the *other* kind of person, the person who truly believes in personal responsibility. I can remember a saying my dad told me over and over as I grew up.

He'd say, "Tim, you must always remember, **If it is to be, it's up to me.**" As a kid in my early teenage years, I can remember thinking to myself, "Yeah, Dad, I got it. You've told me this a thousand times."

But you know what? That phrase, along with a whole bunch of other brilliant wisdom from my dad, had a huge impact on me.

Yep, my dad did an amazing job instilling in me that there is only **ONE** person responsible for my happiness, safety and security. And that one person is **ME!**

Now, if you're still reading this, then I'll bet you can relate to this concept of personal responsibility. Heck, you and I probably have a lot more in common. So you'll probably understand how this wisdom revealed a huge frustration in my life.

WOULD THIS FRUSTRATE YOU?

You know, everyone has certain defining moments in their lives — times when normal, everyday events end up having a lifelong impact. I'll never forget those first couple of days after my first son was born. My mind was flooded with all kinds of new thoughts and feelings.

There were feelings of joy, amazement and wonder, feelings of gratitude and responsibility and feelings of fear and frustration. What was I afraid of? I was completely overwhelmed by the

idea that I was now responsible in every way for this new little life. Not only did I need to provide for my new son, it was also my duty to protect him (and my wife) from the evil that will always exist in our world. *It hit me like a ton of bricks!*

You know, I think everyone has his or her own self-defense revelation experience. For some, it's a friend who was attacked or mugged. For others, it's witnessing a robbery. And for others, it's surviving a horrific experience that opened their eyes to the need to be able to defend themselves. You see, I got off easy. For some reason, my internal personal-defense switch was tripped by the simple circumstance of becoming a new father. I can only hope you'll be as lucky as I was!

I found myself becoming very protective and thinking a lot about what I would do in different situations. I started learning about self-defense. I started buying books, magazines and whatever I could get my hands on. I bought books about guns! Growing up with my dad, we never went hunting because Dad wasn't a hunter. But, he *did* like guns and there were always guns in our house. (I still remember the first time Dad let me shoot his Smith & Wesson 5-inch .357 Magnum revolver!) So my desire to start learning about guns and how I could use them to protect my family was a natural thing to do.

And that's when it happened.

I read an article that changed my life. The article was "The Constitutional Right and Social Obligation to Carry a Gun" by a guy named Robert Boatman. (Mr. Boatman has since passed away, but I did have a chance to meet him face to face and tell him how much of an impact he had on me and my family!) This article opened my eyes to the idea of carrying a gun with me wherever I went. It made perfect sense to me, and I was astonished how Mr. Boatman presented it as a social obligation. I was hooked. I needed to learn as fast as possible exactly how to do this.

THERE ARE TWO KINDS OF PEOPLE ... WHICH ONE ARE YOU?

Like it or not, you are your family's first responder.





WHY CARRY A CONCEALED WEAPON?

In a world that seems to get more dangerous every day, a little forethought can go a long way in defending your loved ones.

Many honest citizens know this, and they know that when seconds count, the police are minutes away — at best! These honest citizens take responsibility for their own safety and choose to carry a concealed weapon for the protection of their own lives and those of their loved ones. They are not vigilantes, they are not cowboys or wanna-be cops and they are certainly not wanna-be killers. They are people like you and me who realize that life and family are worth protecting in a dangerous world, and they want to have a fighting chance should crime come unbidden to them.

By doing so, they protect not only their own lives, but the lives of those around them. They do this by being a deterrent to those who would do them harm.

Before 1987 (when Florida laws set the standard for allowing “shall issue” carry permits), criminals knew it was very unlikely that their would-be victim was armed. No more! With the majority of states now being shall-issue, and with more citizens carrying guns for protection on more American streets, criminals cannot know who is armed and who is not. This deters criminals and contributes to the decreasing trends in violent crimes nationwide. Carrying a gun is easier than carrying a cop. While the missions of the police officer and the armed citizen are different, guns in the hands of trained citizens can be just as effective against sudden attack as guns in the hands of trained police. The difference is, the responsibly

armed citizen has the gun he carries immediately at hand when danger strikes and need not wait minutes or even hours for help to arrive. Any honest cop will tell you that most of the time, when they are called for help, they arrive after the danger has passed.

Violent crime has gone down in the United States for the last several decades, while the number of guns in civilian hands has gone up. But there is still more than enough violent crime to give the prudent citizen cause for alarm.

Violent crime is still a real threat that can strike anyone — anytime, anywhere. Last year’s statistics from the FBI show there were 14,612 murders, 83,425 rapes, 354,396 robberies and 751,131 aggravated assaults. These numbers are hard for some of us to understand, but that is because we are rational, law-abiding members of society. We are the sheep-dogs that have to help our loved ones, our friends and even complete strangers from the wolves out there.

83,425 RAPES
14,612 MURDERS
354,396 ROBBERIES
751,131 ASSAULTS

Facing the prospect of criminal attacks, many citizens choose to arm themselves with a handgun for the same reason police

do: to protect themselves and others from deadly danger. Handguns are more convenient for full-time carry than rifles and shotguns, and given modern ammunition, they can be effective for defensive purposes. There are other options for personal protection, such as martial arts, knives or sub-lethal devices, such as OC pepper spray and noise makers. Such devices are sometimes less effective at quickly and decisively stopping an aggressor, and they have the added disadvantage of needing to be used at close-contact range if they are to be effective at all. By contrast, a gun delivers a powerful deterrent blow at a safer distance than knives or pepper spray can. In the face of a potentially lethal attack, the number-one goal is the protection and survival of the innocent: That’s *you*, someone you love or another innocent person.





3

CHOOSE YOUR WEAPON

Few decisions are as personal as selecting your sidearm. Whether you go revolver or auto, remember to focus on what's best for you.

As an American, you have a huge advantage when you want to carry a concealed pistol. Every citizen and legal resident has the right to keep and bear arms, and there are more firearms available to the average U. S. citizen than anywhere else on the planet.

Defensive carry handguns will typically be of two types: revolver or semi-auto pistol. While available calibers range from .22 to .50 Action Express, the usual caliber range for serious self-defense consideration starts at .380 ACP and goes to .45 ACP, with stops along the way at .38 Special, .357 Magnum, 9mm and .40 S&W.

Until police departments moved to the semi-auto pistol to arm their officers in the 1980s, the six-shot revolver, usually in .38 Special — or its more powerful big brother, the .357 Magnum — was the standard sidearm for America's thin blue line. The modern double-action revolver is inherently safe. It

is simple to operate, easy to learn to use (but difficult to shoot well), capable of excellent accuracy and when loaded with today's ammunition designed specifically for self-defense, it will give good service to the responsibly armed citizen. The chief drawback of the revolver is its capacity of five or six rounds, which some find to be too few.

The other choice is a semi-automatic pistol, most commonly in calibers .380 ACP, 9mm, .40 S&W and .45 ACP. The advantages of the semi-auto are larger ammunition capacity, faster reloads and greater ease of concealment. Since a semi-auto does not have a bulky cylinder, it is flatter and a little easier to conceal than a revolver. The downside is it having more moving parts and thus more things to go wrong, which makes for a greater tendency to malfunction than a revolver. But with modern production techniques, proper training and

proper maintenance on the part of the shooter, semi-automatic pistols are capable of great reliability and are widely chosen for concealed carry.

Try out several revolvers and pistols in the different recommended calibers. While shopping for your carry gun, you should know that what you enjoy holding in the shop might *not* feel quite so good in your hand when you shoot it. For this reason, if possible, get to a shop that allows you to rent firearms and try them out on their range before you buy. Your choice for a self-defense sidearm should be the one you can shoot most comfortably and most accurately, and that you will carry every time you walk out your door.

Given careful shopping and the very wide range of handguns developed and tailored specifically for the U.S. concealed carry market, there is no reason your choice of a daily carry gun cannot be that of a powerful and concealable weapon in one of the effective calibers mentioned earlier. Once you choose one, practice with it until you can quickly and consistently hit the center of a man-sized target at ranges from three feet to 25 yards.



CHOOSE YOUR AMMUNITION

From hyper-modern frangibles to traditional jacketed hollow-points, there's never been a wider selection of defensive ammunition.

Self-defense ammunition is the next important part of a self-defense system. It must be accurate, reliable and capable of delivering a hard hit. Any effective defensive round must hit its target, preferably stay inside its target and deliver enough power on impact to stop that target from continuing aggressive action against the intended victim.

Your best bet for defensive ammu-

nition includes a hollow-point bullet, which is designed to expand on impact. You might also choose ammunition with a frangible bullet, which is designed to come apart on impact. Both of these ammunition types dump the bulk of their energy into their target and deliver that energy with maximum force where it is needed most. Both of them put the brakes on when they hit the target, so

they are less likely to go through the bad guy and hit an innocent bystander. All these factors combine to make hollow-point and frangible rounds good choices for civilian self-defense.

Modern hollow-point and frangible rounds hit the target accurately and provide a good chance of stopping an aggressor.

If you're not sure what ammunition or bullet shape to choose, check what your local law enforcement agencies are using. Police officers carry guns for a living, and their departments have a strong interest in ammunition that will help their officers stay safe. Whatever ammunition they adopt is likely a decent bet for you.



AMMO GLOSSARY



Ball - The military nomenclature for full metal jacket ammunition, as in "ball ammo."

BJHP - Bonded-jacket hollow-point. A style of self-defense projectile in which the jacket of the bullet has been specially bonded to the lead core, making for more reliable expansion and energy transfer.

EB - Enclosed base. This means there is no bare lead on the base of the bullet; it is jacketed in order to minimize lead exposure.

FMJ - Full metal jacket. These are bullets that have no exposed lead on the nose or sides and do not deform as dramatically as hollow-point or bare-lead bullets. These are the standard training load for semi-automatics and are not preferred for self-defense.

FPE - Foot-pounds energy. This is the measurement of the energy the bullet delivers to a target upon impact when fired from a test barrel at the factory. Your mileage may vary.

FPS - Feet per second. This will be the velocity at which the projectiles left a test barrel at the factory when samples from each lot of ammunition were tested. As above, your results may differ due to firearm barrel length.

Frangible - These are target rounds that are specifically designed to break apart on impact with a backstop. They are widely used at indoor ranges to reduce the risk of ricochets.

Grain - An archaic unit of measurement that is still used when referring to weights of projectiles. 437.5 grains equals one ounce.

Hardened Lead - An alloy of lead and antimony. This alloy is used for bare-lead projectiles, providing better expansion control and less fouling in barrels than unalloyed lead.

HP - Hollow-point. This is a bullet that has a cavity carved out of its nose, and the intent is to make the projectile open up upon impact with a target in order to expend all of its energy in that target without passing through.

JHP - This is a hollow-point bullet that is also jacketed. This is done to reduce fouling in the action and barrel of the firearm and to provide more consistent bullet expansion.

Low Flash - These are cartridges that have been specifically loaded to reduce the visible muzzle flash when the gun is discharged.

Low Recoil/Managed Recoil - These are cartridges that have been specifically loaded with a lower powder charge to reduce the felt recoil when the gun is discharged.

LR - Long Rifle, as in .22 LR. This is the most common type of .22 ammuni-

tion. Before it became the industry standard, there was also the .22 Long and .22 Short, both of which are still available but not nearly as common.

LRN - Lead round nose. These bare-lead, unjacketed bullets are most common in revolvers and are mostly used for target shooting.

+P and +P+ - These are designators identifying ammunition as carrying a heavier than normal powder charge. Certain firearms are designed to fire +P and +P+ ammunition, but not all are. Always consult a gunsmith before using any ammunition not specifically designed for use in your particular sidearm.

SJHP - Semi-jacketed hollow-point.

SJSP - Semi-jacketed soft point. These are projectiles that look like a SJHP but without the hollow points, and are commonly used for big game hunting and self-defense when increased penetration is desired.

SPL - Special, as in .38 Special or .44 Special. Pay close attention, as cartridges marked "Special" are very different from other rounds with the same numeric designation but a different suffix, such as .38 S&W or .44 Magnum.

SWC - Semi-wadcutter. This is a type of bullet used mostly in target shooting but also for self-defense with hardened lead bullets.

SWHP - Semi-wadcutter hollow-point. These are bare-lead bullets with a hollow point; picture a SJHP but all lead. These are more common in the bigger-bullet, lower-velocity cartridges like the .45 Colt.

TC - Truncated Cone. This is kind of the autoloader version of a wadcutter, in that it has a flatter nose than a standard ball round.

TMJ - Total metal jacket. These projectiles are completely electroplated with copper so there is absolutely no exposed lead.

WC - Wadcutter. This is a flat-nosed, usually-unjacketed projectile common in revolver cartridges that is usually used for target shooting, but is also popular for self-defense in snub-nosed revolvers.

WMR - Winchester Magnum Rimfire. Also known as .22 Magnum or .22 Mag, it is a longer-cased .22 rimfire round. It is often used for target shooting and small game hunting, though some self-defense oriented sidearms are chambered for this powerful little round.

NOTE - There will be acronyms and terms that are used to describe proprietary technologies. GDHP, for example, refers to the "Gold Dot Hollow-Point" bullets loaded in some cartridges sold by Speer. These aren't exactly universal cartridge nomenclature; they're marketing tools and will often have an explanation on the box.





CHOOSE YOUR GEAR

Outfitting yourself is easier and more affordable today than ever before. From budget to premium, your gear is waiting for you.

After you choose a gun to carry, you need to carry it. Your carry gear and mode is just as personal a choice as your handgun and ammunition. You want your mode of carry to be convenient, comfortable and very discreet. With proper design and construction of the holster/carry system, even a full-size handgun can be carried comfortably and discreetly all day.

Carry modes vary from strong-side, back pocket, front pocket, shoulder, small-of-the-back, ankle, off-body carry in a purse, briefcase or fanny pack and just about anything in-between you can think of. For example, some people might carry the Ruger LC9 in 9mm in their strong-side front trouser pocket, with an extra magazine of ammo in the weak-side pocket. Others like strong-side hip carry for a full-size

1911 Government Model .45 under a jacket or shirt. Still others may prefer a weak-side shoulder holster for a short-barreled five-shot Smith & Wesson Chiefs Special in .38 Special caliber. It truly is a matter of personal preference.

Give thought to how you typically go through your day. Are you in your car a lot? If so, perhaps a shoulder holster might be for you. Are you usually in a coat and tie while at work? That might make it easier to discreetly carry a full-sized semi-auto pistol most of the time. Perhaps a small-frame semi-auto in .380 ACP or 9mm in a strong-side front pocket holster might fit the bill. Give

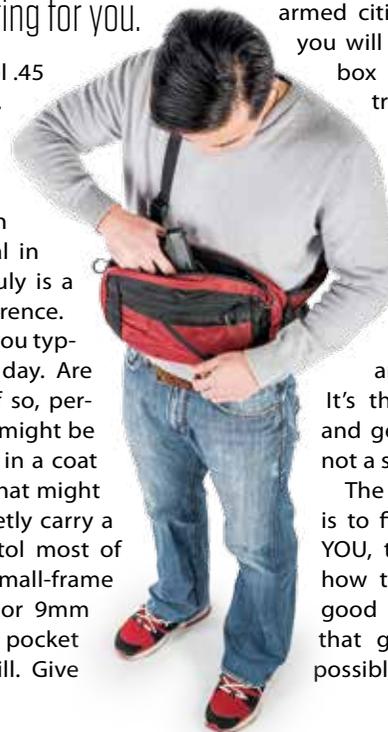
thought to your typical routine and how you dress; try out different carry modes, and go with what works best for you.

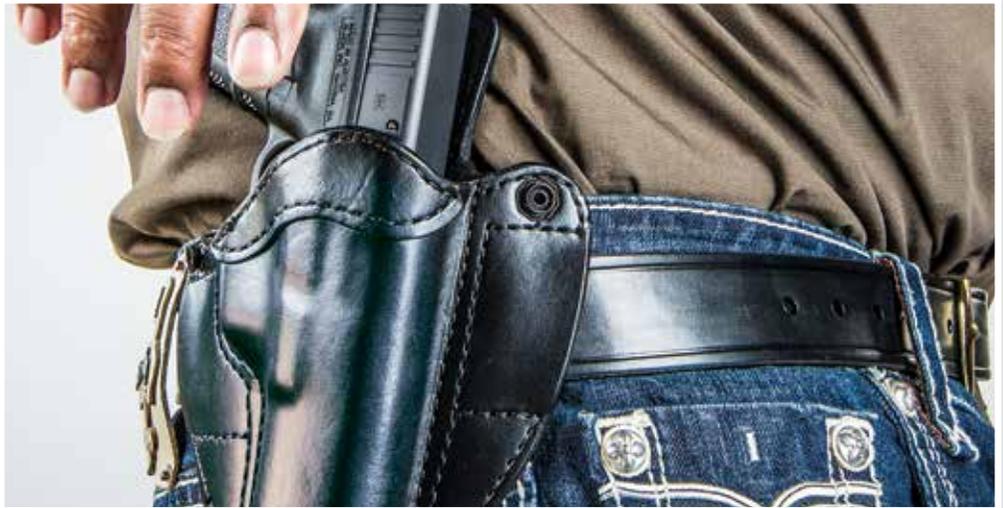
If you are like most responsibly armed citizens, after a while, you will have a drawer or a box with holsters you tried and retired for something else.

That's OK, because being a responsibly armed citizen is a journey as well as a destination. If we're lucky, we all learn and grow over time.

It's the same with guns and gear. It's an art form, not a science.

The important thing is to find what's right for YOU, to know when and how to use your gun to good effect and to carry that gun whenever it is possible to do so.





GLOSSARY OF HOLSTER TERMS

Holster shopping can be as confusing as gun buying until you know the ins and outs of it. Here are a few of the most-often used terms that will help you choose the holster that best fits your day-to-day carry needs.

APPENDIX

This is more of a carry position than a style of holster. An appendix carry is an inside-the-waistband holster that holds your sidearm in the front left or right side of your abdomen. These holsters hang from your belt or otherwise clip onto your pants and allow for an extremely fast draw.

BELT SLIDE

This is a very basic type of holster that slides onto the outside of the belt. Yaqui and Pancake holsters are of this type. When worn for concealed carry, they require a covering garment, such as an untucked shirt or a sport jacket.

HYBRID

These holsters are typically inside the waistband, but some outside-the-waistband varieties exist. They are constructed from more than one type of material, usually polymer and leather.

IWB

Inside the waistband. These holsters allow a concealed carrier to carry a holstered sidearm inside his or her pants, allowing for more discreet concealment.

OFF-BODY

This refers to carrying guns in purses, briefcases, backpacks and other manners in which the gun is not directly mounted to the clothing of the carrier. It is very important that when carrying off-body, the carrier remembers to use a holster rather than just dropping a loaded gun into a bag or pack.

OWB

Outside the waistband. These holsters mount to a belt and carry the gun on the outside of the pants, such as belt-slide holsters and Yaqui holsters.

PANCAKE

This is a type of OWB holster that uses the pressure created by the belt and the

holster itself to hold your gun in place. These types of holsters are typically inexpensive and can sometimes be used with more than one model of pistol or revolver.

POCKET

A pocket holster is a sheath into which you place your handgun and then place the holstered handgun into the pocket of a pair of pants or other garment. These are especially well suited to small and hammerless guns. It is extremely important that carriers use pocket holsters rather than simply drop a loaded gun into their pockets unsecured.

POSITIVE RETENTION

This refers to a holster that actively holds your gun and prevents it from being removed without intentional action other than simply pulling. These holsters are most common among uniformed law enforcement officers, though some private citizens prefer them from a security standpoint.

SHOULDER HOLSTER

Shoulder holsters are harnesses that carry a handgun on one side of the body and possibly spare magazines on the other. They are a very traditional style of holster and are well represented in Hollywood, but most concealed carriers find that shoulder holsters do not fit their needs as well as other types.

YAQUI

The Yaqui holster is a specific style of belt-slide holster that basically covers the trigger of a sidearm and not much else.



8 EVERY DAY CARRY

A reliable sidearm isn't the only piece of equipment you'll need to effectively defend yourself. When it comes time to stop a deadly threat, the sidearm is important but only part of the necessary gear.

Your everyday carry — or EDC — gear is the set of tools that you as a responsibly armed American carry every day wherever it is legal for you to do so. The core of your EDC will be a reliable sidearm and a quality holster in which to carry it, a powerful hand-held flashlight, extra ammunition in a magazine or speedloader, a cell phone, pepper spray or other less-lethal option and a good knife. This might seem like a lot to carry around, but with the correct holster and clothing choices, you'll find that your EDC will melt into your daily life as easily as your wallet and keys.

Armed self-defense isn't free, but it

doesn't have to be prohibitively expensive either. As far as sidearms go, there are perfectly serviceable autos and revolvers available for \$200 to \$300, and there really isn't a top end of the price range for sidearms. Quality tactical flashlights can be purchased in stores and online for less than \$30, and respectable knives and pepper sprays can be bought for approximately the same amount and sometimes even less. Don't worry about going all-out right away. Your tastes will likely change as you become more experienced, so you can expect to make some changes to your EDC as time passes.





WHAT ABOUT THE LAWS?

Concealed carry legislation is young and constantly evolving.

Until 1934, guns were unregulated in the United States. That was the year the National Firearms Act made it illegal to possess a machine gun unless a \$200 excise tax was paid to the U.S. Treasury. Interestingly, Congress did not attempt to prohibit the possession, manufacture or sale of machine guns, instead opting to discourage and thus limit their ownership through the federal government's taxing authority. In 1934, \$200 was the equivalent of about \$3,277 today. Why do it that way? Simply because at that time, few people — including lawyers, judges and legal scholars — questioned that the Second Amendment meant what it said about the right of the people to keep and bear arms not being infringed.

That changed when the Gun Control Act of 1968 (GCA68) passed in the wake of the John and Robert Kennedy and Martin Luther King, Jr. assassinations. To own a gun today, you must be a U.S. citizen or legal resident alien. Persons prohibited from owning firearms under GCA68 include:

- Those convicted of felonies and certain misdemeanors, except where state law reinstates rights or removes disability
- Fugitives from justice
- Unlawful users of certain depressant, narcotic or stimulant drugs
- Those adjudicated as mental defectives or incompetents or those committed to any mental institution and currently suffering a dangerous mental illness
- Non-U.S. citizens, unless permanently immigrating into the U.S. or in possession of a hunting license legally issued in the U.S.
- Illegal Aliens
- Those who have renounced U.S. citizenship
- Minors, defined as under the age of 18, with the exception of those in Vermont, eligible at the age of 16 (applies to long guns and handguns)
- Persons convicted in any court of a

misdemeanor crime of domestic violence

- Persons under indictment for a crime punishable by imprisonment for more than one year are ineligible to receive, transport or ship any firearm or ammunition.

As long as you are not in one of the prohibited categories, you are federally eligible to own firearms in the U.S. and to apply for a concealed carry permit in most states.

State and local laws regarding gun ownership vary. Most closely follow the federal requirements, but some do not. Check the law in your state for the particular requirements, and follow them scrupulously. For a complete listing of each state's attorney general and the specifics of gun ownership and CCW regulations, visit www.USConcealedCarry.com/travel/get-your-ccw-permit.

With new laws passed in Illinois, all 50 states now allow some form of concealed carry. Six states allow "Constitutional Carry" (concealed carry without a state-issued permit). Three of those states also allow citizens to voluntarily apply for a carry permit.

There are 41 states that are officially "shall-issue" states. In shall-issue states, the requirements for getting a concealed carry permit are laid down by law. If you meet the requirements, the state shall issue the permit. Your right to carry in these states cannot be thwarted by a lone bureaucrat.

In nine states, the laws are "may-issue." May-issue states also have a list of requirements laid down by law. When you meet these requirements, the state may issue your permit — or it may not, if the pertinent authorities decide not to. Two of these states are shall-issue in practice, but they are still technically may-issue by law. The District of Columbia recently transitioned to a "may-issue" situation, but legal wrangling within the district continues to make it very difficult for law-abiding citizens to acquire the proper permits.



GETTING YOUR PERMIT

If you live in a state that is shall-issue, your task is simple: find out the legal requirements for a concealed carry permit, meet them, apply for your permit and enjoy your new concealed carry privileges.

Shall-issue states typically have eligibility requirements pertaining to:

- Age
- Residency
- Substance abuse history
- Criminal history (felonies are an automatic disqualifier, as are domestic violence convictions)
- Firearms possession
- Training in the legal use of force, self-defense laws and marksmanship instruction

- Sometimes a requirement to demonstrate firearms proficiency

If you live in a may-issue state, getting a CCW is more difficult, and the outcome is far from certain. Most may-issue states have criteria similar to shall-issue states, but some do not.

Find out the requirements of your locality, try to meet them and hope you get your permit. If you don't, if your jurisdiction has an appeal process, and if you can afford it, appeal the adverse decision as far as the system and your resources allow.



11 CAN I CARRY EVERYWHERE I GO?

Knowing the law is as important as being able to hit your target.

Concealed carry permits are not recognized everywhere. The federal government and all states have places where they do not allow any firearms, much less concealed ones, regardless of the permits you have. The off-limits places usually include, but are not limited to, courtrooms, jails, police stations, school zones and the sterile area of airports. Every jurisdiction has its own rules.

Unlike a driver's license, states are not required to honor concealed carry permits issued by other states (although some states do have reciprocal agreements with other states that have similar laws). Because of this, and because

the off-limits areas differ from one place to another, you will need to be prudent when traveling outside your home territory.

The July 2011 issue of *Concealed Carry Magazine* ran an article that went into the subject of traveling armed in some depth. You can view that story here: www.usconcealedcarry.com/seeing-the-usa-while-legally-armed/.

An internet resource that includes thorough coverage of state laws governing concealed carry for all 50 states and the District of Columbia is HandgunLaw.US, found at www.HandgunLaw.US/documents/USRVCarCarry.pdf.

Thanks to the dramatic increase in the number of concealed carry permits over the past 25 years and rising public demand, as mentioned above, many states have established reciprocity procedures, allowing carry permits issued by one state to be honored in some other states. For example, 22 other states will honor a concealed firearm permit issued in Nevada. Nevada itself will honor both resident and non-resident carry permits issued by 15 other states.

The list of which states honor permits from other states (and which state's permits they will honor) is constantly changing. Before you travel outside your own state, you should always check to see if your carry permit is valid where you are going. You should also brush up on the rules of carry in that jurisdiction.

The USCCA maintains reciprocity information on their website at www.USConcealedCarry.com/travel. It is a powerful tool for you to use and is always available to reference prior to traveling across any state lines.

SOCIAL LIFE

Is the armed lifestyle for you?

Who do you tell about your defensive handgun? While many people might be understanding and supportive, many others might not share your enthusiasm for carrying a firearm for personal defense, and they might be uncomfortable, or even offended, by your carrying in their presence. Others might be unable to keep from talking about it and drawing unwanted attention to the fact that you're carrying.

It's usually a good idea to focus on the word concealed in the phrase "concealed carry" and choose to tell very few people that you routinely carry a pistol on or about your person almost every time you walk out your door. Your spouse or significant other will certainly know, and close friends may know, but you should keep the number of those in the know as small as possible. Most people don't need to know that you are carrying, and if a situation arises where its use is needed in their presence, they will find out soon enough.

This gives rise to another important social consideration of carrying a gun: What should family and friends do should you need to use your gun when you are with them? Unless you and they are properly trained in advance of the event, their presence can needlessly complicate things at best, and lead to possibly tragic results at worst. The short answer to this problem is: *The one with the gun is in command.* You should intend to only draw your weapon in dire emergencies, when there is no other choice except to use the gun or see yourself or other innocents die or be seriously harmed. Your spouse, children and close friends should know to do what you tell them in such situations, and to get out of the way and under cover and stay there until you tell them otherwise.

Another important topic is your social contacts after a defensive gun use. This is the confrontation with the criminal justice system discussed earlier. You've defended your life with a gun, and the police have you in custody. Your one phone call is to your spouse. Does he or she know what to do in that situation? A full discussion of this topic, though of vital importance,



is outside the scope of this survey report, but it is of such importance that it should commend to your attention the serious, deep and frequent study of the legal aftermaths of a defensive shooting.

For now, give serious and sober thought to what you will do in the immediate aftermath of a defensive shooting. For example, what should you say when you call the police? Do you need to call an attorney? Should you ask your attorney to come to the scene? Probably most important is: Do you have an attorney lined up ahead of time that you can call as needed? The very worst of all possible times to look for a lawyer is when you are sitting in a jail cell after successfully defending your life with a gun. You need to think about it NOW, when you are calm, when your life and freedom are not in jeopardy and when you can take your time, ask for advice and study the available literature (there's plenty out there!). You should study the products on the market designed to aid you in this very situation (including paying legal fees)

and choose the one that best meets your needs and your purse, all in the quiet of your own home with no pressure on you at all. After all, how will you pay the legal expenses associated with even a righteous shooting — one where you are not criminally charged or sued civilly after the fact? The United States Concealed Carry Association can help. Our Self-Defense SHIELD benefit includes an insurance policy that designates its members as beneficiaries.

No individual underwriting is required. The USCCA owns and pays for the policy while its members automatically get the benefits. This liability policy is underwritten by the Savers Property and Casualty Insurance Company, a subsidiary of the Meadowbrook Insurance Group. Meadowbrook Insurance Group, Inc. and its insurance company subsidiaries have been rated A- (Excellent) by A.M. Best Company. In 2010, Meadowbrook Insurance Group, Inc. wrote \$801,900,000 in policies. See more information at www.USConcealedCarry.com/membership/.



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TIPS FOR TRAVELERS

Flying with your sidearm is legal, but it can present its own challenges. It is imperative that you know and understand all laws and regulations surrounding traveling with a gun.

O K, I know that a pistol must be in a secure case with a TSA-approved lock in order to fly with it in checked baggage.

My question is this: Is there a section stating that ammo can also be in that same secure case with the pistol? Can the ammunition be in a loaded magazine, or does it have to be in its original packaging? Would a GunVault or similar device be sufficient?

Art, via email

Art,

Perhaps not surprisingly, the Feds are a little ambiguous on this one. According to the TSA website (www.tsa.gov/traveler-information/fire-arms-and-ammunition), "Travelers must securely pack any ammunition in fiber (such as cardboard), wood or metal boxes or other packaging specifically designed to carry small amounts of ammunition. Firearm magazines and ammunition clips must be securely boxed or included within a hard-sided case containing an unloaded firearm. Small arms ammunition, including ammunition not exceeding .75 caliber for a rifle or pistol and shotgun shells of any gauge, may be carried in the same hard-sided case as the firearm, as long

as it follows the packing guidelines described above."

So even though I would consult the website personally and possibly make a phone call to a TSA agent or a 2A attorney, it certainly seems that you would be within your rights to transport loaded magazines in the same lockable hard-sided case as you are transporting the unloaded firearm — provided that they are packed "in fiber (such as cardboard), wood or metal boxes or other packaging specifically designed to carry small amounts of ammunition."

That said, I will be packing my ammunition in original factory boxes simply to streamline my travel and minimize my chances of running afoul of a TSA agent who maybe hasn't done his or her homework.

Stay safe,
Ed Combs
Associate Editor
Concealed Carry Magazine





» A locking hard case is required whenever transporting a firearm in checked baggage onboard a commercial aircraft. Be prepared to demonstrate to the gate agent that the pistol is unloaded and that any ammunition is properly stored in accordance with TSA regulations.

SITUATIONAL AWARENESS AND CONFLICT AVOIDANCE



Staying alert and focused is the top priority.

There is a phrase that you will hear again and again from the USCCA: "It's better to avoid a fight than to win one." What this means is that it's better for you to keep your head about you, pay attention to your surroundings and be able to avoid trouble than it is for you to be able to shoot your way out of a life-threatening attack.

With proper situational awareness and conflict avoidance skills, you can usually skate around situations less-aware individuals might have to shoot their way out of.

PAY ATTENTION

Just as the door only works if you lock it, your brain and eyes only work if you use them. Make sure that you're alert and watching your immediate area. Don't let clothing, eyewear or personal electronics block your vision or distract you from being able to see and hear your surroundings.

WATCH WHO'S WATCHING YOU

Predators size up their prey before attacking. This is true for crocodiles and sharks, and it's true for violently predatory humans. Be aware of who is watching your movements, and if you notice that someone is watching, make eye contact so this person knows that you know he or she is watching you.

WHEN IN DOUBT, GET OUT

Conflict avoidance means just that: avoiding conflict. If you feel that you might be in physical danger, you need to do what you can to change that. If you feel like someone is following you, walk into the next open business or move to the opposite side of the street. Make sure whoever is following you knows that you see him or her, and if this person begins to approach, shine your flashlight in his or her face and tell the person to get away.

DON'T GO ANYWHERE WITH YOUR GUN YOU WOULDN'T GO WITHOUT YOUR GUN

This is one of the most important realities of the armed lifestyle: Your sidearm isn't a substitution for good common sense. Your gun is not magical, and your permit to carry doesn't make you a superhero. Your capacity to avoid trouble and the level of awareness you're willing to maintain will be measures of your success as a concealed carrier, not how quickly you can execute the draw and how many bullets you put into the 10-ring.





» When selecting victims for street assaults, criminals watch for inattentive individuals. Consciously paying attention to your surroundings and who is watching you is just as important as carrying a gun.

WHAT TO SAY TO THE POLICE IF YOU ARE FORCED TO DEFEND YOURSELF WITH A GUN



In the event that you are forced to defend yourself from a lethal threat with your firearm, the next few moments are extremely important.

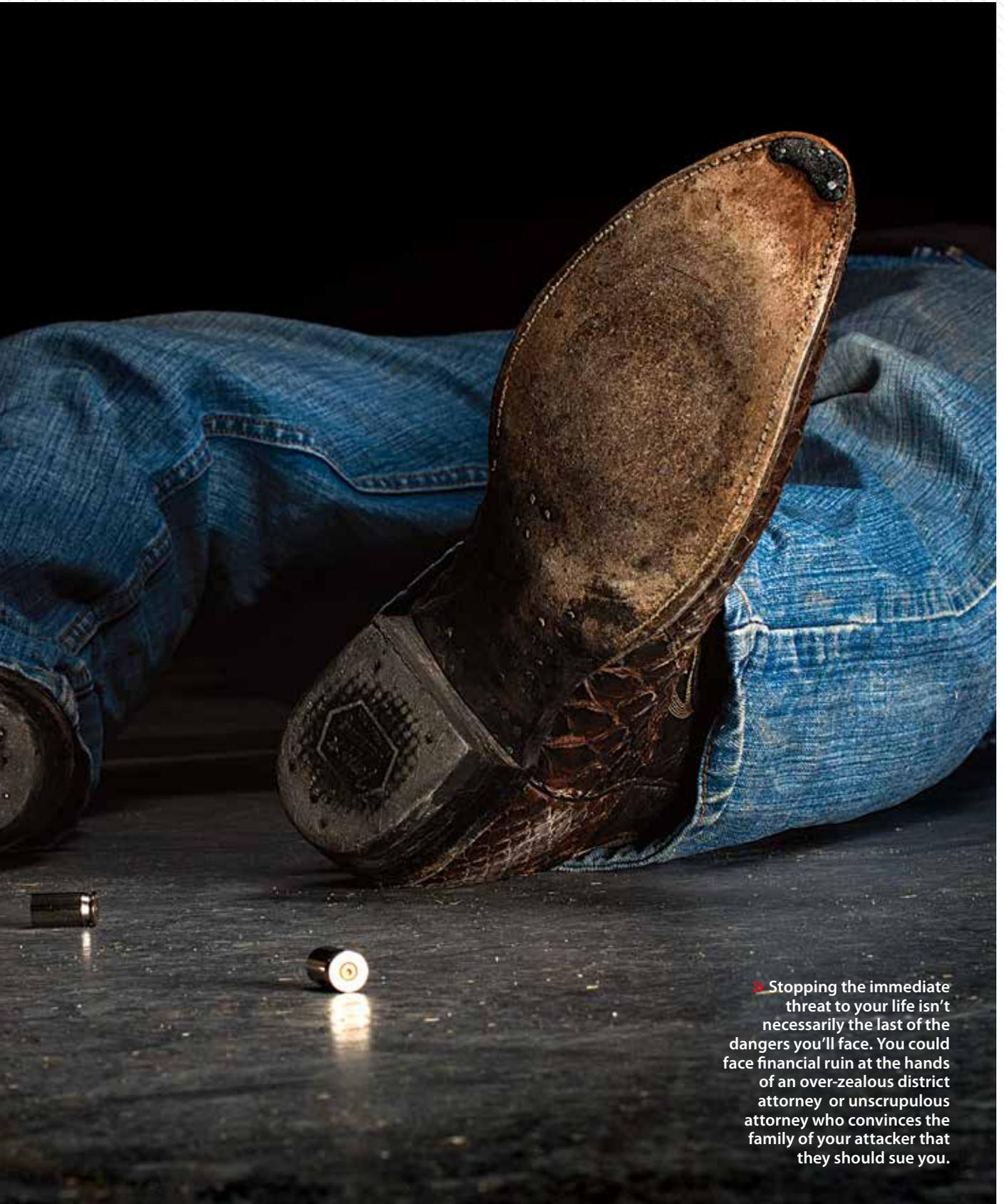
Some individuals claim that the best thing to do after you're forced to shoot in self-defense is to "not say a word until your lawyer is present." This is a recipe for disaster. If you are forced to defend yourself, and you are forced to do so by even just drawing your gun, you need to dial 911 immediately and report exactly what happened to police. In the vast majority of cases, the first party to contact law enforcement is seen by the justice system as the victim, so make that call right away.

After the police arrive, it is imperative that you no longer be holding your gun and that you physically cooperate with them in every way. You will likely be handcuffed, and you might even be placed in a police car until the law enforcement officers can physically secure the scene of the shooting and figure out what happened. Here's where what you say and how you say it become so consequential.

As soon as you have the opportunity, you need to alert responding law enforcement that you were attacked with deadly force, that you were in fear for your life and that you shot because it was your only course of action to prevent the loss of life. Point out evidence, point out witnesses and never forget that law enforcement officers are tired, overworked and can miss things. Point out those cartridge cases on the ground, because the EMT who's coming in to see if you're hurt might kick them away otherwise. Point out the witnesses who recorded the shooting on their cell phones, because they might not just walk up out of the crowd and volunteer to tell the police what they just saw.

After you've given the law enforcement officers the bare bones of what happened — you were attacked with deadly force, in direct fear for your life and responded accordingly — you need to tell them that you intend to cooperate fully but will need to have a lawyer present to say any more than you already have. Remember: If cops are forced to shoot someone, they're spirited away from news cameras and given time to cool down and collect their thoughts before telling their side of the story; you need to do the same.





» Stopping the immediate threat to your life isn't necessarily the last of the dangers you'll face. You could face financial ruin at the hands of an over-zealous district attorney or unscrupulous attorney who convinces the family of your attacker that they should sue you.



16 TRAINING CHECKLIST

To respect your instructor's time is to respect your instructor, and whenever you head off to a class, it's important that you remember everything you'll need on hand in order to maximize the experience.

Few feelings are as frustrating as arriving at your destination and realizing that something you needed to bring with you was sucked into your kitchen table, garage floor, home entryway or other such shooting gear black hole. I was well into my 20s before I finally acquiesced to the reality of the human condition: I needed to use a checklist whenever I was attempting to leave my residence and accomplish anything beyond locking the door behind me.

But, hey, there's no shame in that. In fact, in-hospital deaths were reduced simply by having surgeons employ simple checklists before and during surgery, so there's no rea-

son why you can't streamline your shooting and training through the addition of a training or range checklist.

Depending on your circumstance, there will be other class-specific gear that you'll include, but this list covers the bare-bones quantity of equipment that should accompany you to any training seminar or even just to the range.

Ed Combs

Associate Editor, *Concealed Carry Magazine*

✓ Proof of registration for the class you are attending and required class materials as designated by instructor

- ✓ Eye and ear protection with backups
- ✓ Brimmed hat and shooting gloves
- ✓ Gunshot-specific emergency first aid supplies
- ✓ Firearm with which you intend to practice and, if you have one, a backup
- ✓ Ammunition for this gun and extra magazines
- ✓ Multi-tool and cleaning rod for basic maintenance and barrel-clearing
- ✓ Targets and staple gun, thumbtacks, or whatever you use to affix targets to backstop
- ✓ Notebook or shooting journal with extra pens or pencils
- ✓ Extra batteries for lasers or weapon lights
- ✓ Permanent marker for target identification
- ✓ Seasonal items (sunscreen, insect repellent, warm clothing, raingear, etc.)
- ✓ Lunch (if applicable)
- ✓ Water

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GUT CHECK: WILL YOU BE ABLE TO PULL THE TRIGGER?

Simply owning and carrying a firearm is only half of the equation. The other half is mental, and it's a decision you need to make before walking out the door with a gun on your hip.

Are you prepared to kill another human being in order to defend yourself or a loved one? Carrying a concealed weapon for self-defense is not for everyone. It is definitely not for the faint of heart — and using it is even less so! Deadly force should be your last resort, an action you take only when nothing else will work, and only when you're faced with the imminent threat of death or grievous bodily harm. Deadly force is called deadly because by its very nature, it is likely to kill the attacker. The point of deadly force is actually not to kill, although that might be the outcome of its use. It is meant to STOP a criminal attack that might reasonably be seen as likely to cause death or great bodily harm if it is not defended against.

If you defend yourself with a gun or any other deadly weapon, you might kill or maim someone. No normal person wants to take a human life (which is one of society's greatest taboos), but all normal people want to stay alive as long as possible. Sometimes, using deadly force is the only way to save your own life or the life of someone you love!

The time to think about your ability and willingness to take a life is before you take up a gun for self-defense, when you can consider it in the quiet of your home, with ample time to ponder it and ask questions of yourself and others. All those things will be time and effort well spent as you contemplate actions that will be life-changing for you and for the criminal — if he survives.

SCENARIO #1

A wanted parole violator armed himself with a knife and tried unsuccessfully to rob a man in a car in the parking lot of a Royal Oak, Michigan, convenience store. Scared off by someone shouting at him from a nearby vehicle, the knife-wielding bad guy turned on a young couple with a baby and demanded money. Hearing the commotion, a CCW holder in the parking lot drew his weapon and confronted the would-be robber, ordering him to drop the knife. The robber reluctantly complied, and the armed citizen successfully held him at gunpoint for police. Investigators praised the armed citizen for his quick action.

SCENARIO #2

A Conway, South Carolina, convenience store owner was leaving his closed store one night when he was accosted by a man brandishing a gun and demanding money. The owner pulled his own legally-carried pistol, and in the ensuing exchange of gunfire, killed the 29-year-old robber, who had a long criminal record. The robber's female getaway driver was arrested and charged with attempted murder and attempted armed robbery. Authorities ruled the shooting by the store owner justified.



ARE YOU WILLING TO ACCEPT THE CONSEQUENCES?

If you are forced to defend yourself with lethal force, you can unfortunately expect things to get worse before they get better.

Self-defense with a gun is a fight for survival. The stakes are, literally, life and death. Nothing less justifies using deadly force. But no one really *wins* a gun fight. The best you can do — the very best you can hope to achieve in a defensive gun situation — is to keep what you have: your life, your well-being and the lives and well-being of your loved ones. There will be consequences of your use of deadly force for self-defense, even if it is successful. One of those consequences is having to live the rest of

your life knowing you've seriously injured (or taken the life) of someone. There can be serious criminal and civil consequences for even the most justified of self-defense shootings. These consequences can best be summarized by observing that there are three separate and distinct problems associated with defensive gun use:

1. **Surviving the gun fight**
2. **Surviving the criminal justice system**
3. **Surviving the civil justice system**

Surviving the gun fight might be the easiest of the problems, but it is by far the most important. If you don't survive, there's nothing else for you to worry about — at least not in this life. That makes surviving the gun fight **Problem No. 1**. You do that by 1) being a responsible gun owner, 2) being a responsible gun carrier, and 3) working diligently to achieve a level of skill with your arms so that you are in the best possible position to prevail if ever you must struggle for your life with a firearm.

THE BEST YOU CAN HOPE TO ACHIEVE IN A DEFENSIVE GUN SITUATION IS TO KEEP WHAT YOU HAVE: YOUR LIFE, YOUR WELL-BEING AND THE LIVES AND WELL-BEING OF YOUR LOVED ONES.



SURVIVING THE CRIMINAL JUSTICE SYSTEM

C O U R T H O U S E

You will almost certainly deal with the police after a defensive gun use. They will in all likelihood respond to the scene of the shooting, and they will treat it as a crime scene. They will treat you as a criminal suspect, until and unless they determine differently.

You will likely be handcuffed, you might spend a night (or more) in jail, and you will most definitely need to explain and defend your actions to the criminal justice system: the police, prosecutors and possibly a jury of your peers. How well you do that, and the resources you

might or might not have at your disposal to help you through that process, will have a huge impact on the rest of your life.

Even the most justifiable shootings can be cast in a bad light by sloppy police work, anti-gun prosecutors looking to make a name for themselves by hanging your scalp on their belt or by *you* if you cannot convincingly articulate why you resorted to deadly force at that place and time. If the police or prosecutor decides criminal charges against you are appropriate, you must defend those charges.

Even a losing criminal defense is expensive, and even bad lawyers don't work cheap! The average criminal defense costs around \$100,000 — and it can be **much** more, depending on the nature and complexity of your case.

While a defense of criminal charges might not be necessary in your case, it might well be too. These things can never be predicted in advance, but they must be thoroughly considered before you decide to carry a gun concealed for self-defense and in advance of your pulling the trigger.



SURVIVING THE CIVIL JUSTICE SYSTEM

Have you ever heard the common warning, “If you shoot someone, you WILL get sued!”? Unfortunately, this statement is not far from the truth. Assuming you survive the gunfight and your encounter with the criminal justice system, the criminal or his surviving family might sue you for using a gun to defend yourself.

If you **are** sued, you must defend the suit or you lose by default.

The standard of proof

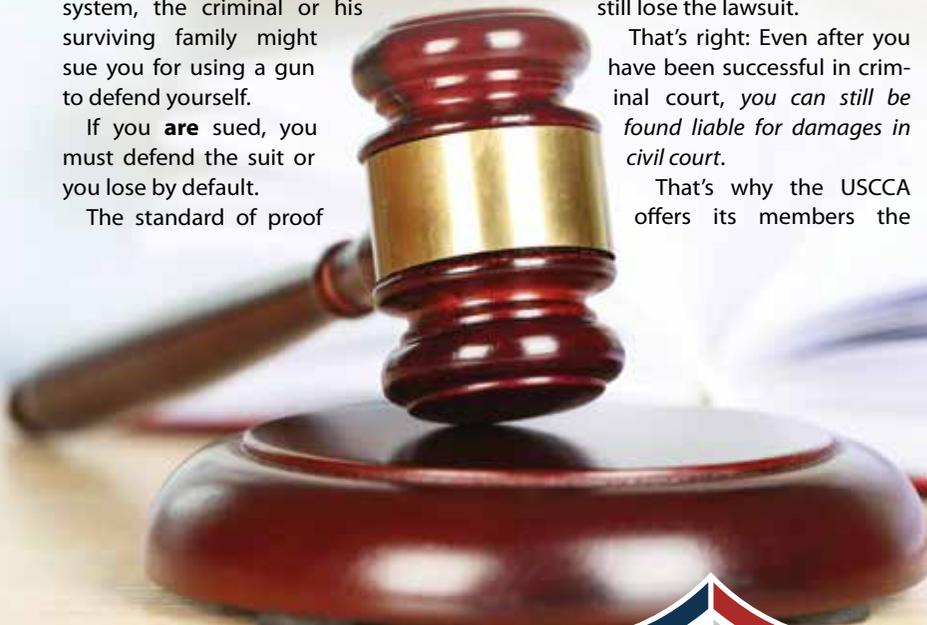
required to win a civil suit is not *beyond a reasonable doubt* like it is in a criminal trial. No! It’s by a preponderance of the evidence, which is a **much lower** standard. That means that even if you survive the criminal trial unscathed, you could still lose the lawsuit.

That’s right: Even after you have been successful in criminal court, *you can still be found liable for damages in civil court.*

That’s why the USCCA offers its members the

Self-Defense SHIELD benefit — insurance-backed protection that provides upfront funding to find and retain a qualified lawyer who can defend your good name and your livelihood.

Keep in mind that the full legal aftermath of a defensive gun use, with its range of possibilities and how to prepare for them, is beyond the scope of this article. Still, it is something you **must** consider — and consider well — as you think through and decide whether or not carrying a concealed weapon is the right choice for you.



If you’re forced to use a weapon in defense of yourself or your loved ones, the USCCA does not want to see you become a victim of the courts. That’s why they’ve developed an insurance-backed benefit called Self-Defense SHIELD. Depending on your level of membership, this benefit will provide you with upfront funding to find and retain an experienced attorney who will work hard to protect you.

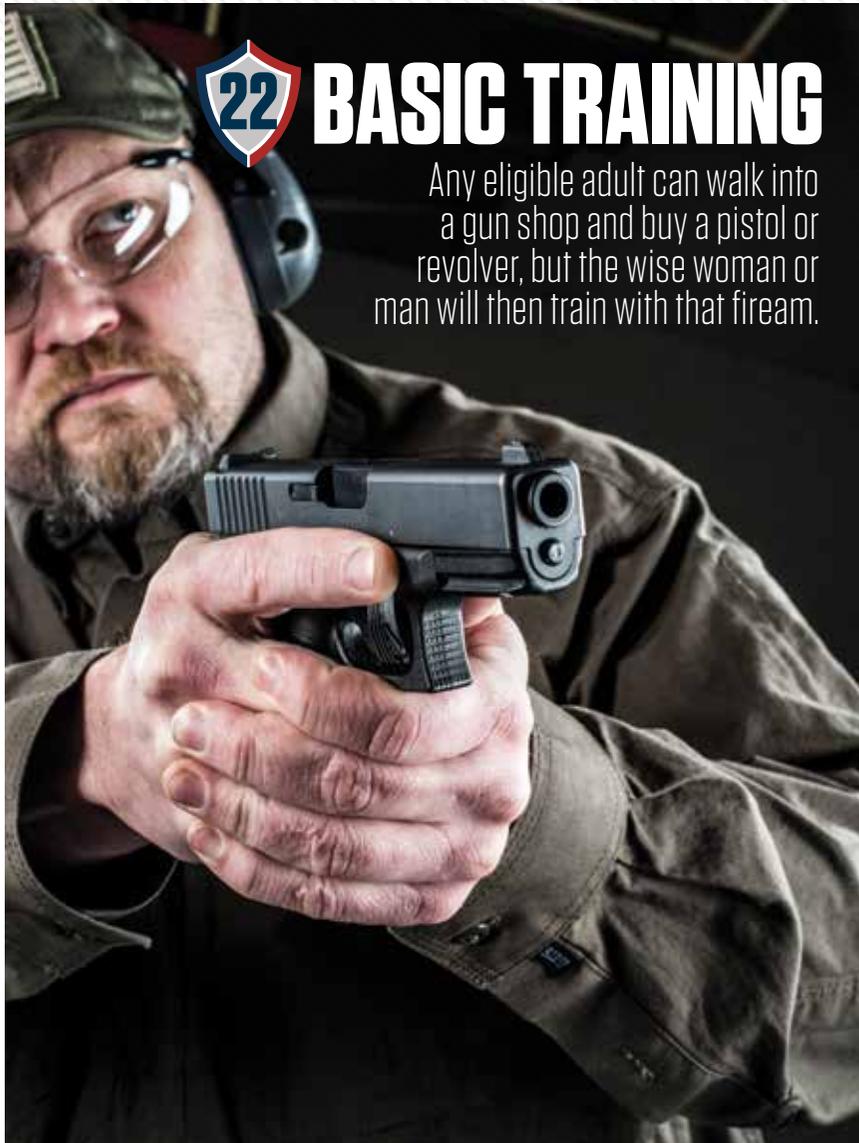
You can learn more about Self-Defense SHIELD at www.USConcealedCarry.com.



The responsibly armed citizen trains in the use of firearms. When you are a responsibly armed citizen, you maintain a high level of skill at arms. You study tactics and laws about use of force and self-defense. You learn to stay aware of your surroundings so you can avoid trouble or deal with it promptly and effectively if you need to. A responsibly armed citizen is not a law enforcement officer with a duty to deter crime and seek out and apprehend criminals. That's not the goal! The goal is to defend innocent life: your own life and the lives of those you love. As a responsibly armed citizen, you know that guns should never be brandished without need. You know you will draw the gun only when you genuinely need to do it, and that if you do need to use it, you will use it decisively and effectively, and only as much as necessary. Carrying a concealed firearm for self-defense is both a citizen's most basic right and most awesome responsibility. If, after careful consideration and study of the matter, you are not sure it is right for you, you should not do it.

ARE YOU A RESPONSIBLY ARMED CITIZEN?





22

BASIC TRAINING

Any eligible adult can walk into a gun shop and buy a pistol or revolver, but the wise woman or man will then train with that firearm.

www.USConcealedCarry.com.

Another good goal is to learn the laws about self-defense well enough that you easily — almost reflexively — recognize situations where you are legally entitled to use deadly force. When you read the news, look for stories of violent crime. When could the victim have legally defended himself with a firearm? When could he not? What elements in the story would need to change to make deadly force appropriate and legal for the victim?

You will also want to become well-trained in situational awareness. This will help you recognize potential threats before they happen. When you see a problem coming, you can take action to AVOID a confrontation if at all possible.

This necessary level of skill comes only from study and practice at the hands of people who have themselves studied and practiced for a long time. For the responsibly armed citizen, such training never ends. There's always more to learn. Laws about self-defense change at the whim of legislatures and judges, and you must stay abreast of those changes. Maintaining your physical skills and your knowledge of the law is the duty you take up when you decide to carry a gun for the defense of yourself and your loved ones.

Finding a trainer is not difficult. A web search or telephone book will yield many in your area. Finding a good one is a little harder. Check the gun store where you bought your firearm to see if they offer courses in self-defense and handgun tactics. Ask around at your gun club or shooting range. You can even ask local police for suggestions.

Check gun magazines for ads and training reports for nationally recognized firearms instructors. The trainers featured in those ads and magazines have national reputations for a reason, and instruction from them is usually well worth the price. "You get what you pay for," is as true in the gun world as anywhere else, and getting good training in gun-handling skills is more important than in almost any other endeavor. The USCCA is friends with some of the top trainers in the country and has recently launched its own Firearms Instructor Program. Check out www.USConcealedCarry.com for more information.

Most states require some level of training before they will grant you a license to carry a concealed handgun. That training typically teaches safe gun handling, basic marksmanship and local laws about self-defense. The class teaches students where guns may and may not be legally carried. Many, but not all, states also require you to demonstrate that you can safely fire a gun.

This state-required training should be regarded as the beginning — not the end — of learning what you need to know. Permit-related training will familiarize you with the basics of handgun operation and use. It will give you a nodding acquaintance with self-defense laws, but it will

not make you a responsibly armed citizen.

So, then, to become a responsibly armed citizen, what's a good goal? Try this: with your carry gun, shoot accurately (keeping all rounds fired in the center of mass of a man-sized target) out to at least 25 yards. Can you do it? Can you do it with your strong hand only? What about with your support hand only (in case you are wounded in one hand)? This might sound hard to believe, but you have to prepare for anything. You have to be ready to defend your loved ones when they need it. If your "shooting hand" is injured, you have to be ready to fire with your less dominant hand. To see articles and videos that will help you prepare for this situation, visit



23 WHAT YOU MUST DO NOW!

If you don't do anything else recommended in this report, do these three things:

1. Get good professional instruction in firearms tactics and practice regularly with your carry gun.
2. Study the rules of self-defense and use of lethal force in your area.
3. Make adequate arrangements ahead of time for the criminal and civil aftermath of a defensive shooting, including identifying and retaining an attorney who will advise you and defend you in court if needed and securing one or more of the products on the market for meeting and paying for those legal needs.

As you start your journey to becoming and staying a responsibly armed citizen, range buddies and friends from shooting clubs and gun-rights organizations can be good sources of information and support. They can point you to good training sources in your area, and they can keep you from reinventing the wheel in many ways. You still must do your own due diligence to make sure their advice will work for you. There are numerous internet sites catering to the needs — serious and social — of CCW holders and gun enthusiasts in general. The U.S. Concealed Carry Association has a wealth of pertinent information available with membership, and much advice is also free for the taking from our website at www.USConcealedCarry.com.



HELPFUL RESOURCES

A good starting point for your armed self-defense journey is the United States Concealed Carry Association (USCCA). The USCCA's mission is to educate, train, equip and insure responsibly armed citizens across the country. To access top-notch concealed carry resources and to find out how you can become the most prepared protector you can be, visit the USCCA at www.USConcealedCarry.com. You might also be interested in learning more about *Concealed Carry Magazine*, the ultimate resource for responsibly armed Americans. Become a subscriber at www.ConcealedCarry-Magazine.com.



“WHEN SECONDS COUNT,
THE POLICE ARE MINUTES AWAY...”



YOU NEVER KNOW WHEN YOU MAY BE FORCED TO DEFEND YOUR FAMILY...

After you defend yourself or your family with your gun, you'll be forced to defend yourself again...in the courtroom! Your USCCA Membership will give you peace of mind knowing every decision you make—before, during, AND after a self-defense incident—is the *right decision*.

You shouldn't have to worry about your justified acts of self-defense costing you and your family everything you've worked for. The USCCA provides up to \$1,100,000 in legal and financial protection to tens of thousands of responsibly armed Americans *just like you* who will do whatever it takes to ensure the ultimate protection of their loved ones.

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Private Security/Private Investigator/Bail Bond Recovery Agent
STUDY GUIDE

Firearms Certificate Program



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These materials are intended to assist the private security guard, bail recovery agent, or private investigator in preparing for the firearms certificate program. They are provided by the Washington State Criminal Justice Training Commission pursuant to RCW 18.165, 18.170, 18.185, 43.101 & WAC's 139-30, 139-33, 139-35, & 139-37.

While this study guide addresses the use of force, deadly force, and firearms, it is not legal advice. The explanations contained in this guide have been reviewed by an attorney and have been stated as clearly as possible. Unfortunately, the law and its interpretation by the courts are not always so clear-cut. Also, statutes and rules based on court decisions may change over time. While periodic revisions to this study guide will be made as the statutes and decision-based rules change, care must be taken by the user to learn of revisions of applicable law. You should consult with your own attorney to obtain legal advice. It is recommended that employers have this study guide reviewed by their own legal counsel.

**19010 1st Avenue South
Burien, WA 98148**

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Updated Revision March 2017

Updated Revision September 2018

INTRODUCTION

In 1991, the Washington State Legislature, with the support of the private security industry, enacted several bills requiring the licensing of both private security guards and private investigators. Those licensed guards and investigators who carry firearms in the course of their jobs are also required to have a firearms certificate from the Washington State Criminal Justice Training Commission, and to recertify each year. This firearms certificate qualifies you for a special armed private security guard, armed private investigator license, or armed bail recovery agent license.

This firearms certificate program in which you are participating is an eight-hour program, and the renewal program is a four-hour program. According to law, you may not carry a firearm in the performance of your duties until you have been issued an armed private security or armed private investigator license. There is no temporary provision in the law; even successful completion of this certificate program does not allow you to perform your duties armed. You must possess an armed private security guard, armed private investigator, or armed bail bond recovery agent license before carrying a firearm while working.

This certificate program is a combination of instruction and testing. It is not intended to be a basic firearms or marksmanship course - you or your employer should have provided weapon handling and marksmanship training prior to this certificate program. Since the study materials have been sent to you prior to the training, you will be able to study and master the written material which will be presented and tested, and the skills and shooting abilities required.

Here are the program requirements:

- You must be certified with the type of firearm(s) you will carry or use.
- All written questions must be answered correctly - that is, 100% is required to pass (You are allowed to use your notes and discuss your answers with the instructor).
- You must successfully demonstrate all firearm-handling skills required - this is a pass/fail test and failure to demonstrate proficiency will result in failure of the certificate program.
- You must successfully complete the firing qualification.
- Your employer must initiate the firearms certificate program and application, but the firearms certificate is issued in the name of the individual guard, investigator, or recovery agent.
- Any safety violation that you commit during the training of the certificate program may result in failure.

The instructor will provide you with clear rules and instructions as you proceed through this certificate program. In order to maintain safety both in the classroom and on the range, the instructor has absolute authority in regard to how you handle any firearm.

Failure to comply with the instructor's commands may result in dismissal from the certificate program. If you witness unsafe range practices by the certifying instructor, you should advise the instructor of your concerns immediately. If the instructor does not provide an acceptable explanation or response, remove yourself from the range and notify the Washington State Criminal Justice Training Commission as quickly as possible.

If you fail this certificate program, your employer may enroll you in future certificate programs. There is no limit to the number of attempts at the certificate program. It is the responsibility of the employer to provide whatever training is necessary to successfully accomplish this firearm certificate program.

Review of Test Questions

You may not perform the duties of an armed private security guard, armed private investigator, or armed bail bond recovery agent while waiting for your armed license to be issued by the Department of Licensing.

You must be certified with each firearm that you will use on the job. A change in the type of firearm you use requires qualification on that firearm and submission of update to WSCJTC.

The instructor has absolute authority over the handling of firearms during this certificate program.

CHOOSING TO CARRY A GUN

Choosing to carry a gun as a security guard, investigator, or recovery agent is a personal choice that you must make. Your employer does not make this decision for you. You must decide if:

- You are willing to shoot and possibly kill someone who threatens your life or the life of another person who is with you;
- You are capable of making the on-the-spot decision to use deadly force;
- You thoroughly understand the law on the use of deadly force;
- You are able to live with your decision after injuring or killing someone.

If you have doubts about any of these issues, then you are not prepared to carry a gun in the performance of your job. You must resolve any questions you have about your willingness and ability to use deadly force before you carry a gun. If you fail to make these important decisions now, you will jeopardize your own life, and the lives of other people with whom you work. You cannot view the gun as just a threat that you will not actually use. You must be willing to take another's life if the situation requires this action.

Review of Test Questions

The decision to carry or use a gun is a personal choice that is made by you.

Before carrying a gun, you must thoroughly understand the law on the use of deadly force.

USE OF LESS-THAN-DEADLY FORCE
by a Security Guard, Bail Bond Recovery Agent, or Investigator

This certificate program deals primarily with the use of firearms, and thus, deadly force. The use of deadly force by a guard, investigator, or recover agent is likely to occur during the confrontation or apprehension of a suspect, or in defense against an attack. In such situations, the law allows the use of necessary force, but it is important to note that deadly force is not permitted except as a last resort.

In order to understand when deadly force can be used, it is necessary to first understand when less-than-deadly physical force or restraint is permitted. Here is the statute that addresses the use of less-than-deadly physical force:

RCW 9A.16.020, "Use of Force - When Lawful"

"The use, attempt, or offer to use force upon or toward the person of another is not unlawful in the following cases:

- (1) Whenever necessarily used by a public officer in the performance of a legal duty, or a person assisting the officer and acting under the officer's direction;
- (2) Whenever necessarily used by a person arresting one who has committed a felony and delivering him or her to a public officer competent to receive him or her into custody;
- (3) Whenever used by a party about to be injured, or by another lawfully aiding him or her, in preventing or attempting to prevent an offense against his or her person, or a malicious trespass, or other malicious interference with real or personal property lawfully in his or her possession, in case the force is not more than is necessary;
- (4) Whenever reasonably used by a person to detain someone who enters or remains unlawfully in a building or on real property lawfully in the possession of such person, so long as such detention is reasonable in duration and manner to investigate the reason for the detained person's presence on the premises, and so long as the premises in question did not reasonably appear to be intended to be open to members of the public;
- (5) Whenever used by a carrier of passengers or the carrier's authorized agent or servant, or other person assisting them at their request in expelling from a carriage, railway car, vessel, or other vehicle, a passenger who refuses to obey a lawful and reasonable regulation prescribed for the conduct of passengers, if such vehicle has first been stopped and the force used is not more than is necessary to expel the offender with reasonable regard to the offender's personal safety;
- (6) Whenever used by any person to prevent a mentally ill, mentally incompetent, or mentally disabled person from committing an act dangerous to any person, or in enforcing necessary restraint for the protection or restoration to health of the person during such period only as is necessary to obtain legal authority for the restraint or custody of the person."

In addition to the above lawful uses of force, RCW 9A.16.080 specifically allows a peace officer, merchant, or his authorized employee or agent to detain a suspect, "...in a reasonable manner and for not more than a reasonable time to permit such investigation or questioning..." if there exists, "...reasonable grounds to believe that the person so detained was committing or attempting to commit theft or shoplifting..." This lawful use of force is limited to the premises or immediate vicinity where the suspected theft took place. The law allows the detention for suspected shoplifting no matter what the value of the merchandise. Thus, shoplifting is one situation where you are allowed to detain a suspect for a misdemeanor crime.

While these statutes address many specific situations, the basic rule is that a citizen may use only that minimum level of force necessary to:

1. Arrest a person you know has committed a felony;
2. Protect yourself or another from assault or injury;
3. Prevent theft or property damage;
4. Detain a trespasser for the purpose of investigation; or
5. Detain a suspected shoplifter.

Since this is not a course in what constitutes "reasonable cause," you should request additional training and clarification from your employer if you have doubts or questions about when you can confront, question, detain or arrest a suspect.

Review of Test Questions

You may use only reasonable and necessary force to protect property or lawfully detain a suspected criminal.

USE OF DEADLY FORCE

As explained above, the law allows a private individual to use necessary and reasonable force to arrest a felon, detain a shoplifter or trespasser, and protect life or property. The law does not generally allow an individual to use deadly force for these purposes.

Washington law allows the use of deadly force by a peace officer, under the provisions of 9A.16.040. Private security guards, private investigators, and bail bond recovery agents are not peace officers and the situations in which they may use deadly force are set forth in RCW 9A.16.050:

RCW 9A.16.050 Homicide - By Other Person - When Justifiable

Homicide is also justifiable when committed either:

- (1) In the lawful defense of the slayer, or his or her husband, wife, parent, child, brother, or sister, or of any other person in his presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or
- (2) In the actual resistance of an attempt to commit a felony upon the slayer, in his presence, or upon or in a dwelling, or other place of abode, in which he or she is.

An argument can be made that RCW 9A.16.040 “Use of Deadly Force by Public Officer” applies to private citizens under some circumstances (see Section 3, chapter 209, Laws of 1986). However, the authors of this guide believe that the safest legal approach is to limit the use of deadly force to those situations in 9A.16.050.

In summary, although the law appears to allow some latitude in the use of deadly force, it is recommended that deadly force be use by a private security guard/investigator only:

1. in defense of his/her own life (to prevent someone from seriously injuring or killing him or herself.).
2. in the defense of another’s life (to prevent someone from seriously injuring or killing another person in his/her presence.).

Review of Test Questions

The law does not usually allow you to use deadly force to prevent a property crime.

The law allows you to use deadly force to defend your life.

The law allows you to use deadly force to defend another person’s life.

ESCALATION OF FORCE CONTINUUM

While your employers' policies may only permit personnel who have the proper training with a defensive weapon(s) to carry that weapon(s) and only on assignments that authorize the use of defensive weapons, you still have the legal right to defend yourself with that level of force which is reasonable and necessary to protect your life or the life of another from harm, great personal injury or death.

You, as a guard, investigator, or recovery agent (or any person for that matter) may legally do whatever is reasonable and necessary to protect your life or the life of another. While you may be issued and carry primary self-defense weapons such as firearms and chemical sprays, you may improvise and use any object at your disposal to protect yourself or another in a manner that is reasonable and necessary if you do not have a defensive weapon, such as when working on unarmed sites, or you do not have access to your primary weapons or your primary weapons are inoperative.

In any situation that arises, you will be expected to act in good faith, use good judgment and take an appropriate and reasonable course of action.

The circumstances that may lead to the use of force or deadly force by a private security guard or private investigator cannot be predicted but they will probably arise out of the job situation. Some examples are: A guard happens upon a crime in progress, a guard is protecting property which is the target of a robbery or burglary, a guard confronts a trespasser or intruder, an investigator is assaulted during an investigation. It is clear that the law does not permit the use of deadly force in order to protect property. But the law does not require that you allow a criminal to successfully complete his crime without interference. You may use reasonable and necessary force to prevent the occurrence of a crime and to detain a shoplifter or arrest a felon, or to protect yourself from an assault.

The key concept is that you may use only as much force as is required to prevent the escape of the suspect or the continuation of the assault. To use an exaggerated example, a store security guard cannot shoot a shoplifter who chooses to run. In this case a reasonable application of force would begin with verbal (voice) commands such as "stop!" and continue with hands-on attempts at control.

If the shoplifter were to draw a pistol or other deadly weapon after being stopped, and threaten the guard with the pistol, then the guard is justified in using deadly force in self-defense. Note that the guard is not permitted to use deadly force to stop the shoplifter or detain the suspect - the guard is only allowed to use deadly force when he/she or someone else in his/her presence is threatened with death or great personal injury. The level of force used must correspond to the amount of force used in the attempt to escape or assault, plus whatever additional force is required to overcome the escape or assault.

As a security officer, your primary goal in a confrontation or an attack is to defend yourself or others from the assailant and/or control the situation. It is imperative that control/defense not be a 50/50 balance. You should have a better than 50/50 chance of winning and not just 50 percent of the time. You must generally use greater force than your attacker, but not deadly force.

In real life, the difficulty lies in making the split second decision to apply the correct, reasonable, necessary and effective level of force. Here is a chart that will help you understand how the level of force you use corresponds with a suspect's resistance. Keep in mind that an incident may start at a higher level or may escalate quite quickly. Thus, you may need to start at or go to a higher level of force to gain control of the situation and/or defend yourself or others.

The concept is that an officer may use the necessary and reasonable amount of force to stop the assault and control the situation. The officer must also then justify and articulate the need for the amount of force and force options used.

TOTALITY OF CIRCUMSTANCES

When faced with a situation, you must assess the totality of the situation so that you may respond with the appropriate level of force. Circumstances to consider may include, but not limited to:

Age: The age of the attacker versus the age of the security officer. One or the other may be younger and more physically fit. A teenager has twice the stamina of a person of about 40.

Physical Size: A person may have superior size and/or strength and may not be able to be controlled or moved by a smaller person.

Fitness: The fitness level of a person that engages in regular activity may give them an advantage over a less fit person.

Skill Level: A highly trained individual may have a distinct advantage over a person with a lesser skill level. This is true in self-defense, just like it is in sports. Does the attacker have military, boxing, wrestling or martial arts skills or training that may give him/her an advantage over you?

Numbers: Security officers need to consider the number of attackers versus the number of defenders. There really is power in numbers.

Weapons: Whether or not the attacker has a weapon or access to a weapon is a serious concern. Also how dangerous is the weapon that the attacker(s) has access to. Are there common everyday items within reach that may be used as a weapon?

Injury/Exhaustion: Are you or the attacker injured or exhausted? How much longer are you able to continue your defense before you succumb to exhaustion?

Position of Advantage: Who has the position of advantage? Are there obstacles between you and the attacker(s)? Who has the best ground position? Is there available cover? Do you and/or others have a clear path to retreat?

Special Knowledge: Do you or the attacker have any special knowledge that will give one of you an advantage? Do you have any special knowledge of the particular attacker - for instance, that he regularly carries a knife, or that he has attacked and injured people in the past?

Seriousness of the Offense: Does the seriousness of the offense warrant the level of force to be applied.

Aggressiveness of the Attacker(s): A determined or angry attacker is a lot harder to defend against than an attacker whose heart is not in it. Emotions play a large part in a person's behavior. They may not be thinking clearly due to their mental state.

Intoxication or Use of Drugs: Alcohol alters a person's judgment. Drugs may also alter a person's judgment and/or perception. Some drugs may also give person added strength.

Propensity for Violence: The person may have a known propensity for violence. A history of violence in a person's past is a good indicator that the person will continue violent behavior. Persons with mental disabilities may not be able to reason.

Innocent People in the Area: Are there innocent people nearby who are in danger from the individual(s) if a violent encounter occurs or cannot be controlled quickly?

Security Guards Ability to Summon Aid or Assistance: Will the guard or investigator have an opportunity to summon aid or assistance if suddenly attacked. How far away and how long will it take for basic law enforcement personnel to arrive?

Degree of Harm Which Failure to Control the Subject May Create: If the security guard or investigator is not able to control or stop the subject, what property may be destroyed or stolen and/or who may be at risk of attack next?

Other Prevailing Environmental and Tactical Conditions: It is impossible to list every possible factor. What unforeseen conditions exist?

It is reasonable that a discrepancy in the age, gender, physical size, fitness or skill level of individuals involved in the confrontation may dictate that an officer use more or less force to control a situation or defend against an attacker(s). It may also be reasonable for a single security officer to use more force in controlling or defending against multiple attackers.

Review of Test Questions

Any use of force by you must be no more than that which is reasonable and necessary to overcome resistance to order.

DUTY TO ACT

A law enforcement officer has a duty to act when confronted with illegal behavior or resistance to a lawful command. The citizen, private security guard, bail recovery agent, or investigator may often choose to observe and report criminal behavior rather than attempt to overcome the resistance or forcibly detain. Unless faced with a deadly threat from which it is impossible to escape, the guard, bail recovery agent, or investigator would be well advised to withdraw or retreat to a position of safety, while calling for police assistance. While the law may allow you to use a certain level of force to make an arrest or detention, it may be prudent to withdraw from a situation that you believe may escalate. ***You are never required by law to use force or deadly force.***

Review of Test Questions

A private citizen has no duty or requirement to use deadly force in any situation.

The responsibility of most guards is to observe, deter and report and a guard's presence does not guarantee that an incident will not occur. In an emergency involving your client, your first priority should be for your safety. Next, you may have a contractual responsibility to take appropriate action within your ability to do so to protect your client from harm. You always have discretionary ability and are never required to use force. Your employer may have procedures and/or guidelines for you to follow in the event of an emergency. Depending upon the circumstances, appropriate action to take may include rendering first aid, summoning police, fire or medical aid, escorting the client to a position of safety, directing emergency personnel to the scene, attempting to deter/interrupt an attack by your presence and verbal intervention and/or attempting to fend off the attack. A security officer or private investigator who stands by and does nothing may leave him/herself and their employer subject to civil suit by the client he/she is expected to protect.

RESPONSIBILITIES AFTER USING FORCE

If you have used force of any kind, including deadly force, and if your assailant is no longer a threat, then you should administer first aid, within your ability to do so, and summon medical assistance. This may mean that you stop bleeding and treat for shock. In order to do this safely, you should be trained in a Red Cross or equivalent course in First Aid, Blood Borne Pathogens, and CPR. Additionally, it is advisable to handcuff the wounded individual so that he or she cannot attack or disarm you as you administer first aid.

Call the police as soon as possible if you used/drew your weapon. If the threat has been contained and it is safe to do so, holster your gun. Since the police will be responding to a “shots fired” call, they may approach the scene with caution and with guns drawn. It is critical that you identify yourself clearly and do not point your gun at the responding officers. Have your identification in your hand and keep your hands clearly away from your gun. Follow orders given by the officers. *If you are not in uniform, these steps are even more important since it will be impossible for the officers to know that you are a security officer or investigator.*

You are not required to talk to the police after shooting someone. You may wish to talk to an attorney before giving a statement. If you refuse to give information to the police, you may be detained or arrested based on the information known to the officers at that time. Before you begin to carry a gun as part of your job, you may wish to talk with your employer about what kind of legal assistance will be provided for you.

Review of Test Questions

You are not required to talk to the police before you have a chance to get legal advice.

You should administer first aid to someone you have injured, when it is safe to do so.

You must call for medical and police assistance as soon as possible.

You should identify yourself clearly and pose no threat to the police in order to reduce the chance that you will be mistaken for a criminal.

CRIMINAL PENALTIES FOR UNLAWFUL USE OF FORCE

Use of force or deadly force when law does not allow it may result in your arrest for assault or homicide.

Criminal charges for an assault with a firearm do not necessarily require that the gun be fired; for example, someone who threatens another without legal justification by pointing a gun at him or her has committed an assault. An assault with a firearm is usually considered to be a first or second-degree assault (both of these are felonies). Conviction of such a crime may carry a sentence from ten to 20 years.

Should your use of force result in the unlawful death of another person, you may be charged with either manslaughter if your recklessness caused the death, or murder if you intended to kill the person. Penalties for manslaughter may be up to ten years in prison. Murder carries a sentence up to life in prison, unless certain aggravating circumstances exist, in which case the court may impose the death penalty.

It is your responsibility as the person carrying or using a weapon to use it responsibly and within the law. Neither your employer nor any other person is criminally responsible for your acts with a firearm. Under criminal law, you alone have the responsibility for any display or firing of a firearm. If you have any doubt about your ability to make crucial life-and-death decisions regarding the use of deadly force, then you should not carry a firearm.

Review of Test Questions

Your employer is not criminally responsible for your actions with a firearm.

Pointing a firearm at another person, without a legitimate reason to do so, is an assault.

Recklessness by you that results in the death of another is manslaughter.

Intentional and unlawful killing of another person is murder.

CIVIL LIABILITY FOR USE OF FORCE

Should you use force or deadly force that causes harm or injury to someone, you may be sued in civil court for damages. Generally the person suing must show that he or she has been damaged, that your actions caused the damage, or that you acted recklessly and without legal justification. (These facts must be demonstrated with a preponderance of the evidence, which means that the weight of the facts supports the claim against you.)

Usually, your defense will be that the injured party, by his own acts, brought about the injury; and that your actions were within the law and in defense of yourself or another. A judge or jury decides each case based on the facts presented.

Review of Test Questions

If you have injured another individual, the individual may sue you for monetary damages if you have used force recklessly or illegally.

Your best defense against a civil suit is knowledge of the law, good judgment, and adequate training with your weapon and on use of force.

SHOOTING DECISIONS

The decision to draw or point your gun, or to shoot or not shoot someone must be made instantly and correctly. Only practiced thought and good judgment will allow you to make good shooting decisions.

Verbal Identification and Commands

In some cases, you may have the opportunity to control a potentially deadly situation by giving clear verbal commands. In all situations you should identify yourself if at all possible. It is not reasonable to expect that someone will follow your orders if you are not in uniform or if they cannot see who you are, unless you have clearly identified yourself. The proper form of self-identification is a matter of your employer's policy but here are some choices:

- "security officer,"
- "security,"
- "private security,"
- "armed security,"
- "private investigator,"
- "Armed private investigator,"
- "Bail Recovery Agent."

If someone is moving or escaping or making a threatening movement, the proper commands include:

- "stop,"
- "don't move,"
- "raise your hands,"
- "Let me see your hands."

If someone is making a threatening movement that you feel is a deadly threat, then before shooting (time permitting) you should use a command like:

- "Stop or I'll shoot."
- "Drop the gun/knife/weapon or I'll shoot."

Although we cannot give you commands for every situation you may be in, whatever command you give ***must be loud, clear and repeated*** until the subject complies. Do not use slang (like "freeze"), which might be misinterpreted.

You are not required to give verbal commands prior to using deadly force if you are in the program of defending yourself and could not reasonably be expected to do so. You should practice verbal commands on your own and on the range during practice.

Review of Test Questions

When confronting someone or giving commands, you should identify yourself.

You should give a command like, "Stop or I will shoot" before using deadly force, if time allows you to do so.

Decision Making

Continual practice will improve your ability to make quick, accurate shoot/don't shoot decisions. This practice may be mental (creating "what if" situations in your head and solving them), done on the range with a coach and shoot/don't shoot targets, or simulated (through the use of films or other visual simulations).

Three conditions must exist to justify the use of deadly force. These three are:

1. The **ABILITY** exists for another person to do you great personal injury or cause your death.
2. The **OPPORTUNITY** exists for another person to do you great personal injury or cause your death.
3. Your life is in **JEOPARDY** because of the actions of this person.

Ask yourself these questions:

Does this person have the **ABILITY** to do me great physical harm or to kill me? This usually means that this person has a weapon. The weapon could be a gun, a knife, a club, a piece of pipe, or a wood 2x4. Some people have the strength or **ABILITY** to seriously damage or kill you with just their hands. Multiple attackers may also be able to seriously harm or kill you even though they are unarmed.

Does this person have the **OPPORTUNITY** to do me great physical harm or to kill me? This means that the person is in a location or at a distance that will permit them to harm you. A man with a knife is not a threat to you when he is 100 yards away, but he will be able to kill you within two seconds when he is only seven yards from you. Thus, at 100 yards he does not have the **OPPORTUNITY** to harm you, but at seven yards he does have the **OPPORTUNITY**. A man with a high power rifle is a deadly threat when he is 1000 yards away. Obviously the **OPPORTUNITY** can change very quickly. Things that might affect this include distance, the type of weapon involved, and the kind of protection or cover that you have.

Does this person put you or another person in **JEOPARDY** by his or her actions? This means that the person's actions are directed at someone in such a way that they may cause a person great physical harm or kill him/her. For example, a man walking toward you carrying a shotgun has a weapon (**ABILITY**), is within 20 yards and can see you (**OPPORTUNITY**), but unless he points the shotgun at you and unless you believe that he intends to do you harm, **JEOPARDY** does not exist. The situation you are in will help you determine whether or not **JEOPARDY** exists. For instance, an employee at the plant you are guarding who removes a shotgun from his trunk may be merely transferring it to another employee's trunk for a trip to the shooting range, or he may be heading into the plant in order to seek revenge for losing his job. You must evaluate all of the circumstances and actions, as well as the person's response to your questions or orders; all of these things will help you determine whether this person intends to put your life in jeopardy.

All Three Requirements Must Exist Before You May Use Deadly Force To Protect Yourself Or Another.

Review of Test Questions

You may use deadly force in self defense of another person has:

- the ability to greatly harm or kill you,
- the opportunity to greatly harm or kill you, and
- By his/her actions indicates intent to put your life in jeopardy.

Four Stages of Awareness

Col. Jeff Cooper has written an excellent essay on the subject, titled, “Mental Conditioning for Combat”, which normally accompanies this handout. However, one of the most important lessons to be learned from the reading is found in a simple system of “Color Codes” which outline four levels of awareness. He believes that being aware is more important than being prepared. No matter how well prepared or armed an officer is, they cannot defend themselves if they are unaware that they are in danger. The four color codes and their meaning are:

White- A non-combative state of mind, which means you are UNALERT and UNAWARE of what is going on around you. If attacked in CONDITION WHITE, you would be completely surprised and would most likely die; unless your assailant was inept, which they frequently are. We would all like to live in this state of mind and the majority of the population does. The fact is, however, that the world is not a friendly place. A COP should never be in this state of mind, ever.

Yellow- A state of RELAXED or GENERAL ALERTNESS. You are looking around and AWARE of all that is going on around you. Everyone should be in Condition Yellow for their own peace of mind. Certainly every Police Officer who is on-duty and anyone who is armed should be in condition YELLOW. We can maintain this state of awareness comfortably and indefinitely, without undue nervous strain. This is not a state of paranoia.

Orange- A state of alarm, SPECIFIC ALERT. Something or someone has aroused your suspicion; you have a specific tactical situation in mind and are thinking combatively. You cannot remain in Condition Orange indefinitely, but certainly for several hours if necessary. It has been said that it is comforting to be armed at such times, but it is not always possible.

Red- This is your FIGHTING mode, that of defensive combat. You are engaged in battle, but not necessarily using force. If you are holding someone at gunpoint (at GUARD), you had better be in CONDITION RED. You are in full control of all your assets and faculties.

Note: Being AWARE can often avoid the need to use force to resolve a conflict.

Review of Test Questions

The Four Stages of Awareness are White, Yellow Orange, and Red

Shooting Decision Scenarios

The scenarios that follow may be typical of those you encounter in real life. Put yourself into each scenario and in the space allowed write a description of the correct response or action you would take. In each scenario, make the decision to shoot or not to shoot.

Scenario #1: You are a lone-armed guard patrolling a warehouse on the night shift. The warehouse is located in an industrial area, and it contains electronic equipment, including televisions and stereos. It is 3:00 a.m. when you hear noises in an area of the warehouse and move to investigate. You cautiously approach the area and observe two men stacking cartons near a door. The door appears to have been forced open. Both men hear you approach and turn toward you - their hands are empty and they do not move in your direction.

Your Response:

Scenario #2: You are an armed plainclothes security guard in a department store. You have followed a suspicious woman in the store for about ten minutes and during that time observed her place several unpaid-for items in her purse. She passes the check stand without paying and quickly heads for the parking lot. Just outside the store you identify yourself and ask her to accompany you back into the store. She refuses and continues to walk away. You identify yourself again and indicate that you are detaining her for shoplifting and that she must await the arrival of the police. She ignores you, and you place a hand on her arm to detain her. At this point, the shoplift suspect attacks you with her hands, striking and scratching you in the face. Then you feel your handgun, which is concealed under your coat, being pulled from the holster. You are able to grasp the gun, but she has both hands on it and is about to pull it from you.

Your Response:

Scenario #3: You are an armed private investigator trying to locate a teenage girl who has run away from home. You have information that indicates that she may be staying with several other people in an apartment. You have arrived at this apartment, you hear shouting inside, but you knock on the door. The woman who answers the door is drunk and belligerent. You identify yourself and begin to ask her some questions when she turns away, leaving the door open, and begins to shout at a man who is standing in the living room. You have apparently interrupted a fight in progress. Suddenly the man pulls a large hunting knife from his belt and lunges at the woman, stabbing her. She is screaming for help and bleeding.

Your Response:

Scenario #4: You are an armed security guard on your way home from work. You are still in uniform and you have your duty gun belt on (this may be a violation of company policy). It is 1:00 AM but you decide to stop at the all-night market for a deli sandwich. As you step out of your car, two masked men back out of the store with guns in their hands. The store is well lit and you can see the clerk behind the counter who still has her hands held high in the air. You do not have a radio with which to call for help. The gunmen see you and begin to turn and point their guns toward you.

Your Response:

Scenario #5: You are an armored truck guard delivering cash to a store. As you step out of the truck, a man runs by and knocks you to the ground - he grabs the cash bag away from you and runs away.

Your Response:

Scenario #6: You are an armored truck guard delivering cash to a store in a busy shopping mall during business hours. A man steps out of a store as you walk by and pulls a baseball bat from under his coat; he hits your partner in the head, knocking him to the ground. You are carrying the cash bag and the man now turns toward you ready to swing the bat.

Your Response:

Scenario #7: You have been assigned a bank lobby as an area to guard. Although you are armed, your instructions are to trip the alarm if possible, but not to engage any armed robbers. You notice that one of the tellers is glancing toward you and that she looks scared. A customer is standing at her window. As you move toward the teller to find out what is wrong, the customer turns and you see him begin to draw a gun from under his jacket. At this point you are standing only five feet from the man with the gun.

Your Response:

Scenario #8: You are the armed gate guard at a storage facility. Your job is to identify people and vehicles going in and out of the gate, and to deny access to unauthorized people. A car has pulled up to the gate and the driver has been unable to show the proper identification or give you any good reason to allow entry. You have refused entry and have not opened the gate. The driver has been ordered to leave and begins to back away; suddenly he shifts into low gear and rams the gate, partially knocking it open. You draw your weapon to the low ready position and the driver sees you do this. He backs the car and turns the wheel to aim the car at you. Your only protection is a sheet-metal guard hut.

Your Response:

Scenario #9: You are an armed and uniformed guard patrolling a private residential area at night. Dispatch notifies you that there is an audible burglary alarm at one of the homes - the dispatcher says that the resident of this home is on vacation and will not be returning for at least another week. You respond and leave your patrol car to investigate the outside of the home. As you walk around the house checking doors and windows you come to the back door, which you find to be open.

As you look inside through the door, a man steps into view from another room. He is holding something in his hand that you believe to be a gun.

Your Response:

Scenario #10: You are an armed private investigator hired to protect a local business that has been the target of harassment by local youth. In the past, considerable damage and vandalism have been done. You have stepped outside the business to get some fresh air and, as you round the corner of the building you see fresh graffiti painted on the wall. These are two young men standing by the wall - they turn toward you and you see a glint of metal in the hand of one subject.

Your Response:

Scenario #11: You are licensed bail enforcement agent working in a three-man team. You have a valid contract to locate and apprehend a male subject for failing to appear for sentencing on a DUI case. The bond is \$20,000 and has to be paid in seven days. The defendant's house, was empty at the time you started searching for him. His indemnitor was his mother who lives out of state. She has not seen or heard of him since the bond was posted. You been able locate an address for his girlfriend and are arriving at that residence now. You have notified the local police, and they have noted your address.

You send one agent to the back and approach the front door with two agents. As you approach you see three male subjects in the living room. Two of them leave the living room and go to another part of the house, while another answers the door. One of the subjects who left the living room appears to be the defendant but you are not positive. The person who comes to the door is argumentative, challenges your authority to be there and says he does not know who the other individuals were. He is totally uncooperative and he is very nervous.

Your agent in the rear sees a person who appears to be holding a shotgun through a crack in the blinds. He reports this to you by radio.

Your Response:

Scenario #12: You are a licensed Bail Enforcement Agent working in a two-man team. You have a valid contract to locate and apprehend an individual for failing to appear in court on a case involving a no contact order violation. It is a \$1000.00 bond. Your investigation reveals that the defendant has several warrants for other cases, most involving violence.

When you contact the victim's residence for information on the defendant you discover that he is there and they are having a heated argument. She lets you and your partner into the living room, where the defendant is. He is very agitated and challenging. When you tell them why you are there, he turns away, puts his right hand in his pocket and tries to move from the room.

Your Response:

Scenario #13: You are a licensed bail enforcement agent working a two-man team. You and your partner have stopped for coffee at a 7-11 and are about to get into your car. You are both armed and wearing equipment vests with your gun and holster visible.

As you are getting in your Ford Crown Victoria, a subject in a ski mask walks from behind the store and along the side toward the front. As soon as he sees you and your partner he turns and runs. You notice that he has a shiny object in his right hand as he goes around the corner behind the store away from you.

Your Response:

CORRECT RESPONSES TO SHOOTING SCENARIOS

Scenario #1: At this point, this is a no-shoot situation. You have not been threatened and you are controlling the situation.

Scenario #2: If you are able to shoot to defend yourself, you are justified. The situation should make you fear for your life.

Scenario #3: You are not legally required to shoot. You are justified in shooting to protect the woman.

Scenario #4: You are justified in shooting to defend yourself. You should use verbal commands if time allows. You should seek cover.

Scenario #5: This is a felony robbery and you are justified in resisting it with deadly force. However, once the crime has happened, you are not justified in using deadly force merely to prevent the escape of the robber. Legally, you may pursue and attempt to apprehend the criminal.

Scenario #6: You are justified in shooting if the assailant is close enough to hit you. Use verbal commands if time allows. Check the area around and beyond your target. You may choose to resort to other measures if there is a danger to others such as bystanders nearby that may be struck if you miss your intended target.

Scenario #7: You are justified in pointing your gun at the man with the gun and giving verbal commands. If the man draws his gun and you feel your life is in danger, you are legally justified in shooting.

Scenario #8: You are justified in shooting to protect yourself. You may need to dodge out of the way of the vehicle. Shots from you that stop the driver may not stop the vehicle.

Scenario #9: You do not know who the other man is and are not justified in shooting. You should take cover or retreat, and identify yourself, commanding the man to drop his gun.

Scenario #10: Identify yourself and command them to stop so that you can question them. If you believe that these men are armed, you may be justified in drawing your gun. This is a no-shoot situation until you know that one or both of these men is armed, and they show that they intend to assault you.

Scenario #11: Have your agents back away from the house but keep it under observation. Call the police and ask for an officer to meet the lead agent in the general area where he can describe the circumstances that occurred. Any further action will depend on the response by the police.

Scenario #12: You may use appropriate verbal commands and reasonable and necessary force, such as your hands a Taser or chemical agents to apprehend and control the defendant should he continue to refuse to cooperate. You are justified in drawing your firearm and giving verbal commands for the defendant to submit. If he draws a firearm or knife from his pocket and turns toward you, you may use deadly force.

Scenario #13: Try to determine where he goes, whether he gets into a vehicle, its description and direction of travel. Contact the clerk in the store and call the police. Stay with the clerk until the police arrive and report what you have seen.

SAFE GUN HANDLING

Basic Safety Rules

Four basic rules of firearms safety are the foundation of good gun handling. These four rules apply to ALL situations. The rules apply on the firing range, at home, while on the job - everywhere and at all times.

1.ALWAYS TREAT ALL GUNS AS LOADED Handling a firearm *casually* when it is “unloaded” (i.e.: during dry practice and cleaning) and *carefully* when “loaded” is a sure recipe for disaster. Intelligence and memory are subject to the human frailties described above. For example, as firearms instructors, it is not uncommon for us to have both inert and live weapons in our hands in the course of a training day. If we are thoughtless in our handling of inert weapons in demonstrations, that attitude will inevitably carry over to our handling of live weapons. Don’t take that chance. Treat all weapons the same. The frequent response that “I didn’t know it was loaded” is of no comfort to those affected by the consequences.

2.NEVER LET THE MUZZLE COVER ANYTHING YOU ARE NOT WILLING TO DESTROY. The muzzle end of a gun - the end the bullet comes out of - is the dangerous end of the gun. It is impossible to keep a firearm from being pointed somewhere, so unless you have a target to fire at, always keep your firearm pointed in a “safe direction”. A safe direction is one in which, if an accidental discharge occurs, there will be no human injury or death and at most minor property damage. People who have been around guns a lot in a casual or uncontrolled environment often become careless about where the gun is pointing. You may hear them say, “Don’t worry about it, it isn’t loaded.” Of course, this violates rule 1. If a gun is under your control (that is, in your hands) then you must always be aware of where the muzzle is pointed.

This rule is not just a shooting rule it is a handling rule. You are responsible for muzzle control while cleaning the gun, loading and unloading the gun and whenever you are carrying or holding the gun. This rule applies even while “indexing” during searching or challenging.

3.KEEP YOUR TRIGGER FINGER INDEXED ABOVE THE TRIGGER GUARD UNTIL YOUR SIGHTS ARE ON TARGET AND YOU HAVE DECIDED TO FIRE.

This is one of the most commonly violated of all the safety rules. When violated along with Rule #2, it frequently leads to disaster. When the human being is startled, loses balance, or performs certain physically demanding tasks, there is an unavoidable physical response. If, at that time, the finger is in a position where it can get to the trigger, the weapon will fire. To minimize this risk, when not firing the weapon, the shooter **must “index”** the trigger finger above the trigger guard alongside the receiver. The trigger finger must be off the trigger until you are “on target” and ready to fire. If you train on the range with this technique, then this will not be any slower than leaving your finger on the trigger. Your trigger finger stays off the trigger as the gun comes on target and goes on the trigger when you decide to fire. After firing the trigger finger comes off the trigger and stays off as you lower the gun to the low ready position.

The finger is not on the trigger during the following operations: when drawing the gun from the holster or removing a long gun like a shotgun or rifle from its rack; when searching with the gun in your hand; when running or moving with the gun in your hand; while reloading the gun; while clearing a malfunction of the gun; when holstering the gun or placing a long gun in its case or rack.

The purpose of this rule is to prevent the firing of the gun until you truly intend to fire it. This rule will prevent the vast majority of unintentional discharges. The fingers of the hand will all clench when you are startled, under extreme stress, about to lose your gun in a struggle, or when falling. Unless you have trained yourself to keep your finger off the trigger, you may fire the gun without intending to do so. People under stress undergo physiological changes that include loss of the ability to perform precise movements with the hands and fingers. At the same time, muscle strength and tension increase. Even in a training environment it is possible to see this unconscious response to stress. Individuals carrying revolvers, who are improperly trained to keep their finger on the trigger, will often exert enough pressure on the trigger to pull the hammer halfway back, without being aware that they are doing this.

For these reasons, no matter what kind of gun is being used, the rule remains the same - keep your finger off the trigger until your gun is on target. The proper position for the trigger finger (when not on the trigger) is on the frame of the gun, outside of the trigger guard.

4. BE SURE OF THE TARGET, AS WELL AS THE SURROUNDINGS AND BEYOND. You must identify the target and know what is behind and beyond it. If you intend to fire your weapon, you must be sure that you have properly identified your target. Even during the stress of a real gun battle, shooting at movement or muzzle flashes or any other unidentified target is a serious error, since you do not know at what you are shooting. Fellow officers who have not bothered to identify the target shoot many police officers each year. Those officers who work in plain, civilian clothes are at the greatest risk of being shot if they display a weapon. The same is true of private security officers and investigators.

Just because a person is armed does not automatically make him or her a threat, and does not sufficiently identify that person as someone you can shoot. In darkness, you should use your flashlight to identify the potential threat. Verbal challenges may also serve to help identify a questionable person.

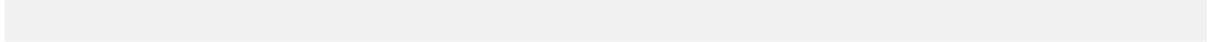
Be aware of the area behind your intended target. Even in a situation where you are justified in shooting, there may be innocent bystanders behind and beyond the intended target; the presence of these people may cause you to hold your fire.

Modern handgun ammunition will penetrate several interior sheetrock walls, and some bullets will pass through exterior walls and retain enough energy to kill or wound someone on the other side. If you must shoot inside a building, do not consider walls of sheet metal, sheetrock, plywood, etc., as a safe, bullet-stopping background.

Although many consider a firing range to be a safe shooting environment, the responsibility for determining that it is safe to shoot is yours. It is possible for shooters to begin shooting when someone is still downrange behind the targets. Some firing ranges have a fairly low backstop behind the targets, and it is possible to fire bullets over the top of this backstop. A handgun bullet fired at a 30-degree angle may travel over 1/4 mile and retain enough energy to kill or wound.

Since you are pointing the gun and pulling the trigger, where and what the bullet hits is your responsibility.

There are no exceptions to the above basic safety rules. If you follow these rules, you cannot have a firearms “accident.”



Safety While Cleaning Your Gun

The four basic safety rules covered above always apply while cleaning your gun. In addition, the gun must be unloaded in a safe place prior to cleaning or disassembly. Note that some semi-auto pistols (like the Glock) require that the user pull the trigger in order to disassemble the gun; of course, this means that the user must have a safe place to unload the gun, point the gun and pull the trigger before disassembling the gun. The safety ritual that must be observed whenever you clean or disassemble your gun is this:

1. You must remove all ammunition from the gun and the immediate area. The gun must be unloaded; the magazines empty, the duty belt and speed loaders/extra magazines removed from sight and reach.

Verify that the gun is empty both by looking and touching. Place your smallest finger in the chamber of a semi-automatic pistol (it is possible for a mechanical defect to cause a cartridge to remain in the chamber).

2. Permit no distractions during the program. If you are interrupted during the unloading or cleaning, you must go back to the beginning of this ritual to verify again that the gun is unloaded. Some interruptions that may lead to an accident include taking phone calls, watching television, having visitors or children come in. What often happens is that the gun is loaded at some point just before or during the interruption, and the user does not remember that the gun is loaded when he returns to it after the interruption. The user of the gun then treats the gun as if it is unloaded and fires it.
3. Make a conscious switch to practice mode. Tell yourself out loud that the gun is unloaded for the purpose of cleaning.
4. You must have a safe, bullet-stopping aim point if you will snap or dry-fire the gun during the cleaning, disassembly, or assembly program. Never violate the safety rules that require you to treat all guns as if they are loaded, and point the gun only at something you are willing to destroy.
5. Once the gun is reassembled make a conscious switch back to reality. Say out loud, "The gun is loaded and will fire if I pull the trigger." You must impress upon yourself that it is no longer safe to handle the gun.
6. When the gun is reassembled you should put it away immediately. The gun should be holstered and cased, whether loaded or not, and removed from sight and reach. If the gun is left within sight and reach, there will be a temptation to pick it up and snap the trigger.

There are no shortcuts to gun safety. If you follow the above ritual every time, you will not have a gun accident.

Home Safety

The four basic rules of gun safety apply at home, but there are some additional considerations since you may not be the only person who will have access to the gun at home. Children, spouse, relatives or visitors may have access to your gun if you keep it in the home. Guns attract the curious who may have no training in safe handling.

Here are some ideas that may help you maintain a safe home:

- Leave your gun at work with your employer. Many employers will not allow you take a gun home while others give you a choice. If you cannot secure the gun at home then consider asking your employer to arrange for safe storage.
- Lock your gun in the trunk of the vehicle that you use and control access to the keys.
- Install a deadbolt on a closet door and make a routine of placing your gun in the locked closet as soon as you arrive home.
- Buy a small lockable gun box to which only you have the combination.
- Install a trigger lock or bore lock on the gun when it is not in use. These are available in gun stores for a reasonable price.
- Educate your family and children about gun safety to minimize their risk, not only at your home, but also if they should encounter a gun while in another's home.
- Education of children is practical if they are at an age where they can understand your instructions and the concept of death, and can reasonably be expected to be responsible for their actions.
- No one can set the standard for safety in your home - you must decide how your gun is best stored. There are no statutes in this State governing the storage of guns in a private residence, but the courts have found in some civil cases that there is a duty to protect minors from access to firearms.

Reduction of Risk Due to Lead Ingestion

Lead is a heavy metal and toxic substance. There are many metals used by the human body in day-to-day metabolism. Lead is not one of them.

For our purpose, with firearms use, exposure to lead comes from the following forms: combustion of lead azide or lead styphnate in primers, exposure of the projectile base to hot gases, friction of the projectile and barrel, and impact of the bullet with the target and backstop.

The most common way for this lead to enter the human body is through inhalation and ingestion. Aside from the inhalation of lead from the air in the range environment, lead may

be ingested and spread around other environments (e.g. your home, vehicle, clothing, food, etc.) if hands are not cleaned and hair and clothes not washed before further contamination occurs.

Due to the toxic nature of lead, any over-exposure can lead to poisoning. Short-term over-exposure in high doses can lead to brain dysfunction, leading to seizures, coma, and death by cardio-respiratory arrest.

Long-term over-exposure may lead to the damage of blood forming, nervous, digestive, and reproductive systems. Common symptoms are:

- Loss of memory and difficulty in concentration fatigue
- Irritability and aggressiveness
- Loss of sexual interest
- Insomnia
- Depression
- Headaches
- Neurological symptoms, such as muscle twitching
- Encephalopathy (major brain & CNS dysfunction)
- Elevated blood pressure
- Digestive difficulties and abdominal pain
- Weight loss
- Joint pain, particularly in long bone joints
- Kidney and/or liver damage
- In women, menstrual irregularity and decreased fertility
- Potential birth defects to an unborn fetus
- Sore or bleeding gums
- Hyperactivity

PREVENTION:

The largest contributor to high lead levels in shooters is inhalation due to poor ventilation of indoor ranges. When possible do not shoot on indoor ranges. When shooting indoors, you should ensure adequate ventilation (no smoke should hang in the shooting area), avoid going downrange, and wear a mask or respirator along with other protective gear. If possible shoot fully encased bullets, and use lead free primers.

In any range environment, indoor or outdoor, exposure may be limited if you follow these guidelines:

- Wash hands, forearms, and faces with soap upon leaving the range and before eating, smoking, or putting anything in your mouth.
- Wear a hat and glasses while shooting.
- Wash your hair before going to bed, also thoroughly clean facial hair.
- Don't eat, drink, or smoke in range environments.

- Blow your nose after leaving the range.
- Wash clothing worn on the range before contaminating others.
- When picking up brass, don't put empty cases in your mouth or use your hat as a storage container.

These same range procedures should be followed if a firearm is cleaned after leaving the range.

While we want and expect you to train in the gear you will wear on the street, you should be careful to clean it after use on the range. Shoes worn on the range will carry lead into your home. They should be cleaned or not worn inside. Be sure to shower when you get home, or before, in your departments locker room.

Remember, the people who are especially susceptible to the effects of lead ingestion are pregnant women (and the fetus they are carrying) and small children. Pregnant women should never be allowed in a range and should not be exposed to high levels of lead. If your spouse or friend is pregnant, take every precaution to prevent exposing them to high levels of lead.

We realize that all of this seems like a lot of trouble, however, a generation ago, only the wimps wore hearing protection on the range. Due to that attitude, there are a lot of retired cops running around answering phones that aren't ringing. Protect yourself, you're one of the good guys, and we have to win the fights, we also want to have a long enjoyable life.

Review of Test Questions

Identify four methods for preventing lead ingestion.

Ritual Dry Practice, by Bill Burris

There is a procedure to follow which will eliminate unintentional discharges when used in conjunction with the four primary weapons safety rules.

These rules are: NOTE: The 4 Safety Rules below are as written by the author.

1. **ALL GUNS ARE ALWAYS LOADED**
2. **NEVER LET THE MUZZLE COVER ANYTHING YOU ARE NOT WILLING TO DESTROY.**
3. **KEEP YOUR FINGER OFF THE TRIGGER UNTIL YOUR SIGHTS ARE ON TARGET AND YOU ARE READY TO FIRE**
4. **BE SURE OF THE TARGET, AS WELL AS THE SURROUNDINGS AND BEYOND**

The procedure is called “Ritual Dry Fire Practice” and involves taking several extra steps whenever you perform practice or maintenance with no intention of actually shooting the gun.

Step One: Select the Proper Time and Place

The proper time is when you are alone. Anyone around you during your practice serves only one purpose, that of unintended victim should you have a weapon discharge. One exception to the “be alone” rule is if someone is actually involved in the practice with you. There should be no distractions including no television, telephone, eating, or conversations with people who drop in on you. If you are interrupted during a practice session, practice stops immediately, and when the distraction leaves, you start over from step one.

The proper place is one which affords a safe backstop at which to point your gun. This must be something which will stop your bullet if you fire one. Your backstop might be a woodpile, sandbags, or other object which doesn’t pose a threat of ricochet. Whatever you select or construct for this purpose must be capable of stopping the type of ammunition your gun fires.

Step Two: Remove All Live Ammunition from Your Training Area

This means all live ammunition, including that in your gun, on your person, and in your vicinity. If you are in a room, remove the ammunition from that room. If you are outdoors, remove the ammunition far enough away that it will take conscious effort to retrieve it before you will be able to reload the gun.

Step Three: Go Into “Practice Mode”

This is where the “ritual” occurs. We want to make a positive mental shift to the realization that we are operating in a set of altered circumstances wherein it is permissible to do things we would not normally do, such as squeeze the trigger when we don’t actually intend to shoot the gun.

We say to ourselves, out loud, “This is practice time; I’m going to practice now”. We repeat this statement three times in order to be mentally focused on what we are about to do.

Step Four: Perform Practice

At this time we practice whatever we need. It might be pistol presentation (draw), sight alignment/picture, or compressed surprise breaks (trigger squeeze). Usually we practice a combination of skills or maintenance procedures.

Step Five: When Practice Is Over, Go Into “Reality Mode”

This is the traditionally dangerous time, when the gun is reloaded, and a shot is fired. To avoid this, we conduct a second ritual to shift our mind firmly back to the reality that when the trigger is next squeezed, a bullet will destroy whatever the gun is pointed at. We say to ourselves, out loud, “Practice is over, this is real.” This is repeated three times.

Step Six: Place the Gun into the Condition You Normally Keep It (Loaded)

This keeps us in compliance with safety rule one. If you are concerned about loaded firearms around the house, you should be. Guns are inherently dangerous, and should not be left unattended. Children are likely to find them and proceed to experiment. Children can load firearms, as well as obtain ammunition from their friends’ homes. They don’t intend to shoot the gun, but often children do. It’s not whether the gun is loaded, but whether it is accessible that you should be concerned about. When you are not in direct control of your firearm, it should be secured in such a manner that children cannot get it into a firing mode. Lock the gun in a safe, a gun case, or place a locking mechanism on it. This is your responsibility whether a child (or irresponsible adult) is invited into your home or not. Should one of these individuals obtain your unsecured firearm, you may be very unpleasantly surprised at your potential civil liabilities when someone is injured or killed with your gun.

Step Seven: Put the Gun Away Immediately

Place the gun in its storage area, or holster if you are going to work. Try not to handle the gun again for at least an hour after Ritual Dry Fire Practice. When you next touch it, you want all vestiges of “Practice Mode” to be gone from your thinking program.

These seven steps will assure that you do not have an accidental or negligent discharge while handling your firearms. They are well worth your time and effort.

The Safe Low Ready Position

With a handgun, you may have a need to cover someone, or move with your gun out of the holster and in your hand. With a long gun such as a shotgun or rifle, you may need to have the gun at your shoulder but not pointed at a target. The position of readiness is referred to as low ready, and with the handgun it is the position in which you will carry your gun when it is not holstered but when you do not have a target at which you wish to point the gun. When a long gun is not being carried slung on the shoulder or in a safe port-arms position, use this position when you must carry the gun in readiness but when you do not have a target at which you are pointing the gun.

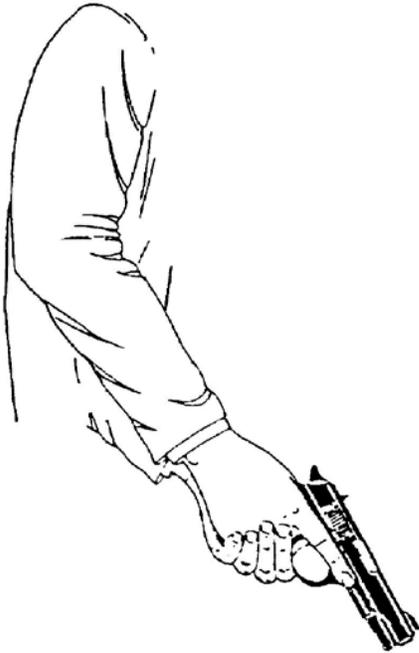


Fig. 1 Handgun Low Ready

To summarize, the ready position is the position in which you will carry your gun when it is not in the holster and not on target. The low ready position describes the direction the muzzle should be pointed - that is, the muzzle should be pointed down, at the ground, at about a 45-degree angle. The purpose of the low ready position is to maintain control of the muzzle of your gun at all times. Experience has shown that pointing the gun with the muzzle up is not as safe as the low ready position. Problems with the muzzle up position include:

- You may lean over the muzzle of the gun and risk shooting yourself in the head,
- You may, without realizing it, point the gun at bystanders who are above your position.

- You may discharge the gun in an unsafe direction if you unintentionally pull the trigger.
- You will probably be unaware of exactly where the muzzle of the gun is pointed.
- If you stumble or fall, the gun will probably be discharged in an unsafe direction.
- If you need to fire the gun, it is slower to bring the gun down onto the target than it is to bring it up.
- Your physical control of the gun is lessened by holding it up. If someone grabs the gun, they will probably be able to take it away from you. This is even truer with a long gun than a handgun.

The low ready position overcomes most of the problems stated above. With the muzzle of the gun low and in front of the body you are aware of where you are pointing the gun at all times. Unintentional discharges will be directed at the ground where the chance of hitting a bystander is minimized and the risk of ricochet is minimized. From the low ready position you can quickly bring the gun on target without obstructing your view of the target.

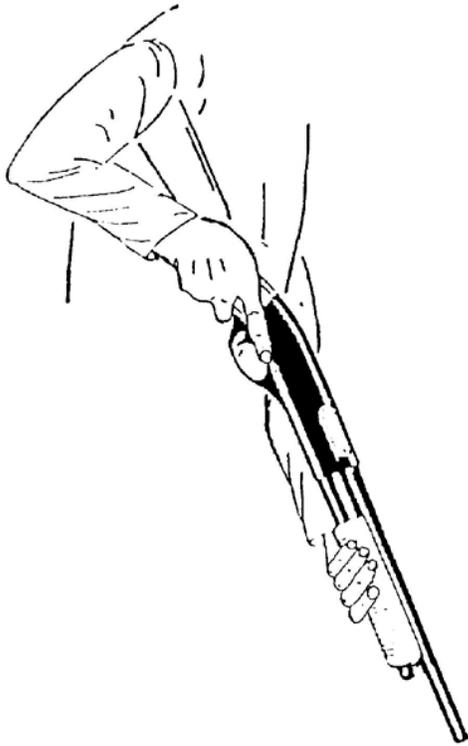


Fig. 2 Shotgun Low Ready

The four basic safety rules always apply. The rule that you never point your gun at anything you are not willing to destroy always applies. This means that if it is not safe to point your muzzle down then do not. One example would be the situation where you are following another individual down a stairway with your gun in your hand - in this case it is not safe to point the gun down if it will be pointing at this person. You must use your own good judgment and follow the basic rules of firearms safety, but in most cases the low ready position with the muzzle pointed down in front of you is the safest choice.

Review of Test Questions

The four basic rules of firearms safety are:

- 1. ALWAYS TREAT ALL GUNS AS LOADED**
- 2. NEVER LET THE MUZZLE COVER ANYTHING YOU ARE NOT WILLING TO DESTROY**
- 3. KEEP YOUR TRIGGER FINGER INDEXED ABOVE THE TRIGGER GUARD UNTIL YOUR SIGHTS ARE ON-TARGET AND YOU HAVE DECIDED TO FIRE**
- 4. BE SURE OF THE TARGET, AS WELL AS THE SURROUNDINGS AND BEYOND**

GOOD SENSE TACTICS FOR THE USE OF FIREARMS

There is a lot of knowledge relating to how to best survive an armed, violent encounter. It is difficult to categorize this information under one subject, but for the purpose of instruction we are combining a number of different topics under the single category of “tactics.” This information has little to do with marksmanship, but it definitely relates to the practical use of the firearm.

Cartridge Capability and Hazards

Safe and sensible shoot/don’t shoot decisions and good judgment in the use of a gun is partially based on knowledge of the performance of a given cartridge and gun.

.38 special or 9mm Luger bullets will travel a maximum distance of about 6400 feet - this is over one mile.

.223 rifle bullets will travel a maximum distance of 11,600 feet - this is over two miles.

So, unless the bullet you fire strikes something which is capable of stopping it, it can travel well beyond the area you can see, and it will retain enough energy to wound or kill.

Warning Shots

It is not recommended that you fire warning shots into the air. You are not able to predict where a bullet you fire into the air will come down, thus such a shot is random and you have not aimed it at anything. A random warning shot violates the basic safety rules.

Many law enforcement agencies prohibit warning shots because of the danger to bystanders. The law does not specifically prohibit warning shots; therefore your good judgment and the physical environment in which you work govern the use of a warning shot. Should you decide to fire a warning shot, you must be prepared to justify your action. You must be able to show that it did not violate any of the four basic safety rules, most specifically “Never point the gun at anything you are not willing to destroy,” and “Be sure of your target and what is behind and beyond your target.” Your employer may have a policy on warning shots.

Nearly all-modern handgun bullets will penetrate sheetrock interior walls. Most will penetrate exterior walls made of plywood, cinder block or sheet metal. It is not unusual for a handgun bullet to penetrate the exterior and interior walls of a typical residence and still be able to kill or wound. Buckshot or slugs fired from a shotgun have a similar ability to penetrate. Any bullet or pellet which strikes a hard surface can ricochet, that is, bounce off. The angle of impact with the surface, the type of surface, and the construction and velocity of the bullet all combine to determine where the ricochet will go and how dangerous it is.

For example, a bullet striking a concrete wall at a shallow or flat angle will continue on with little reduction in velocity or energy, in approximately the same direction it was going before it hit the wall. Projectiles, especially shotgun pellets that strike the ground (even dirt or grass surfaced) will continue on. Clearly, you must be aware of your surroundings and this awareness will affect your decision to shoot.

Danger to Others

Even if you are legally justified in using deadly force, you may choose not to shoot because of the danger to others. No one is able to make these decisions for you, but here are some things that may help you make such a decision. Ask yourself these questions:

- Do I have any other options?
- Do I risk death or serious injury if I don't shoot?
- Is another person at risk of death or serious injury if I do not shoot?
- Are innocent bystanders behind, beyond or around the attacker?

Shooting at Vehicles

Shooting at vehicles is not usually recommended. It is difficult to stop a vehicle by shooting it or its tires. A handgun bullet will probably not puncture a typical tire and if it does then the vehicle will continue to travel some distance. Shooting the driver may result in the vehicle going out of control and causing serious injury to others.

If someone using a vehicle as a weapon assaults you may be justified in defending yourself with deadly force; if this is the case then the appropriate target is your attacker, not the car. You may also be justified in defending yourself against someone who is shooting at you from a vehicle. Be certain that your decision to shoot is based on your need to defend yourself or another, and that this decision is also the best option available to you.

Cover and Concealment

Train yourself to take cover immediately if you are fired upon. If surprised and attacked by someone with a gun, your best immediate option may be to take cover and then defend yourself. Standing in the open and exchanging shots is a risky, poor, second choice.

Cover is defined, for our purposes, as anything that will stop a bullet. It is anything you can hide yourself behind that will not allow bullets to penetrate and hit you. Some examples are a telephone pole, a concrete wall or building, certain parts of an automobile (engine block, axles, wheels), and a heavy steel mailbox. Most wood walls and nearly all interior walls of both residences and businesses, and wood or metal doors will not provide cover - they will not stop bullets. Cover, even if it does not protect you completely is better than no cover at all.

Concealment is defined as anything that hides you but will not stop a bullet. Concealment is obviously not as good as cover but if your assailant cannot see you then he or she may not be able to shoot you. Some examples of concealment are: shrubs, sheetrock walls, tall grass, and hollow core wood doors.

The use of cover and concealment is one of the single best tactics in any kind of armed confrontation. Selecting a position where cover and concealment are available to you may allow you to control a situation without getting into a gunfight. Be aware of your surroundings and the potential cover and concealment they offer so that you will be able to take advantage of your environment if you are attacked.

Retreat

If you are able to anticipate that you may be entering an armed confrontation, it may be possible to retreat to a position of safety. You will be the judge as to whether this is possible or not. If property will be lost because of your retreat, then perhaps this is an acceptable option. A retreat that will cost someone else's life is less acceptable, and requires that you make the moral decision to stay or retreat.

There is absolutely nothing that requires you to risk your life unnecessarily. If the situation is clearly not winnable, it would be good judgment to avoid engaging in a deadly fight. For instance, five armed assailants would be more than one person should be expected to detain or confront.

Retreat is an option only if there is indeed a safe place to retreat to, or if additional help is on the way. Each situation is different and each situation will require that you exercise your own good judgment.

Distance

Distance from your attacker is almost always to your advantage. Maximize it if possible. This may mean move or retreat, if possible. You are trained and qualified with a firearm and most criminals will not be. Thus increased distance from an assailant reduces the chance that he/she can shoot at and hit you, but still allows you to defend yourself. Even well-trained police officers tend to get too close with a threatening person. Police may need to physically control an individual - you do not (usually). Keep your distance until it is safe to approach your assailant.

Corners and doorways are particularly difficult to approach safely, and the principle of maximizing distance is your best tactic. If you are moving toward a corner or doorway, move away from the wall so that you are not within grabbing distance. Then, move around the corner in an arc, one step at a time so that with each step a new segment of the room or area is within your view. Should you encounter a threat, temporary safety is achieved by quickly stepping back toward the wall.

Shoot from the Steadiest Position Possible

If you must shoot, you will probably be experiencing both physical and emotional stress which will interfere with your ability to shoot. Physical exertion, excitement and fear can all conspire to load your system with adrenalin. This is your body's natural reaction, and it will allow you to perform physical exertions normally beyond your ability. Although stress and excitement will increase your physical strength and endurance, they - through the action of the adrenalin - will also cause muscle tremors and shaking that will interfere with shooting and reloading. In short, while your strength increases, your ability to do fine, exacting, precision shooting disappears.

One partial solution is to brace yourself. The lower to the ground you can get, the more stable will your position be. Standing and shooting is less stable than kneeling, and kneeling is less stable than shooting from a prone position. You can train yourself to assume a low, steady shooting position, preferably one with adequate cover, by training from these positions on the range.

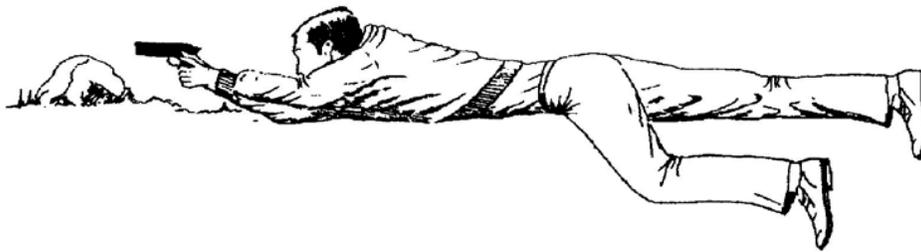


Fig. 3

When bracing your shooting position, it is best to support your body, your arms or your hands rather than the gun itself. In other words, try not to rest the barrel of the gun against a support. Placing the gun directly on a supporting wall will probably reduce your accuracy and, in the case of semi-auto pistols, will probably cause a malfunction of the gun. It is all right to press the frame or trigger guard against the support.

Center of Mass

If you must shoot at another human being, it will be in defense of life and your immediate goal is to stop the attacker from continuing. You will not be able to choose to shoot someone "just a little bit" in order to discourage them. You must fire immediately and hope that:

1. You hit your intended target, and
2. Your hits stop your attacker.

In order to do this, you should train to shoot at the center of your attacker's upper body. This is often called "center of mass" shooting. Under the stress of a deadly attack, this is the safest, most effective way to shoot. It minimizes the chance that you will miss your target, and reduces the possibility that you will hit an innocent bystander, and it increases the chance of stopping the attack.

If your attacker is not fully exposed, you may not be able to fire at the real center of mass. In this case, you should shoot for the center of available mass. In other words, place your sights in the center of that part of your attacker that is available.

Always try to use your sights - they are the key to hitting your target when under stress.

Target Identification

Night or day, your decision to shoot someone must be based on the legal need to defend yourself (as described elsewhere in this manual). Before you point your gun at someone and pull the trigger, you must correctly identify your target as the threat.

Target identification must be visual. You must see the person who is threatening you and know that you have identified the threat. A fellow security officer, or police officer, or an armed homeowner or armed citizen may not be a threat to you even though he/she has a gun. To avoid shooting an innocent person, you must identify yourself, determine who the threatening person is, and give the verbal commands which are appropriate.

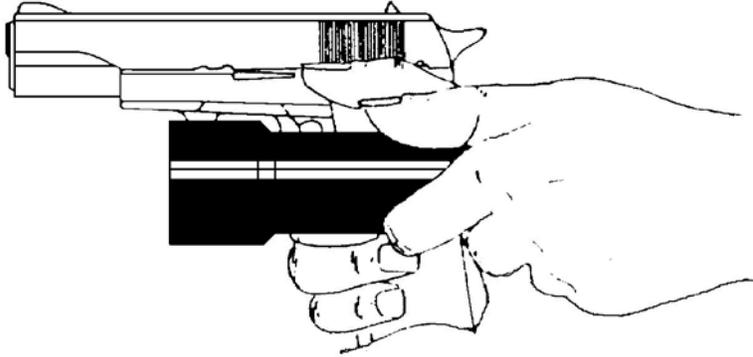
The target identification is very difficult at night and is best done from behind adequate cover, using a flashlight. Police officers and security officers do shoot each other, sometimes resulting in death. This is usually not truly accidental; rather, it is often the result of a failure to identify the threat.

Night and Dim Light Shooting

Many armed guards and investigators work during hours of darkness. Lack of light makes shooting and hitting the target more difficult than in full daylight.

However, the principles of shooting remain the same. You must try to see your sights. In many situations there will be enough light from streetlights, buildings or vehicle headlights to allow you to use your sights. If you must fire in near total darkness, you can do so by using a flashlight to both illuminate your sights and the target. Here are three ways to do this:

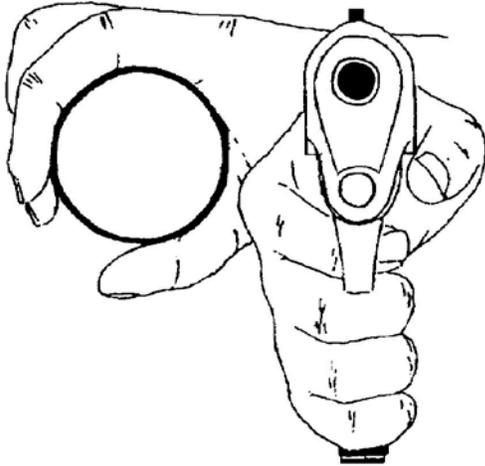
Flashlight Technique #1: Bring the gun and flashlight together in front of your body at eye level. The flashlight is held in the weak hand with thumb on the button and the palm beneath the flashlight. The hands will press together for stability, and will position the flashlight far enough back so that there is some light on the sights. This technique is very similar to the way some people shoot with two hands - it is like an isosceles or point-shoulder stance. (Massad Ayoob teaches this technique.)



Flashlight Technique #2: The flashlight is held in the weak hand, overhand, and the middle finger is on the button. The elbow of the flashlight arm is held down and the back of the flashlight holding hand is held tightly against the back of the gun hand. This technique looks like a Weaver shooting stance. (This technique is called the “Harries.”)



Flashlight Technique #3: The flashlight is held in the weak hand overhand, and the middle finger is on the button. The flashlight hand is brought down on top of the forearm holding the gun. The head of the flashlight will be behind and slightly to one side of the gun.



Flashlight Technique #4: The flashlight is held in the weak hand overhand, and the middle finger or thumb is on the button. The flashlight hand is used and pointed independently to the weapon. This position allows the flashlight to be used to search while keeping a weapon pointed in a safe direction.

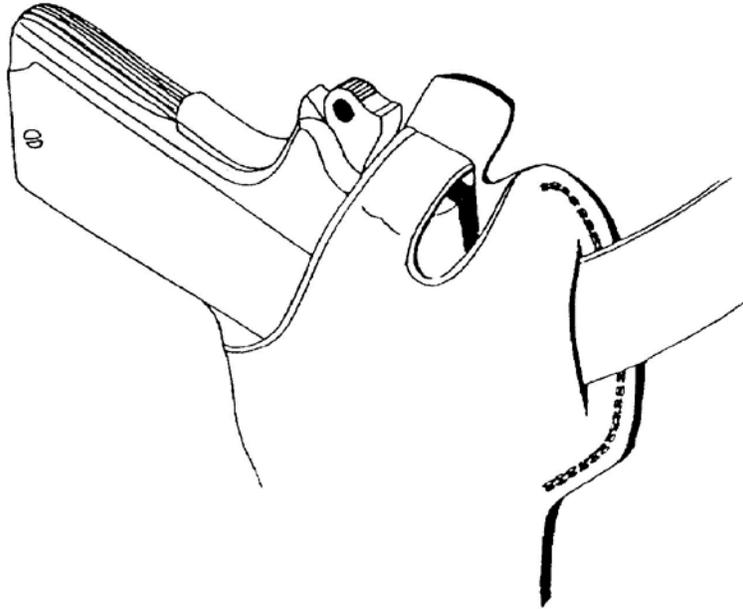


Use of any flashlight position requires that you hold the flashlight so that it is not struck by the moving slide of your semi-auto pistol. Do not hold the head of the flashlight behind your semi-auto.

When night firing, it is important to keep the flashlight off until it is needed to search and identify a target or shoot. The finger operating the flashlight button should turn off the light before you move or change position. If you must use the flashlight to shoot, do not turn it on until you need it, and then turn off the light immediately, before you begin to move. Since the flashlight has illuminated you and identified your location, you should move to a new position of safety and cover, if possible.

Holsters

Officers should carry the gun in a holster that adequately retains the gun. The holster should not be cut away in the area of the trigger guard in such a way as to allow you to place your finger on the trigger as you draw the gun. Carrying the gun on the strong side (the same side as your strong/dominant hand) has several advantages such as: quicker draw, quicker on target, easier to retain the gun and defend against a take-away attempt.



Pictured here is an example of a concealable holster for plain-clothes wear

Review of Test Questions

Typical plywood and sheetrock residential construction will usually not stop a handgun bullet.

A warning shot fired at random into the air is not a recommended act.

For the purposes of protection from gunfire, cover is defined as anything that will stop a bullet.

Distance between you and your assailant are almost always in your favor.

Kneeling and prone positions are steadier to shoot from than a standing position.

Shooting for “center of mass” when defending yourself is recommended.

Shooting at a person you have not identified is not permissible.

When using a flashlight to aid in target identification and shooting, you should turn the light off before you move or change position.

A holster that allows you to place your finger on the trigger while the gun is in the holster is a safety hazard.

The Modern Technique

Gun Fighting Not Target Shooting

Anyone who has been involved in a law enforcement or self-defense gunfight will tell you that it didn't last very long, usually only a matter of seconds. Everything being taught during this course is geared toward giving you the tools necessary to beat a lethal adversary. The "Modern Technique" of Pistol craft, when mastered, will provide you with a great deal of confidence in your ability to prevail in a lethal "short term, interpersonal confrontation". We are the "Good Guys"; we have to WIN-- because it really sucks when we don't.

There are five components to the "Modern Technique" of Pistol Craft. They are listed below with a brief synopsis and explained in greater detail in the following pages.

1. **Modern Isosceles Stance-** Chest facing directly at threat, weight on balls of feet, elbows locked out, feet in "fighting stance", also known as the "Universal Shooting Stance". This stance is effective for any weapon platform and provides consistency and maximizes the effectiveness of body armor.
2. **Weapon Retention Presentation-** 3-step method for very quickly and smoothly getting the pistol from the holster to pointed-in on target, culminating in a proper stance. This method also allows for fast, controlled shooting in an arm's length confrontation.
3. **Compressed Surprise Break-** Finger placement and trigger manipulation. The trigger is pressed smoothly and quickly straight back until the trigger "breaks" and the pistol fires. The instant of "ignition" is a complete "surprise" to the shooter. All this occurs quickly, compressing the time it takes to fire the pistol. Hence the "Compressed Surprise Break."
4. **Flash Sight Picture-** Aim the pistol with your body-Confirm correct sight alignment with a quick look ("flash") at the front sight immediately prior to pressing the trigger.
5. **Heavy Duty Handgun-** Shoot as powerful a handgun as YOU can (within policy constraints).

The Modern Isosceles and Weaver Stance

It can be successfully argued that any shooting stance will become the first casualty of the deadly force confrontation. Circumstances may dictate that the fight is waged from a seated position in a car, laying on the ground, behind or moving to cover, etc. Yet, even then, the overriding principles established and reinforced in training the body and mind on the range allow the shooter to adapt and compensate for the disadvantages of the situation.

In learning or teaching a shooting stance, one must consider that it is designed to accomplish several important results under ideal circumstances:

- Consistent, accurate placement of shot(s)
- Recoil control for quick follow-up shots, and the ability to keep the semi-automatic pistol from malfunctioning
- A solid platform that provides balance and mobility.

Several stances are widely accepted as effective in achieving these goals, considering the mechanics of the human body. It is understood that slight modifications must be made when the physical idiosyncrasies of the shooter are taken into account. Obviously, the fewer modifications are made, the more the strength of the platform is maintained.

1. The Isosceles Stance

- The feet are a comfortable shoulder width apart with the dominant leg farther back from the intended target. This “interview stance” places the holstered weapon in a position that is less accessible to confronted suspects.
- The knees are slightly bent with the center of gravity shifted forward over the balls of the feet.
- The upper body is angled slightly forward to assist in recoil control. Shooter size and strength as well as caliber/recoil of the weapon will determine the angle although 1 – 2 inches forward of center is usually sufficient.
- The weapon is held in a two-handed grip with both arms fully extended, and shoulders relaxed.
- The handgun is centered on the midline of the body.

The Isosceles Stance
Continued



Note: Weapon is pointed “in”...So finger is on the trigger

Advantages:

- Simplicity. This stance is easy to learn. There is no need to concern oneself with elbow and shoulder angles.
- The front panel of the soft body armor is squared off to the threat.
- Recoil is absorbed by the weight of the upper torso leaning on the weapon through the rigid structure of the extended arms.
- Toes are pointed forward allowing for better mobility when required.

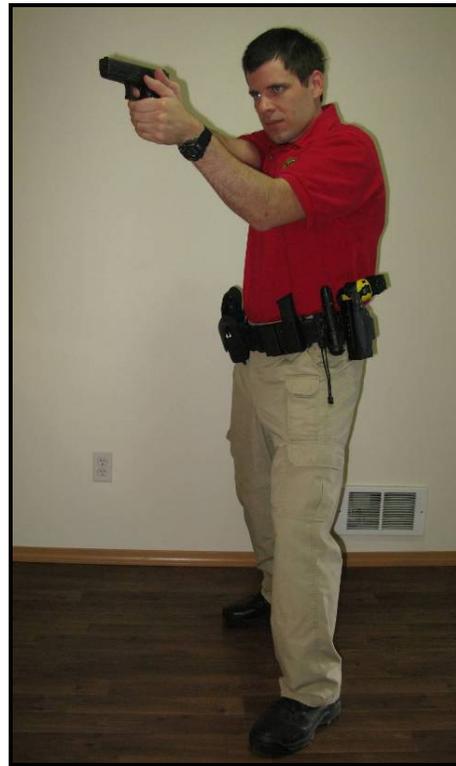
Disadvantages:

- Fatigue. The weight of the weapon is being held up at the end of the extended arms by the shoulder muscles. As the muscles become fatigued, the shooters tend to lean backwards to compensate, and recoil control is thereby lost.

Stance
Continued

2. The Weaver Stance

- The feet are a comfortable shoulder width apart with the dominant leg farther back from the intended target. This “interview stance” places the holstered weapon in a less accessible position to confronted suspects.
- The upper body is bladed at an angle to the threat with the shoulders pointing in the same direction as the hips and feet.
- The weapon is held in a two-handed grip in isometric tension. Isometric tension is achieved by the dominant hand pushing the pistol away while the support hand applies equal pressure by pulling back towards the dominant shoulder.
- The dominant arm may be held straight or slightly bent.
- The support arm is bent with the elbow pointed downward. Failure to point the elbow down results in the shooter using arm muscles rather than skeletal structure to support the weapon.
- The dominant wrist is locked to control muzzle flip.



Stance
Continued

Weaver Stance continued

Advantages:

- Positioning the support arm under the weapon provides both skeletal and muscular support.
- Recoil control is provided by isometric tension. Therefore, this stance does not require the upper torso to lean forward as much as the Isosceles Stance does. However, leaning forward is more natural than standing straight and erect in a fight, especially when movement is added. Note: Some proponents of the Weaver stance find that it can be enhanced by moving the center of gravity forward a bit and bringing the arms closer to the centerline of the body.

Disadvantages:

- The bladed body exposes the armpit and smaller side panels of the soft body armor to the threat.
- Allowing the support elbow to elevate while applying isometric tension tends to redirect the pressure to one side and adversely effects accuracy.
- Maintaining the same consistent isometric tension between the dominant and support hands and arms is difficult as the situation becomes more stressful.

TURNING 90 DEGREES TO THE TARGET

During a shooting situation you may find yourself in a position where you have to deal with multiple assailants or find yourself being flanked by an attacker. In either case you would have to turn from you basic stance 90 Degrees right or left to engage your adversary. In order to accomplish this you must perform the following;

Turning 90 Degrees Right; from the Modern Isosceles position pivot on the ball of your right foot picking up your left and swinging fully around to face the new direction. *Caution your side arm is not removed from the holster until you are facing the new direction and stable.*

Turning 90 Degrees Left; from the Modern Isosceles position pivot on the ball of your left foot picking up your right and swinging fully around to face the new direction. *Caution your side arm is not removed from the holster until you are facing the new direction and stable.*

Handgun Presentation and Recovery

An important distinction must be drawn between what Law Enforcement can do as opposed to the laws governing Private Security:

- Law Enforcement is given far more latitude in the eyes of the court to preemptively draw their sidearm in the face of a pending use of force situation.
- Private Security, like all private citizens, is given very little latitude if faced with the same situation. In essence, for a security officer to draw their firearm is to commit to the situation they face. Once the personal decision to draw a firearm in public is acted upon, a private citizen (including Private security officers) must either be justified in using deadly force or they are committing a crime such as ‘unlawful display of a weapon’ or ‘brandishing.’ There is no legally recognized middle ground. **Nothing** in this section implies that a security guard or investigator **MUST** shoot someone when his or her weapon is drawn. It only suggests that the individual understand the legal ramifications that come with such an act as drawing a firearm in public.

Presentation to a “Ready” Position addresses the situation in which the student perceives the need to have the weapon in hand, but not the need to fire a shot (search, challenge, “Ready,” etc.) This presentation is made up of the following 3 steps:

1. Grip
2. Clear
3. Join (“Challenge”)

Presentation to the Shot (sighted fire) addresses the situation in which the opponent’s aggressive action has resulted in the decision to shoot being already established in which the distance to the threat requires employing “flash sight picture”* rather than precise sight alignment. This distance issue takes into account the fact that the time between deciding to shoot and actually firing the shot is too short for the opponent to realistically alter his/her actions in time to influence the officer’s course of action. When the confrontation (and range training) takes place at distances requiring the *longer time frames* necessary for precise sight alignment, it may be argued that opponents might have the time to alter their actions to those of compliance, thereby allowing the officers time to adjust their responses accordingly. As addressed earlier, live fire exercises at longer distances with shoot/no-shoot (decision making) targets must be formulated to address this issue. This presentation adds an additional 2 steps to the 3 already listed above:

1. Grip
2. Clear
3. Join
4. Sights
5. Fire

Presentation to the Shot(COB) (“Weapon retention” or close-quarters, unsighted fire) addresses the situation where the decision has been made to fire shot(s) at close-quarters where the opponent is in such proximity to the officer that if the weapon is extended towards him the opponent would have opportunity to take it, deflect it or interfere with its operation. This presentation simply removes steps 3&4 from the above listed 5 steps:

1. Grip
2. Clear
5. Fire

INSTRUCTIONAL NOTE:

Initially, train each step by verbal command to ensure that students can demonstrate the reference points of each step. This should progress to omitting the verbal commands of each step to allow students to complete the sequence at their own speed. A simple “Go”, “Fire”, “Up”, “Challenge” command, whistle, or turning target may be used. As speed progresses, the instructor must monitor to ensure that all reference points are retained by the student. Occasionally, reverting back to verbal commands may become necessary, as students frequently tend to sacrifice the precision of the movement in an attempt to increase speed.

In order to focus on isolating and learning the precision of the essential steps of the skill, when initially introduced to the Handgun Presentation, students should start from an “interview position.” The “interview position” should be adaptable as a passive, defensive tactics stance. Appropriate foot position is described in Sec. 4 under “Stance.” Hands should be together and relaxed at the center line of the body at about diaphragm level in a position consistent with note taking. The “interview position” is an *ideal* starting point only. After the basic steps of the draw are learned and consistently demonstrated from this static position, variables representing real life situations should be introduced. These variables include starting with the hands in alternative positions to simulate occupation with other activities, (including holding objects) as well as drawing the weapon while moving, sitting, etc. Instruction on presentation of the weapon while moving must include: when, where, and how to move, along with the advantages and disadvantages of moving (based upon the environment and circumstances of the confrontation).



Interview position

Handgun Presentation and Recovery

Instructional steps for **Presentation to the “Ready”** position:

Should the opponent be at such a distance so as to not be a threat to the control or possession of the handgun (beyond arm’s reach), and the officer perceives the need to have the weapon in hand but **not the need to shoot** (search, challenge, etc.), the following steps are applicable:

1. “Grip”

- Both hands move *simultaneously*.
- The *support hand* moves to the centerline of the body in the area of the diaphragm with the open palm towards the torso.
This places it in the *ideal* position to join with the dominant hand (step #3) for a two handed grip.
- The dominant *hand* moves to the weapon, defeating all retention devices, and obtaining the *proper* grip in the holster.
Taking the time to obtain the proper grip on the weapon during this step ensures that, if needed, the sights and the body are aligned once the weapon is drawn.

2. “Clear”

- The *support hand* remains in the same position.

- The *dominant hand* draws the weapon from the holster. When the muzzle clears the holster opening, briskly elevate it so that it points at the ground, approximately 45° to the front of the student.

3. **“Join”** (or “Challenge”)

Student preference, training, the environment, and the situation will determine which of the “Ready” positions described in Sec. 1 is appropriate.

If the “Guard” position is the objective, the *dominant hand* starts moving the weapon forward and down to a position in which the muzzle points below the threat, and the hands (and weapon) do not block the student’s field of view. Simultaneously, the previously positioned *support hand* moves outboard so that its extended fingers cross over and wrap around the fingers of the dominant hand to obtain the proper two-handed grip. Care must be taken so that *the support hand does not pass in front of the muzzle of the weapon at any time*. The two-handed grip is refined as the weapon moves forward.

- **The trigger finger remains indexed above the trigger guard alongside the receiver.** A verbal challenge may be appropriate.



From the “Clear” to the “Guard”

- **If the “SUL” position is the objective**, the *support hand* is already in position. The *dominant hand* moves the weapon forward and towards the centerline of the body and the *support hand*, as it rotates the muzzle down to point between the student’s feet. The thumb of the *dominant hand* is extended away from the grip of the weapon to make contact with the tip of the *support hand thumb*. The barrel or slide of the weapon rests against the back of the extended *support hand* fingers.
- **The trigger finger remains indexed above the trigger guard alongside the receiver.** A verbal challenge may be appropriate.
- Movement between the Guard and the SUL position will be determined by environment and situational changes as well as student preference.



From the “Clear” to the “SUL”

Handgun Presentation and Recovery

VERBAL CHALLENGE:

Consideration must be given to instruction pertaining to the verbal challenge. Many commonly used phrases that have encroached upon the world of Law Enforcement are not only unprofessional and inappropriate, but are ineffective or don't accurately convey to the suspect (or the public within earshot) the actual intent of the officer. While the argument can be made that there is value in the standardization of a verbal command, the need for flexibility to suit the situation must also be addressed. For example, more than one tactical officer accustomed to serving high-risk search warrants has found that the habitually shouted; “get down, get down,” when applied to the wrong circumstances and environment, has only resulted in placing the compliant suspect out of view behind the furniture or vehicle. The “challenge” serves several purposes:

- **Control:** A loud, clear verbal introduction announces the presence officer or agent on the scene and assists in establishing control.
- **Identification:** The challenge should immediately provide all those present (bystanders, suspect(s)) and any other officer or agent on the scene with the knowledge that the person giving the commands is a lawful officer or agent.

State purpose or intent: The challenge should provide *understandable* instructions to all present in as brief and concise a manner as possible. Standardization of the challenge helps to eliminate the confusion which occurs when one officer is yelling “put your hands up,” and another is yelling “get down, get down.”

- **Compliance:** The challenge should be given with the *intent* of persuading its listeners to comply. **If the decision has already been made to shoot, officers should not slow down their own response time by taking time to talk.**

Examples which accomplish each of these purposes and instruct the subjects to cease their activity are as follows:

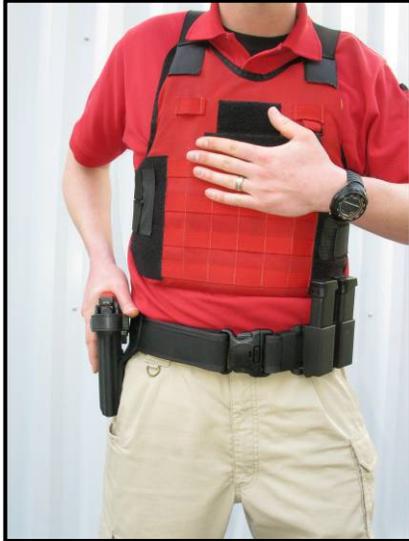
“Armed Officer(Agent, Investigator, etc..), Stop” or “Armed Officer(Agent, Investigator, etc..)Don’t Move”

These challenges would then be followed with situation-specific instructions.

Handgun Presentation and Recovery

Instructional steps for **Presentation to the shot(s)**

- “Grip”
 - Both hands move *simultaneously*.
 - The *support hand* moves to the centerline of the body in the area of the diaphragm with the open palm towards the torso.
This places it in the *ideal* position to join with the dominant hand (step #3) for a two handed grip.
 - The *dominant hand* moves to the weapon, defeating all retention devices and obtains the *proper* grip in the holster.
Taking the time to obtain the proper grip on the weapon in the holster so that it, the sights, and the body are aligned, is much more efficient than a hurried, sloppy grip resulting in misalignment, which then results in inaccuracy and poor recoil control.



Full firing grip



Holster retention device(s) released

Handgun Presentation and Recovery

- “Clear”
 - The *support hand* remains in the same position.
 - The *dominant* hand draws the weapon from the holster. As soon as the handgun clears the holster opening, briskly elevate the muzzle to a horizontal position pointed at the threat, with the shooter’s elbow anchored to their side, so that if it must be fired at this point the movement of the slide will not impact the clothing or body of the student. If the student obtained the proper grip of the weapon initially, the front sight, rear sight, wrist and elbow will now be aligned.
 - For agencies using pistols so equipped, a reflexive *sweep* of the thumb to ensure that the *dual function decocking lever* (Sec. 2) is in the up (fire) position should be added to this step of the presentation.
 - Thumb safeties on single action semi-automatic pistols ***must not be disengaged*** until **after** this step is completed. Agency policy may address any further restrictions regarding when the safety may be disengaged.
 - *After* the muzzle of the handgun is pointed at the threat and all conditions of the General Safety Rules #2, 3, & 4 (Sec. 1) have been met, the trigger finger should make contact with the trigger and begin taking up any slack (“prepping the trigger”)



Clear

Handgun Presentation and Recovery

- **“Join”**
 - The *dominant hand* starts moving the weapon in a straight line, pushing the muzzle, directly towards the threat. Simultaneously, the previously positioned *support hand* moves outboard so that its extended fingers cross over and wrap around the fingers of the dominant hand to obtain the proper two-handed grip. Joining the two hands close to the body allows the proper two handed grip of the weapon to be established by the time the arms are extended to the firing position. Care must be taken so that *the support hand does not pass in front of the muzzle of the weapon at any time*.
 - The handgun continues in a straight line to where the front sight intersects the line of sight between the student and the threat as the support hand continues to refine the two handed grip.
 - *While* the weapon is moving forward, the trigger finger continues to take up any slack that is present. This will put the finger into position to *finish* the trigger press once the desired sight picture has been achieved. This eliminates the abrupt collision that occurs when the finger “attacks” the trigger from the “indexed” position after the arm is fully extended and the weapon is stationary.

INSTRUCTIONAL NOTE: 1. As each weapon’s trigger varies in weight and length of travel, considerable *dry repetition* must take place prior to making this a live fire exercise. 2. Follow-up training must be added to address confrontations that take place at longer distances, and thus require the time for prioritizing precise sight alignment over speed.



Join

- **“Sights”**

- When the decision has been made to shoot and the weapon's sights intersect the line of sight between the student and the point of aim on the threat, the student needs to make a conscious effort to focus on the front sight to obtain a *flash sight picture* (Sec. 4) for short distance shots (or for more *precise sight alignment* (Sec. 4) for longer distance or precision shots, as addressed above).

INSTRUCTIONAL NOTE: As the students become more familiar with the steps of the presentation and their desire to prioritize speed emerges, they will have a tendency to sacrifice their focus on the front sight. Emphasizing this step in the training program increases the likelihood that it will become a reflexive aspect of the Draw.



Handgun Presentation and Recovery

- **“Fire”**
 - At this point, the decision has already been made to fire, the slack has been taken out of the trigger, and the appropriate sight alignment has been verified by the student’s focus. As soon as the weapon stops moving, the student simply continues (or finishes) the trigger press to achieve the surprise break of the shot(s). With repetition, students should be taught to *work towards* the point at which the shot breaks immediately after the weapon becomes stationary *and* their eye has found the front sight.

INSTRUCTIONAL NOTE:

Too long a pause between the weapon being on target with the finger on the trigger and the shot actually being fired (the time between steps #4 & 5), could be interpreted by the student as indicating that it is okay to use this as a “ready” position. This tendency must be overcome by devoting enough time (especially during initial training) for the details of each step to be understood by the student. As students demonstrate an understanding of the reference points of each step, the time between commands #4 and #5 should be shortened to the point at which one step immediately follows the other. In short, we must impress upon the students that if the weapon is pointing at the threat, they should be shooting. If they are not shooting, the weapon should be at a “ready” position.

Handgun Presentation and Recovery

Instructional steps for **Presentation to the Shot(s)** at “Close-Quarters”

Students must be given the tools to deal with as many realistic situations as possible. Drawing a handgun in a deadly force encounter which takes place at common interview or “handshaking” distances back to two or three yards may result in a physical struggle for possession of the handgun. Therefore, a presentation of the weapon which takes into account the weapon’s security along with accurate firing must be addressed in training.

1. “Grip”

- Both hands move *simultaneously*.
- The *support hand* is raised up to block any incoming blows or strikes to their head or face by the opponent
- The *dominant hand* moves to the weapon, defeating all retention devices and obtaining the *proper* grip in the holster. Taking the time to obtain the proper grip on the weapon in the holster so that it, the sights, and the body are aligned, is much more efficient than a hurried, sloppy grip resulting in misalignment, which then results in inaccuracy and poor recoil control.

2. “Clear”

- The *support hand* remains in the same position to block any incoming blows or strikes from the opponent.
- The *dominant* hand draws the weapon from the holster. As soon as the muzzle clears the holster opening, briskly elevate the muzzle to a horizontal position and cant the weapon outboard so that when it is fired, the movement of the slide will not impact the clothing or body of the student.



Handgun Presentation and Recovery

3. “Fire”

- After the muzzle has cleared the holster and is pointed at the threat the trigger finger is placed on the trigger, the slack removed and the shots are fired. (Minimum standard response: Sec. 12)
If the student has obtained the proper grip of the weapon in the holster, the front sight, rear sight, wrist and elbow will be aligned, allowing accurate stance-directed, unsighted fire.

INSTRUCTIONAL NOTES:

- Initial training of this technique should be done as a dry fire exercise with each of the steps performed on command in slow, controlled motion. Instructors will need to ensure that the support hand and arm are consistently, well clear of the muzzle blast area before allowing the students to proceed to live fire.
- Variations on this technique may include a strike towards the face, head or body of the opponent with the support hand/arm while performing step #1 “Grip” and THEN continuing the support hand/arm to the blocking position while performing Step 2 “Clear”
- Once the students appear to have mastered these three steps during both dry and live fire training, the following options may be added to their skills:

4. “Step”

- To gain distance from their adversary, the student then takes a long step backwards with their dominant side foot. This step should not be straight back but rather at an angle from the suspect to require them to change direction if they were to pursue. As the student moves backwards, the distance gained, allows the student to extend the dominant arm and bring the handgun up to eye level. At the same time, the student’s support hand **joins** the dominant hand in a two handed grip on the pistol being careful not to pass it in front of the muzzle of the weapon. This puts the weapon into position for the shooter to acquire a flash sight picture.

Handgun Presentation and Recovery



5. “Assess” or “Shoot”

- After gaining some distance from the opponent the student is in position to assess the situation and determine if it requires more shots to be fired, a challenge given, or if it is safe to evaluate, scan, and holster the weapon.
- In the training situation, the lesson plan, course objectives, range configuration and instructor discretion determines which action is appropriate.
- Once students demonstrate their competency in performing this movement safely and efficiently, instructors may decide to add another long step (again, diagonally, this time perhaps in the opposite direction from the first step) to allow the student to continue to take advantage of mobility while they take appropriate action to neutralize the threat.

NOTE: ALL non-firing manipulations of the pistol will begin and end in the GUARD position. That is the last place the pistol should be prior to returning it to the holster. That is your “Insurance” that both you and the pistol are ready for the next encounter. Be sure a round is in the chamber, a full magazine is in the pistol, all other ammunition you have on your person is stored appropriately, and you have assessed the situation and are in complete control of the area within your immediate field of view.

Handgun Presentation and Recovery

Instructional steps for **Recovery to the Holster**

It is vitally important that emphasis is placed upon holstering the weapon *only* when it is safe to do so, and not merely because the shooting appears to be over. Whether the weapon presentation has resulted in shots being fired, a verbal challenge, or a building search, the officer should always be hesitant to return the weapon to its holster.

1. “Evaluate”

- If shots have been fired and the immediate threat(s) appear to be incapacitated, students should bring the weapon down to a “ready” position (a Guard or SUL) to open up their field of view. Students must be taught that just because an opponent is “down,” he or she is not necessarily incapacitated. Inflicted injuries, which may at first appear to be disabling, may only put the opponent out of action temporarily.
- *Immediately*, the trigger finger is indexed above the trigger guard alongside the receiver.
- When the “evaluation” reveals that the suspect is no longer an immediate threat, Double/Single pistols (DA/SA) such as the Sig P226 or P220, should be de-cocked at this point.
- When the “evaluation” reveals that the suspect is no longer an immediate threat, single-action pistols should have the safety put “ON” and the dominant hand thumb replaced back on top of the safety so that the safety may be immediately deactivated if the threat were to return.



Evaluate from the Guard position



Evaluate from the SUL Position

Handgun Presentation and Recovery

2. “Scan”

Once evaluation has determined that the immediate, obvious threat(s) have been incapacitated, the students must train themselves to account for multiple suspects, tunnel vision, and other distractions. This requires the observation of 360°. Whether students turn their entire bodies or only their heads away from the initial threat will be dictated by circumstances and their environment. Regardless, they are responsible for controlling the muzzles of their weapons. Under some circumstances, the “Guard” position may be sufficient to accomplish this task. A drawback to this position, especially in crowded environments, is that if students choose to turn their entire bodies by pivoting at the hips or by moving their feet, it is much more difficult to keep the muzzle of the weapon from moving laterally. An advantage may be that it keeps the weapon pointing in the general direction of their original, and perhaps potential, renewed threat, thus facilitating quicker follow-up shots if required. Otherwise, the situation may be better suited to the use of the SUL position which provides better muzzle control, especially in crowded situations. When scanning 360° in the SUL position it is important that the student’s feet move. Simply pivoting at the waist will cause the muzzle of the weapon to point at the feet and legs instead of the ground between them. To avoid this, as students turn to look behind them, they should step back with the left foot when turning to the left, and with the right foot when turning to the right, keeping the muzzle pointing between the feet. Students’ evaluation of the circumstances will determine if turning their backs on the initial threat area is advantageous. In the meantime, training students in each technique familiarizes them with options that they can employ as they determine their applicability to each situation. A first-aid scan should also be added to the list of tasks to be performed at this time. Check your partner as well as yourself for injuries that you may not have noticed before.

- ❑ The trigger finger remains indexed throughout the scan.
- ❑ Instruction must emphasize that students need to actually *see* what they are looking at, rather than simply going through the motions of the scan.

INSTRUCTIONAL NOTE:

Another reflexive skill should be addressed at this point. If the presentation of the weapon has resulted in shots being fired, the student should make it a habit to reload prior to holstering. The type of reload, as well as whether to reload and then scan *or* scan and then reload, is situational. Students should be reminded that since the eyes are not an essential element of the reloading program, scanning and reloading should be performed simultaneously.

Handgun Presentation and Recovery



Scanning from the Guard Position



Scanning from the Sul Position

3. “Holster”

The pistol should return to the holster by reversing the motion and steps of the presentation. Should a threat reappear while holstering, the weapon is thereby always in position for the student to respond in an efficient manner. Using *only* the dominant hand to holster the weapon frees the support hand for other tasks (holding flashlights, opening/closing doors, grabbing handcuffs, etc.) It also prevents students from pointing the muzzle of the weapon at the support hand, which is likely to occur if they reach across the body to push retention straps out of the way. The student must be trained to holster without looking down. Keeping the eyes on the threat area throughout the program must be emphasized. Applicable weapons must be decocked prior to holstering if not already performed during evaluation or scanning steps, per agency policy or training preference. Reengaging manual thumb safeties on applicable single action pistols must occur prior to holstering if not already performed during the evaluation or scanning steps. Immediately upon holstering, fasten all retention devices.

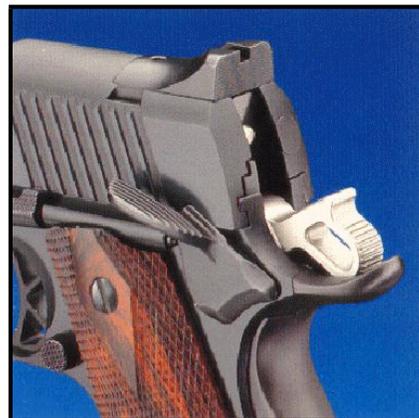
Handgun Presentation and Recovery

Instructional steps for **Recovery to the Holster** (continued)

Students should be instructed to place their thumb on the back of the semi auto pistol once the weapon is being pushed back down into the holster. This will insure that the weapon is firmly seated in the holster, prevent the slide from coming out of battery and, for weapons with a decocker, it will confirm that the weapon had been decocked.



Thumb stays off the back until the pistol is being inserted back in the holster



Note: for a 1911 style pistol the thumb on the top of the safety will confirm that the weapon is cocked and locked.

Pistol Manipulations

Non-Firing Manipulations of the Firearm: ALL non-firing manipulations of the pistol will be done from the GUARD position (on the firing line), or with the pistol secured in the holster.

There are three (3) constants, which generally apply to all non-firing manipulations of any firearm. Two of these are universal; the third only applies to particular firearms (those equipped with a mechanical safety and/or de-cocking lever). The three constants are:

1. Muzzle pointed in a Safe direction (see Rule #2).
2. Finger OFF the trigger (see Rule #3).
3. Safety On and/or hammer De-Cocked

NOTE: SINGLE ACTION AUTO PISTOL SHOOTERS: (Colt, Springfield, Browning) if the shooter is utilizing a single action pistol (which has a mechanical safety), the shooters thumb MUST be on top of the safety at all times. The only exception to this rule is when the shooter is actually in the act of re-applying the safety on the way to the Guard Position. Once the safety is back on, the shooters thumb will be placed back on top of the safety and remain there.

Loading and Unloading:

Press Check- Maintain a firing grip with the strong hand. With the fingers of your support hand, grasp the slide, from underneath and behind the muzzle, along the sides. Push the slide far enough out of battery to LOOK into the chamber and FEEL in the chamber through the ejection port with your trigger finger.



Fig. 4.1 Press Check

Double action semi-auto pistols with exposed hammers are more easily press checked if thumb cocked first (using the support hand thumb), as they will usually wind up fully cocked as a result of the press check. The pistol should then be de-cocked using the de-cocking lever.



Fig. 4.1a Press Check



Fig. 4.1b Press Check

After confirming the status of the chamber, the slide is released allowing the recoil spring to push the slide back into battery.

NEVER PRESS CHECK BY PUTTING THE SUPPORT HAND THUMB INTO THE TRIGGER GUARD Only the trigger finger goes in there, and then only when the sights are on the target (see Rule #3)!



Fig. 4.1c Press Check

To complete the press check, the shooter also confirms the status of the magazine in the pistol and any additional ammunition carried. The Press Check should be performed *ANYTIME* the shooter is uncertain of, or wishes to confirm, the status of the pistol.

The Press Check is always done from the GUARD position. After the Press Check is completed, the shooter returns to the GUARD position, running the de-cocking lever or putting the safety ON, if appropriate for that pistol. In all cases, the trigger finger never enters the trigger guard (see Rule #3!).

Loading- (chambering a round) ‘Press check’ the pistol to see if loading is necessary. Insert and seat a full magazine. Run the slide vigorously –“rack and circle back”- to charge the chamber. Press check again to confirm the chamber is charged, then de-cock or apply the thumb safety (as appropriate for your pistol).

‘Tac load’ a full magazine into the pistol; or holster, then remove the magazine from the pistol and add a round to replace the one that charged the chamber, then seat the magazine

back in the pistol. **DO NOT OMIT THIS LAST STEP**; you want the pistol fully loaded at all times.

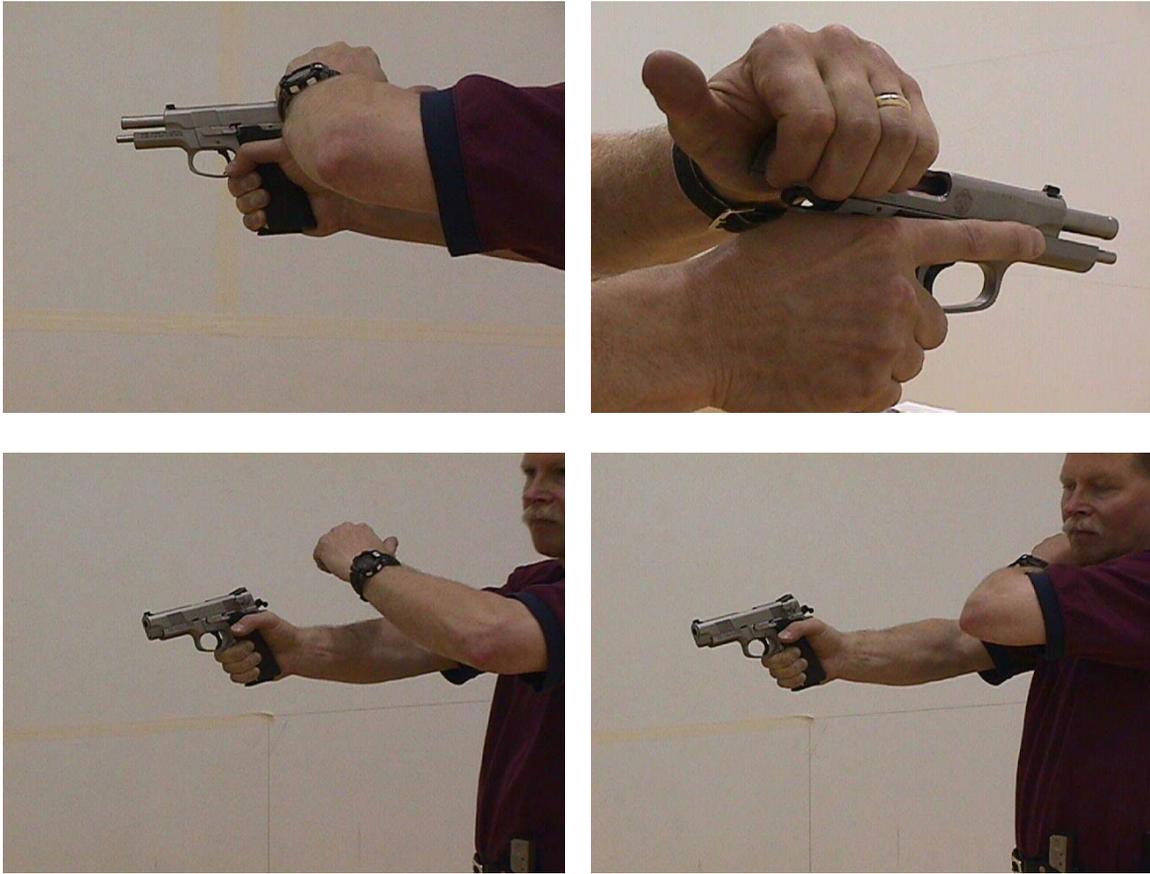


Fig. 4.2 Grasping the slide (The following sequence of photographs depicts proper grasp of the slide and follow-through.)



Fig. 4.3 After running the slide, reacquire a two-handed firing grip

Tactical Loading- A “Tac-Load” (Tactical Load) replenishes the ammunition supply in the pistol while saving the partial magazine for possible later use. This reloading is performed during a lull in a fight, preferably from behind cover or at least concealment, with the pistol at the GUARD position. It is imperative to KEEP YOUR EYES ON THE TARGET AREA at all times during the magazine exchange.

A fresh magazine is acquired from the magazine pouch. The partially empty magazine is removed using the middle finger and ring finger of the support hand and the full magazine is inserted and seated in the normal manner.



Fig. 4.4 Properly indexed Magazine



Fig. 4.5 “Flat to Flat and Back to Back”



Fig. 4.6 Insert Magazine



Fig. 4.7 Briskly seat the magazine

The partial magazine is saved and placed somewhere the officer can easily retrieve it, **but not in the magazine pouch**, since it is not fully loaded. This will reduce confusion on which magazine is fullest, yet keep possession of all available ammunition for use in the event the officer must reload again, by speed loading or tac-loading, or if a Type 3 malfunction must be cleared.

If the shooter is carrying only one spare magazine, the partially expended magazine should be placed in the magazine pouch.

Reach for a fresh magazine with your support hand as you turn the pistol in your strong hand. Press the magazine release button only after you have touched the fresh magazine and know you have a replacement. The partial magazine is released and allowed to fall free and is not saved for future use. The pistol will not be de-cocked or have the thumb safety engaged prior to this step. The pistol should remain at the level of your collarbone.

Speed loads- The method by which you quickly replenish the ammunition in the pistol. This is necessary when actively shooting and the ammunition status becomes uncertain or empty and you need to reload to continue fighting.

Bring the fresh magazine up to the pistol, and place the flat of the back of the magazine to the flat of the back of the magazine well. The index finger of the support hand **MUST** be aligned with the front of the magazine and **MUST** be touching the top cartridge in the magazine.



Fig. 4.8 Acquire fresh magazine and turn the pistol to release magazine



Fig. 4.9 Release of magazine



Fig. 4.10 Insert magazine Flat to Flat

Briskly seat the magazine using the heel of the support hand, re-acquire the firing grip, the target, and the front sight. **KEEP YOUR EYES ON THE TARGET AREA AT ALL TIMES** during the loading sequence.



Fig. 4.11 Briskly seat the magazine

Unloading- Remove the magazine and place it under the little finger of the shooting hand. (THIS IS THE ONLY SITUATION WHERE IT IS PERMISSIBLE TO PLACE THE MAGAZINE HERE.) Run the slide vigorously and allow the chambered round to fall to the ground. Re-insert and seat the magazine. Press Check the pistol to confirm the status of the chamber (it should be clear, but ... see Rule #1).

CAUTION: DO NOT ATTEMPT TO CATCH THE CHAMBERED ROUND IN YOUR SUPPORT HAND. It is possible for the cartridge to shift during manual extraction and allow the primer to strike the ejector and detonate. If this should occur, severe injury to your support hand will very likely occur. This type of unintentional discharge has occurred in other agencies and forced medical retirement of police officers.

Run-Dry Drills- It is to be considered an error to lock the slide to the rear with an empty chamber and magazine, during a firing exercise. Should this happen, the remedy is similar to a speed load with one exception. The shooter has the additional task of charging the chamber. The shooter will NOT use the slide lock lever for this task, but will manipulate the slide by vigorously running the slide with the support hand.

Slide Manipulation- During its normal cycle of operation when fired, the slide of the auto-pistol cycles very violently. It is expected to do so. Therefore, to ensure reliable operation, the slide must be manipulated as vigorously and violently as possible when charging or clearing the chamber. The goal is to duplicate normal operation as closely as possible. Hold the pistol in a normal firing grip with the strong hand and grasp the top of the slide with the support hand, thumb toward the rear of the pistol. Make sure you do not cover the ejection port with your hand. Briskly and forcefully run the slide to the rear with the support hand letting the slide slip or “tear away” from your hand as it hits the rear limit of its travel. Allow your support hand to hit your strong shoulder (or nearly so). This will make sure your hand does not help the slide go forward into battery. Emphasize circling your support hand behind and below the pistol (“rack and circle back”) as you re-acquire a proper two-handed firing grip.



Running the slide gently or “riding” or helping the slide forward into battery often causes malfunctions, may pinch your fingers in the ejection port, and increases the likelihood you will move your support hand in front of the muzzle as you re-acquire a two-handed firing grip (see Rule #2).

Review of Test Questions
Non Firing Pistol Manipulations include Press Check, Loading, Unloading, Tactical Loading, Speed Loading, and Slide Manipulation.

REVOLVER RELOADING

If you reload with your revolver while held in your weak hand, then any speed loader pouch or extra rounds should be carried on the strong side so that your strong hand will find them easily.

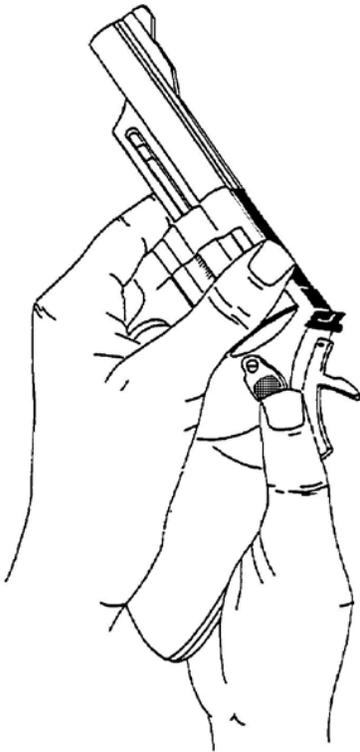
Carry at least one complete reload for your revolver. This reload will not only give you five or six more shots, it will also permit you to clear malfunctions that bind the revolver's action. Often, completely emptying the gun and reloading will make the gun operable again.

While there are many different techniques that will allow you to quickly reload your revolver, we will only present one technique here. Whichever technique you choose, the principles are the same:

- Do it the same way every time.
- Maintain control of the gun so that the muzzle is always pointed in a safe direction.
- Keep your finger off the trigger.
- Keep the gun close to your body to minimize shake.
- Use a method that you can do under stress.

The following technique is simple and effective:

Step 1: Right-handers use the thumb of the right hand to release the cylinder latch.

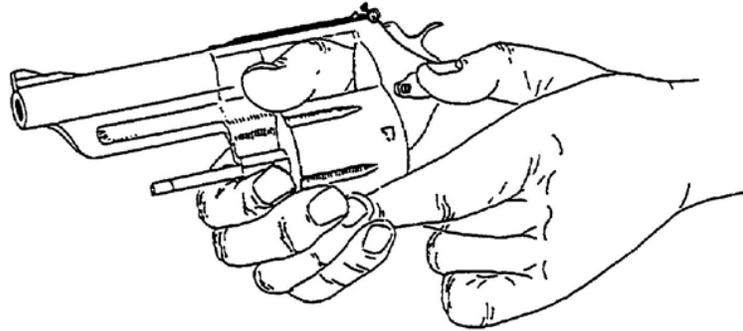


Right-handed shooter releasing cylinder latch

Left-handers use the thumb of the left hand to release the cylinder latch.

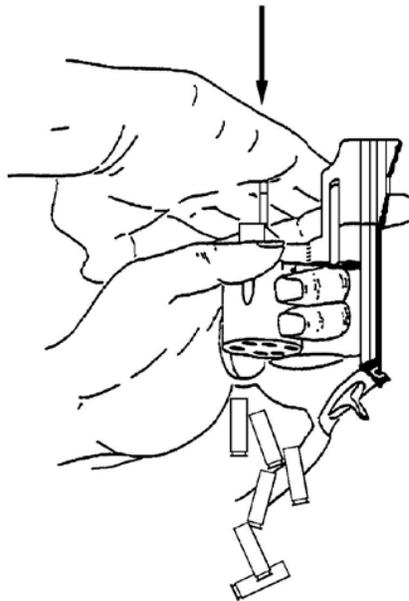
Step 2: Right-handers reach up with the left hand and use the fingers to push the cylinder open, and to grasp the gun through the frame and around the cylinder. The gun is now held in the left hand.

Left-handers reach up with the right hand and use the thumb to push the cylinder open, and to grasp the gun through the frame and around the cylinder. The gun is now held in the right hand.



Left-handed shooter opening cylinder
(Gun held in right hand)

Step 3: Right-handers: Tilt the gun so the muzzle is straight up - vertical - and slap the ejector rod with the palm of the right hand.



Right-handed shooter ejecting cases

Left-handers: Tilt the gun so the muzzle is straight up - vertical. The gun will have the butt or grips pointed away from your body. Now, slap the ejector rod with the palm of the left hand.

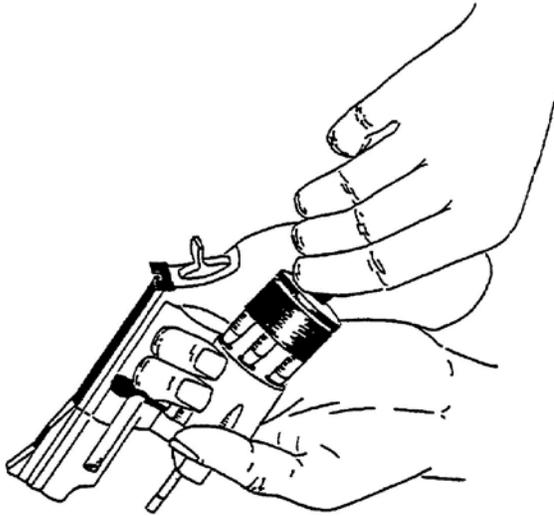


Left-handed shooter ejecting cases

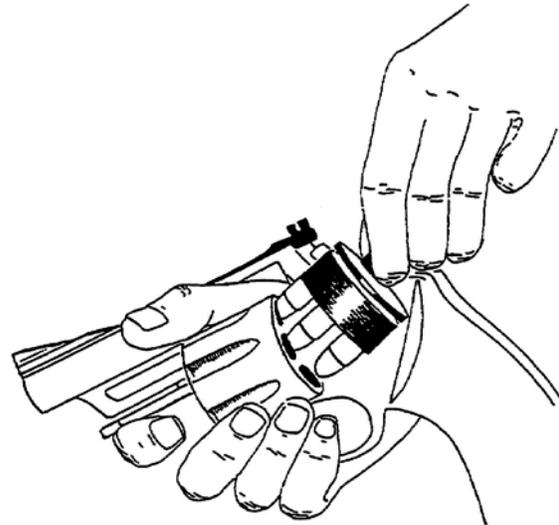
The vertical muzzle and slap of the ejector rod are critical - these steps guarantee that the shells in the gun will all eject.

Step 4: Now, rotate the gun so the muzzle is pointed down and the butt or grip of the gun is held against your body (for stability). The gun stays in your weak hand during this entire program.

Step 5: The strong hand locates the speed loader on your belt, removes it and brings it to the cylinder of the gun, where you allow the bullets to start into the chamber. Release the rounds from the speed loader (the action you take varies with the type of speed loader), and allow the speed loader to drop.



Right hand using speed loader



Left hand using speed loader



Right hand releasing rounds from speed loader

Step 6: Close and latch the cylinder with the weak hand while establishing a grip on the gun with the strong hand.

The gun is now reloaded. With practice this technique, which is safe and positive, can be accomplished easily within five seconds.

There are no written test questions on reloading, but this skill is part of the range qualification.

TRIGGER FINGER PLACEMENT

Several years ago, Dr. Roger Enoka, from the University of Arizona, concluded from studies that there were three circumstances which would cause a person to discharge a firearm if his finger were on the trigger, despite the best efforts of the person not to press the trigger. These events cause a person to flex their muscles as their body moves toward the fetal position, the critical portion being the clinching of the hands.

Postural Instability - If a person loses their balance, slips or falls, the instinctive reaction is for the hands to grasp and close as the person attempts to regain balance.

Overflow Effect - As a person grasps something in one hand and squeezes (with up to 100 pounds of force), the opposite hand will also close and squeeze with as much as 20% of the force of the grasping hand (20 pounds - in burst strength).

Startle Response - If a person is startled by a sudden and unexpected action (noise, movement, etc.), the muscles contract suddenly and briefly. Again, the critical concern is the clinching of the hands.

Review of Test Questions

Dr. Enoka identified Postural Instability, Overflow Effect, and Startle Response as three circumstances which would cause a person to discharge a firearm if his finger were on the trigger,

Malfunction Clearance

A malfunction is an interruption in the cycle of operation of a semi-automatic pistol that can be cleared with an immediate action drill. If tools or the skills of an armorer are needed to clear the interruption, you have a jam.

Fail to Fire: This type of malfunction most commonly occurs because the shooter failed to fully seat the magazine. This results in the slide not stripping a round off the top of the magazine and closing on an empty chamber. This can also occur from defective ammunition, a broken firing pin, or the slide not going fully into battery (because the pistol is dirty and/or the shooter ran the slide gently when charging the chamber).

This malfunction identifies itself by producing a loud “CLICK” instead of a significantly louder “BANG!” If that doesn’t clue the shooter in, the lack of recoil should!

ANYTIME THE PISTOL PRODUCES THESE SYMPTOMS THE SHOOTER SHOULD IMMEDIATELY

TAP - briskly strike the bottom of the magazine with the open palm of the support hand to seat it fully.

RACK & CANT - “rack/cant and circle back”, to clear the chamber and to chamber a fresh round.

ASSESS – mental decision to fire/not fire the pistol, or otherwise finish the fight or drill.



Tap



Rack & Cant



Assess

S&W's with a slide mounted de-cocking lever, P-35 BROWNING's, and BERETTA's:

Due to the drawbar disconnects in these pistols, a de-cocking lever in the down position can be misinterpreted as a misfire. Anytime you press the trigger, and feel "mush" with these pistols, raise your strong hand thumb high on the pistol, toward the slide, as you TAP-RACK-ASSESS. This will ensure that the de-cocking lever is in the up position.

FAILURE TO EJECT- This malfunction commonly results from the shooter "limp wristing" the pistol, in other words, not locking the wrist on the strong side and permitting too much muzzle flip (rise) during recoil. That causes the slide to not complete its full rearward travel during recoil. This results in the spent shell extracting but not to ejecting out of the slide. A dirty pistol, damaged extractor or ejector, or magazine with damaged feed lips can also contribute to this malfunction.

A Failure to Eject malfunction is identified by the spent shell (or occasionally a live round) sticking out of the ejection port, trapped between the barrel hood and the breech face of the slide. This will usually block the front sight from view. Occasionally, the spent shell will be trapped horizontally inside the ejection port ("buried stovepipe") (See Failure to Extract malfunctions below).



To clear the Failure to Eject malfunction perform the same immediate action drill as for a Failure to Fire malfunction.

TAP - briskly strike the bottom of the magazine with the open palm of the support hand to seat it fully.

RACK & CANT - “rack/cant and circle back”, to clear the chamber and to chamber a fresh round.

ASSESS – mental decision to fire/not fire the pistol, or otherwise finish the fight or drill.

Failure to Extract- This malfunction occurs when the slide tries to strip a live round from the top of the magazine to chamber it and there is a spent shell (or live round) still in the chamber. The new round runs into the back of whatever is still in the chamber and everything comes to a screeching halt. This is commonly caused by chipped or broken extractors, damaged magazines (feed lips not securely holding the rounds in the correct alignment during the firing cycle), and/or dirty pistol. This can also be caused by ‘limp wristing’ the pistol.

The pistol will look fairly normal with just a casual glance with this malfunction. The front sight will normally be visible, but the slide will be back out of battery by as much as the length of a live round. Brass will be visible in the ejection port.

There are four steps that must be accomplished to correctly and successfully clear this malfunction: (1) Identify it, (2) clear everything out of the pistol, (3) reload the pistol, and charge the chamber, and (4) finish the fight. To clear the Failure to Extract malfunction;

LOOK- and **FEEL** to identify the malfunction. Tilt the muzzle upward to **LOOK** into the ejection port and **FEEL** with the trigger finger that the slide is back out of battery. (Normally, if the trigger finger is raised up onto the slide when it is in battery, you should feel the ejection port).



LOCK - the slide to the rear to ease pressure on the top round in the magazine, if it is necessary for your pistol.



STRIP (or Rip) the magazine out of the magazine well.



RACK (rack, rack) - the slide vigorously 2 or 3 times to clear the chamber. Be careful not to cover the ejection port with your hand, this is the escape route for brass. Cant the pistol slightly to the right to assist clearance.

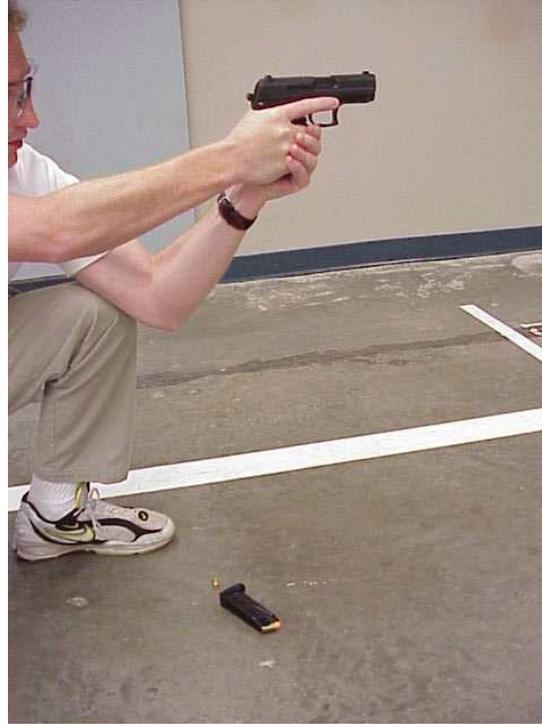




INSERT (Tap) - and seat a fresh magazine. Properly holding the magazine will greatly facilitate and speed up this step!

RACK (and Circle Back) – operate the slide vigorously to charge the chamber and circle back to re-acquire a proper two handed firing grip.

ASSESS – mental decision to fire/not fire the pistol, or otherwise finish the fight or drill.



The value of this malfunction clearance drill lies in its ability to clear all three of the above malfunctions. If you are in a situation where the available light will not let you see the pistol, and it will not fire, a complete Failure to Extract malfunction clearance drill will usually clear the malfunction and the pistol can be put back into the fight.

Review of Test Questions

The three types of malfunctions are described as Failure to Fire, Failure to Eject, and Failure to Extract.

AMMUNITION MALFUNCTIONS

SQUIB LOADS: This is the slang term for a cartridge that fired, but had insufficient power to clear the bullet from the barrel. The bullet becomes lodged in the barrel. A subsequent shot may force the “Squib” out with the second round, or it may stack up behind the “Squib.” If this condition goes undetected, the barrel can rupture with subsequent shots. The problem may be recognized by reduced recoil and reduced noise. If this occurs in a gunfight, you may not notice the indicators over other distractions. If you do, shooting the “Squib” out might be your only option if you don’t have a second gun. If this occurs on the range in training and you catch it, **DO NOT** shoot again until the barrel has been cleared (and confirmed by the Range master). “Squibs” frequently will not fully cycle the slide, causing a malfunction.

FAIL to FIRE: (Failed or Missing Primers) this is uncommon with reputable manufacturers “Factory New” ammunition. Primer failure is one cause of Failure to Fire malfunctions and is cleared as such. A round of ammunition missing a primer that is loaded in a pistol is an indication of carelessness and an unconscionable act of negligence.

BARREL OBSTRUCTIONS: Aside from “Squibs,” this condition usually results from dropping the firearm or the barrel getting shoved into the ground, dirt, snow, etc. This is more easily accomplished with long guns, but can occur with handguns. If detected, obstructions should be cleared before firing, for the same reasons described above.

INSPECTION IS PREVENTION: Most ammunition related malfunctions can be prevented by not allowing bad ammunition to be loaded into the pistol in the first place.

PISTOL POWER

STOPPING LETHAL ASSAILANTS WITH PISTOL FIRE

Pistols are weapons of marginal power by their very nature. Even the most powerful pistol authorized for duty use has only a small fraction of the power of a long gun. If you are going to a known high threat level situation, you are wise to take a shotgun or carbine. Pistols are carried constantly, as a matter of convenience, in lieu of a more powerful long gun for defense against an unexpected attack.

Natural Body Armors- The human body has three areas, which are stronger, or more heavily “fortified”. These three “Natural Body Armor’s” protect vital systems: the SKULL protects the brain (computer); the CHEST (ribs and sternum) protects the heart, lungs, and great vessels (boiler room - energy source); and the PELVIS protects the reproductive system and is the pivotal area of mobility (movement - transportation).

Minimum Standard Response- The minimum response is to engage the threat with accurate fire until the threats stops the behavior that created the deadly threat.

Fail to Stop Drill- After hitting a deadly assailant with a pair to the upper chest; you should immediately scan up to the suspect’s head. If the head is still there, you can assume that the body shots are not stopping the threat, so you should deliver a single shot to the suspect’s head **IF YOU HAVE A HIGH PROBABILITY OF HITTING IT**. This is Plan “B”, or more appropriately referred to as a “Fail-to-Stop” drill. Remember, the head is a difficult target to hit due to its small size and ability to turn rapidly.

The objective here is to disrupt the felon's brain, the body's "computer" with one hit to the eye-nose area of the head. This shot will almost certainly stop the fight immediately IF MADE, but will only waste time and endanger bystanders IF MISSED. Given these concerns, you should not attempt a head shot beyond about five (5) yards in a lethal confrontation unless you are confident in making the shot presented.

The first two shots to the body should always be as fast as you can go, but as slow as you have to, to guarantee good hits. The follow-up head shot should also meet the same speed parameters, but must be more carefully read due to the smaller target area. The head shot should follow the body shots in the cadence: 'front sight, press; front sight, press; front sight, C-A-R-E-F-U-L press.

ABC Drill- If the body shots did not stop the suspect, a single head shot was ineffective/missed or not taken (due to distance or circumstances), and the suspect is still a lethal threat, you should then immediately deliver a controlled pair of hits to the subject's pelvis. The objective in hitting and breaking the pelvis is to rob the subject of the ability to move. This is Plan "C".

Even this might not stop a determined adversary's attack. You must be prepared to continue pressing your counterattack by delivering a steady stream of hits to the subject's three "Natural Body Armors" discussed above (heart-lungs/sternum & ribs, brain/skull- ONLY IF POSSIBLE) until the subject stops the lethal attack.

On the range, this sequence is called the 'ABC Drill'.

Review of Test Questions

Natural Body Armors are described as the Skull, Chest, and Pelvis.

A Minimum Standard Response is described as the minimum response to a deadly threat is a controlled pair of hits to the upper chest of the assailant.

CONCEALED CARRY

Concealed Carry, By Jeffrey A. Slotnick

Many security officers, bail recovery agents, and private investigators have a duty requirement to carry concealed. This section will address the following competencies;

Competencies Included in this presentation

- Handgun Selection for Concealed Carry
- Holster Selection
- Environmental Issues and Clothing
- Accessories
- Requirements to Act
- Methods of Drawing and Firing

Handgun Selection and Concealed Carry

Selection Criteria

1. Your concealed carry firearm should be as large and as powerful as you can shoot accurately and carry with a reasonable degree of comfort and concealment.
2. Your concealed carry firearm should fit your hand perfectly.
3. You should be able to manipulate the controls of your firearm with either hand alone.
4. Your concealed carry firearm should be of sturdy construction and be able to withstand heavy use and rough handling.
5. Your concealed carry firearm should be accurate enough to consistently hit a target the size of a saucer at 10 yards quickly.
6. Select the largest caliber you can shoot well, and a caliber for which ammunition is readily available.
7. A good quality holster must be available for the model of pistol you intend to carry.

WHAT TO CARRY

The general rule is this: you should carry the most powerful gun which you can carry comfortably all day, conceal effectively, and shoot fast and straight. There is obviously a tradeoff here: Powerful handguns tend to be large and heavy, hence difficult to conceal and uncomfortable to carry. Light handguns which fire powerful ammunition have unpleasant recoil and are therefore hard to shoot quickly and accurately. Anyone who has a duty necessity to carry concealed, needs to consider this tradeoff in light of duty requirements and expectations.

When considering what firearm to carry due consideration must be given to the construction of the pistol. Specifically they should be smooth and free of protrusions which can snag on clothing or have sharp areas which can wear through clothing over

time. The object is to reduce the chance of snagging the pistol on clothing during the draw.

The ideal concealed carry gun is compact but with grips large enough to fill the hand, which allows for controlled but rapid follow-up shots. The gun should be powerful enough to count on and totally reliable.

Whatever pistol you choose must be safe against negligent discharges. Many of the smaller and older pocket pistols trade the lack of safety devices for ease of carry and deployment.

OTHER CONSIDERATIONS

Semi Auto Vs Revolver;

The type of pistol you choose is dictated by a number of outside factors.

Duty requirement will determine how you carry your firearm, where you carry your firearm, and types of clothing that you wear.

Another consideration is the threat environment, what is your potential worst case scenario? Will five rounds suffice for a tactical retreat or do you need more?

Body configuration and strength become an issue as well. If you cannot competently operate the action on a semi-automatic pistol to place it in battery then a revolver is probably your best choice.

The bottom line is these are aspects for your consideration ultimately you will have to make a decision on what you choose to carry.

Caliber;

The stopping-power debate is considerable and you should continue your research beyond this course. The general consensus is a bigger bullet is a better bullet. At the same time, a bigger, heavier bullet will create more felt recoil, especially when contained in the light, compact package that will likely be used for concealed carry. If the gun is so powerful you cannot provide quick follow-up shots and hit an eight- or even 12-inch square at 10 yards, then select a caliber which allows you to perform well. In my opinion for duty purposes do not choose a gun less than 9mm/.38 Special in caliber. History tells us people shot with calibers in .380 and smaller continue to fight without even knowing they are shot. While this can happen with larger handgun calibers, it is less likely.

Size and Shape

This is often a factor related to how you are going to carry your firearm; it is easier to conceal a small revolver than a large semi automatic. Another issue which we will discuss later is the method of carry and holstering options, concealing the firearm to deeply, make quick deployment problematic.

Ergonomics

Does the firearm fit the user? Even outside the considerations of concealed carry the concept of one size fits all is hard to apply. Body configuration including build, hand size, and strength, are all factors in firearm selection.

As addressed earlier, the ability to smoothly draw your firearm without snagging or hanging up is critical.

Training

Training for concealed carry brings forth its own training issues that may affect firearms selection for example firing from a seated position in a chair or firing while in or exiting a vehicle.

When considering how you're going to carry a concealed firearm, keep in mind that you won't always be in a standing position when it comes time to draw the gun.

CONCEALED HOLSTER TYPES

Since it is expected the firearm must be drawn quickly and easily, the best concealment location will be somewhere near your shooting hand. Think about where your primary hand is located as you go through your daily routine.

Some additional considerations are speed of accessibility, retention, and safety.

A handgun can be held only so close to the torso, and a semiautomatic pistol will be flatter than a revolver, but a quality holster will assist in hiding the gun. For example, a pancake holster--will pull the gun in tighter than will a pouch holster. This is because inward pressure is applied to the entire body of the holster instead of just the suspension point. The thickness of the holster material will also come into play, as it will add bulk to the package being suspended from the belt.

If a belt holster does not offer the level of concealment desired, then an inside-the-waistband holster can be considered. This style of carry gets the gun underneath the pants and belt, which normally holds the gun out and away from the body when a belt-mounted holster is used.

The inside-the-waistband rig uses the contours of the trousers, wrapping around the body to help conceal the holstered pistol. But this can become a disadvantage because the gun is now held as tightly to the body as possible, which can interfere with obtaining a solid, three-finger wrap around the front strap of the handgun as it is being drawn. This is definitely something to consider.

Cross-draw carry has its advantages and disadvantages

Drawing from a shoulder holster violates the quick and simple body action needed to get a concealed handgun into the fight.

1. Reaching across the body to acquire the gun can actually carry the holstered handgun around to the back, retarding the draw.
2. It is all but impossible to draw the gun to a weapon-retention position against the body without a great deal of arm motion--a motion that can also be trapped against the chest by a determined attacker. While the belt-mounted cross draw can also be subject to such a trap, the arm is lower and does not travel as far around the torso, making the draw faster and easier to accomplish.

That said if your duty position requires you to start from a seated position, things change, particularly if you're strapped in place by safety belts. This is why so many police, military pilots and chauffeur-bodyguards use the shoulder holster.

Holstering Examples;

Shoulder



Hip/Small of Back



Ankle



Belly Bands



Bags/Fanny Packs



Clothing



Regardless of which holster and concealment location you select, it must be comfortable for long periods of time. It must also be accessible from every likely position that you might find yourself in. You will not always be in a standing position; you may be sitting or kneeling, so being able to draw from these positions is essential.

Clothing Considerations

Relaxed fit pants and trousers are ideal for concealing compact handguns. Polo shirts and T-shirts un-tucked are also ideal for hiding firearms at belt level.

For concealed carry, the shirt should be at least one size larger, opaque in color and weave, and straight along the hem at the bottom. V-shaped shirttails can impede the drawing motion. On most males, the fabric will drape down from the shoulder area to provide a convenient hollow behind the hip.

Safari shirts and three other shirts designed to be worn un-tucked are adaptable to gun concealment.

The bowling shirt style isn't seen often anymore, but its straight body gives it a loose fit that's ideal for gun concealment and unimpeded drawing.

Cuban-style guyaberra shirt is a shirt designed for outdoor wear, often with a couple of extra pockets at belly level, and with the buttons stopping just above the navel. The latter feature gives the hem of the garment more flex to clear the holstered gun when you pull it upward.

Hawaiian shirts are great for concealed carry. The straight hang gives good concealment; the opacity of the silk-type material hides dark colored guns and holsters; and the asymmetrical print patterns break up the outline of big pistols.

Coats and Vests

When considering clothing for concealed carry the companies Concealed Carry Clothiers, Coronado, and 5.11 offer jackets and casual vests with built-in gun pockets. A conventional suit coat or sport coat will allow you to hide a bigger gun than you might conceal under a shirt, if you get the right size, cut and material. For example, the "classic men's sack suit" popularized by Brooks Brothers is actually pretty decent for concealed carry. When the front button is left undone, the jacket gives good drape. The straight-leg cut of the pants is as friendly to ankle holsters as police uniform trousers, which are cut to a similar pattern. Additionally, if you shop at suit shops such as J.C. Penney's or The Men's Wearhouse most have tailors that can alter a slightly larger suit to accommodate your concealed firearm.

Inside the waist band holsters conceal better under a jacket. The hem of the coat can come all the way up to belt level and not flash the gun, and the pants break up the bulging outline of the holster.

Belly bands are a reasonable choice to wear it at belt level. You can position the gun either behind your hip, or in a front cross-draw position.

Other options with a tucked-in shirt include the Kramer's concealment T-shirt, which comes with an upright fabric "holster pouch" under each arm. You draw as from a shoulder holster.

Going lower on the body, Thunderwear resembles a soft fabric fanny pack worn under the pants at the front. It holds your handgun in a "groin holster" carry that is accessed through the front of the pants.

In closing consider the following

Pants: Check to make sure your carry belt will fit through the belt loops. If it does, and you carry inside the waistband, pick up your holstered gun and make sure there's enough room inside the waistband for both of you. With the holstered gun in place, bend over and tie your shoes. Do a couple of deep knee bends. Sit down and stand back up again. Still sure there's enough room in that waistband?

Blouses and cover garments: Place the holstered gun on your belt and adjust the garment however you intend to wear it. Stand squarely in front of the mirror. Check to make sure the gun's shadow cannot be seen through the fabric. Does the garment fit loosely enough over the gun area that you'll be able to move naturally? Are there any odd-looking lumps or bumps? Now reach toward the ceiling like you're stretching. Does the garment ride up in a natural manner? Does the gun stay covered? Relax your arms and let them dangle at your sides. Did the garment come back down naturally, without needing to be tugged into position? Do the twist, swinging your arms from side to side. Does the garment need to be fiddled with in order to keep the gun concealed? Or does it move with you naturally? Move around a little -- stretch again, scratch your back and then bend down to touch your toes. As you straighten back up, watch the mirror for any telltale signs.

METHODS OF DRAWING

The "Hackathorn Rip" taught by Ken Hackathorn is a technique which uses the offhand to "rip" the garment upward and exposes the firearm for a fast conventional draw.

Another technique is the thumb sweep and it is suitable for any type of waist or shoulder holster deployment. Basically you start with the thumb of the firing hand pointed at the waist center of body and sweep towards the holster. The thumb clears away the garments as the hand grasps the pistol and deploys.

Fanny packs, ankle holsters, and bags have their own styles of deployment based on the position in which they are carried and the tactical situation as it relates to relative body position and location.

Review of Test Questions

Several types of holsters suitable for concealed carry are Shoulder, Hip, Small of Back, Ankle, Belly Bands, and Bags.

Two methods of drawing from a concealed carry position are the Hackathorn Rip and the Thumb Sweep.

LOADING AND UNLOADING

Here are the steps of a safe procedure for loading any revolver:

- Point the gun in a safe direction,
- Keep your finger off the trigger,
- Release the cylinder latch and open the cylinder,
- Load the cartridges into the cylinder,
- Close the cylinder and latch it,
- Note that the hammer should be down during this program and should not be cocked before, during or after the loading,
- Holster the gun.

Unload the revolver by doing the following:

- Point the gun in a safe direction,
- Keep your finger off the trigger,
- Release the cylinder latch and open the cylinder,
- Empty the cartridges into your hand - use the ejector rod to assist if they stick,
- Visually verify that the cylinder is empty - leave the cylinder open for inspection or maintenance, or close it if the weapon will be stored.

Here are the steps for a safe procedure for loading a semiautomatic pistol:

- Point the gun in a safe direction,
- Keep your finger off the trigger,
- Insert a full magazine into the magazine well, seating it sharply,
- With the weak hand, pull back the slide fully and then let it go forward on its own,
- With a single action pistol, engage the safety,
- With a double-action pistol, use the appropriate lever to decock the hammer, and then verify that the safety is in the position in which you wish it to be,
- With a Glock pistol no further action is required since there is no manual safety or hammer de-cocking lever,
- You may now holster the pistol or fire.

Unload the semi-auto pistol by doing the following:

- Point the gun in a safe direction. Keep your finger off the trigger,
- Keep the gun in your strong hand,
- Push the magazine release to eject the magazine, and remove the magazine with your weak hand,
- Use your weak hand to pull the slide to the rear while the thumb of your strong hand pushes up on the slide stop—this will lock the slide in an open position,

- Look and feel through the ejection port to verify that the chamber is empty,
- Leave the slide locked open for inspection,
- Pull the slide to the rear and then allow it go forward, use the appropriate lever to de-cock the hammer,
- Holster or case the pistol.

Load the pump shotgun as follows:

- Point the gun in a safe direction,
- Keep your finger off the trigger,
- Keep the gun in your strong hand,
- Check the chamber to verify that it is empty, and then close the action,
- Pull the trigger to lower the hammer,
- Place the safety on safe,
- Use your weak hand to load cartridges into the magazine tube,
- Place the shotgun into the rack or case.

Unload the pump shotgun as follows:

- Point the gun in a safe direction,
- Keep your finger off the trigger,
- Keep the gun in your strong hand,
- Use the action bar lock release, if necessary, to open the action,
- Draw the forend back to partially open the action - open the action just far enough for a chambered round to eject, or to verify that there is no round in the chamber,
- Turn the gun upside down, and push the shell carrier toward the chamber,
- Draw the forend fully back - this will eject the next round in the magazine,
- Push the shell latches inside the receiver to release the remaining rounds, one at a time,
- Touch and feel both chamber and magazine to verify that the gun is empty.

Typically, the semi-auto rifle such as a Colt AR-15 or Ruger mini-14 may be loaded as follows:

- Point the gun in a safe direction,
- Keep your finger off the trigger,
- Keep the gun in your strong hand,
- Open the action to verify that the chamber is empty - look and feel,
- Close the action,
- Place the safety in your position of choice,
- Insert a fully loaded magazine.

The semi-auto rifle may be unloaded as follows:

- Point the gun in a safe direction,
- Keep your finger off the trigger,
- The safety should be on safe,
- Keep the gun in your strong hand,
- Remove the magazine,
- Open the action to eject any chambered round,
- Lock the action open,
- Look and feel to verify that the chamber is empty.

There are no written test questions on safe loading and unloading, but this skill must be demonstrated as part of your range test.

Credits

The illustrations are by Mr. Ted Williams.

The four safety rules are derived from material taught by Mr. Jeff Cooper at his school in Gunsite, Arizona. These rules and much additional information can be found in The Modern Technique of the Pistol by Morrison, 1991. Gunsite Press, Box 401, Paulden, AZ 86334.

Senior Counsel General John Wasberg provided legal review and advice.

The safety procedures for gun cleaning are based on an article, “The Safe Dry Fire Ritual,” by Deputy Bill Burris, Published by the Washington State Criminal Justice Training Commission in its Firearms Instructor Manual.

The “Ayoob” flashlight shooting technique was developed by Massad Ayoob, and is described in detail in his book Stressfire, available from the Police Bookshelf, Box 122, Concord NH 03301.

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2017 Update by the Washington State Criminal Justice Training Commission, Jeffrey A. Slotnick, Lead PS/PI/BRA Firearms Instructor and by Greg Glassock, Assistant Lead PS/PI/BRA Firearms Instructor

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FIREARMS CERTIFICATE PROGRAM TESTS

The updated firearms certificate program tests and qualification forms for each type of firearm can be found at the WA State Criminal Justice Training Commission website on the Private Security and Bail Recovery Agent pages. The website is www.cjtc.state.wa.us.

PHOTO COURTESY OF GANDER MOUNTAIN ACADEMY



BY MICHAEL MARTIN

A close-up photograph of a hand holding a black handgun, with the barrel pointing towards the left. In the background, two people are visible, both wearing eye protection (goggles or safety glasses). The image is slightly blurred, focusing attention on the handgun.

HOW TO IMPROVE YOUR SHOOTING ACCURACY IN FOUR SIMPLE LESSONS

DEFENSIVE FIREARMS INSTRUCTOR SECRETS

To get you consistently on-target,
even when the pressure is on...



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www.ConcealedCarryFundamentals.com

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COVER PHOTO COURTESY OF GANDER MOUNTAIN ACADEMY

The Fundamentals: DEFENSIVE SHOOTING ACCURACY

» **During the defensive firearms courses** that I teach, I'll continually differentiate between the skills required for defensive shooting, and the skills required for being a good "marksman" on the range. Unlike relaxed exercises on the range with paper targets at 50 feet, dynamic critical incidents are usually fast, and they're usually close, with nearly ninety percent falling between 9 and 15 feet. In addition, when we're under the extreme stress of a violent attack, our higher brain will very likely check out, and to one degree or another, automated responses will take over. Because of that, if we have a choice between a complex method of doing things and a simple method, we're going to have to pick simple. If we have a choice between a method that embraces those automated responses or fights them, we need to pick the method that embraces them. As you'll see in this booklet, we're going to look at these defensive shooting fundamentals as a set of building blocks—if you can master one skill, the next skill becomes easier to accomplish.

On the other hand, if you blow one of the skills, it will affect the rest. Mastering these fundamentals won't qualify you for the U.S. Shooting team or win you the Bianchi Cup, but they *will* provide the proper building blocks to work toward defensive accuracy, which I'll further define in this booklet.

Your goal when practicing these skills should be consistency, which allows you to effectively bake the fundamentals into the neural pathways of your brain (creating what most people would call "muscle memory"), which I'll explain further in a moment. Whatever skill or task isn't previously hardwired into those pathways, is probably not a task that you'll be able to accomplish during a violent attack. They say that "practice makes perfect," but that's not quite true. Practice makes *permanent*, so for every evolution of these fundamentals that you conduct on the range, take the time to make them, well, perfect. The great news is that there are just four building blocks to master, including grip, stance (or "shooting platform"), target alignment, and trigger control.

I'm going to start with what I consider to be the basis of all other shooting fundamentals, namely, taking up a proper shooting grip. This section not only explains why I think a proper grip is so important, it also provides a number of illustrations showing exactly how to get your grip right.

In the section on shooting platforms, I'll introduce you to the shooting stance that was a staple of nearly every police academy for nearly four decades, but I'll also explain why most police academies *and* civilian training courses have moved beyond the Weaver stance, and are now teaching what Rob Pincus would describe as a "natural and neutral" shooting

platform, designed to match the body's and the mind's automated responses to the extreme stress that will accompany any violent attack.

The topic on target alignment will discuss the balance of speed versus accuracy, and what your options might be when moving from one end of the scale to the other. Those topics will include using unsighted fire or "point" shooting, using a flash sight picture, and using precise sight alignment, which are the three major options when it comes to aligning your barrel to the target. I'll also discuss when one option might be preferable over the other, but I'll also explain why the automated responses that you'll very likely experience might just choose the method for you. I'll wrap up this booklet with a topic on trigger control where I'll explain how you can train yourself to press the trigger without disrupting target alignment, and how you can learn about your trigger's reset point.



BY MICHAEL MARTIN

MUSCLE MEMORY

We've all tossed out the phrase "muscle memory" when talking about learning a repetitive skill, regardless of whether that "skill" is playing golf, playing the piano, or drawing from the holster. Unfortunately, muscles themselves have no "memory," so, where exactly are these repetitive skills being stored? The answer is the cerebellum, which is the brain's memory center. When a certain skill or movement is practiced repeatedly, pathways are actually modified in the cerebellum to store and link individual movements, similar to how individual still frames are stored and linked on a spool of film. The more the skill or movement is repeated, the stronger the pathways linking the individual steps. The result can be near automatic playback of the stored memory of movements. As an example, new students learning to draw from the holster will learn that there are four steps involved, and they'll practice those movements in four distinct steps. But after thousands of repetitions, those four movements will have become fluid, and the "experts" may not even be able to answer the question, "How many steps does it take to draw the handgun from the holster?" To them, the process is fluid and automatic (they might even say, "It takes just one step.") No one knows just how many times a task or series of tasks will need to be repeated before it's ready for "automatic playback," but suffice to say, it's going to be more than plinking at the range a couple times a year. Dry firing, drawing from the holster with a cleared firearm, and virtual simulations are all ways that these pathways can be built, all without a shot being fired.

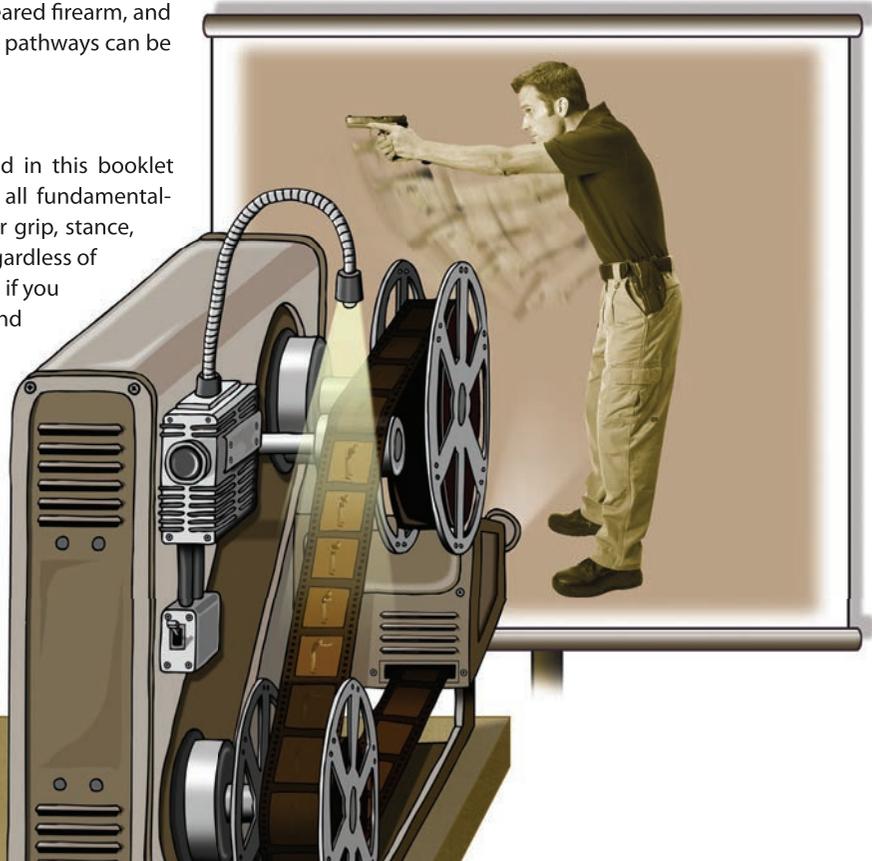
MAKING PATHWAYS PERMANENT

The range exercises that are explained in this booklet all have one thing in common—they're all fundamentally rooted in the building blocks of proper grip, stance, target alignment, and trigger control. Regardless of how fast you might draw from the holster, if you haven't mastered a proper grip, all you'll end up with is a very fast miss, and that won't impress anyone, especially a bad guy. If you've mastered unsighted fire, but you haven't put in thousands of repetitions disengaging your gun's safety, you might find yourself with an inoperable gun when it counts, because the situation didn't give you time to *think*, it only gave you time to *act*.

That begs the question, "When can you quit practicing the fundamentals, and just focus on the advanced stuff?"

The short answer is, never. One of my good friends who happens to be a retired Navy SEAL, once took the time to estimate how many rounds he'd fired in his Navy career—his conservative estimate was somewhere above one-and-a-half *million* rounds. Yet if you asked him how he started each range drill to this day, he'd tell you that he always starts with dry firing, and a number of basic drills to reinforce the fundamentals, before he moved on to more complex exercises. Regardless of whether his training exercise for the day was rappelling from a helicopter into a fortified compound, or landing a zodiac onto an oil platform, he'd start and end the day with dry firing, and a review of the fundamentals. If that's good enough for the Navy SEALs, it should be good enough for us.

Whether you're learning to draw from the holster or learning the Macarena (you know who you are), repetition of any task begins to build new pathways into the cerebellum, connecting individual movements into a continuous series of movements for near automatic "playback." Similar to how a film projector can take individual still frames and make them appear as though they flow together into continuous movement, the cerebellum can do the same thing with these repetitive tasks. The key here is that you'll need to practice them until they become repetitive.





Lesson One: PROPER GRIP

» I'M GOING TO START WITH

what I consider to be the most fundamental of all shooting fundamentals, namely, learning how to take up a proper grip when using a handgun. For those of you who may never have had formal handgun instruction, it may sound a little basic to discuss the proper way to “grip” a handgun—in other words, don’t you just pick it up, point it down range, and start pressing the trigger?

Well, in a way, it isn’t any more complicated than that, but before stepping into *how* to take up a proper grip, it’s probably a fair place to start by talking about the *goal* of a proper grip. If your answer is to hold the handgun, you’d only be half correct. The *ultimate* goal of a proper grip is creating and maintaining control of your handgun during the firing cycle.

WHAT’S MORE IMPORTANT, GRIP OR TRIGGER CONTROL?

Other instructors might take issue with my choice of grip as the most important fundamental over other shooting fundamentals. That’s a debate I recently had with a fellow instructor, who argued that precise trigger control had to be more important than grip. To demonstrate

this, he had a number of us stand on the firing line and fire one round at a target at 50 feet while daintily holding our pistol with our thumb and middle finger, and slowly pressing the trigger, all while maintaining perfect sight alignment. Of course, most of us hit fairly close to our point of aim. His point was that if you could make an accurate shot at that distance with almost no grip pressure at all, then trigger control *must* be more important than grip. While it was a cute trick to show at the range, taking four or five seconds to fire one round at a stationary target 50 feet away had about as much to do with an actual critical incident as Wii Sports Resort has to do with competing in the Ironman Triathlon. Here’s why: As trainer Rob Pincus would point out, critical incidents are usually *fast*, they’re usually *close* (with nearly 90 percent falling between nine and 15 feet), and when rounds are fired, *multiple* rounds are usually fired—in other words, the mythical one-shot stop was usually just that, a myth. So much for one round fired at 50 feet having any meaning. If multiple rounds might be necessary to stop a bad guy from stabbing you, beating you, choking you, or raping you, then it stands to reason that the faster you can put those rounds on target, the sooner the stabbing, beating, choking, or raping will stop. Two things are going to affect your ability to deliver rounds quick-

As Rob Pincus would point out, critical incidents are usually fast, they're usually close and when rounds are fired, multiple rounds are usually fired. In other words the mythical one-shot stop is just that; a myth.

ly—first, how quickly you can bring your firearm back on target after the muzzle flips during recoil; and second, how quickly you can cycle the trigger (more on that in a minute). To quote Pincus, "Anyone can hit with a sloppy grip if they use the sights, but a solid grip is required to shoot intuitively, and to get faster follow-up shots."

That's not just a theory of Rob's, it also finds its way into competitive shooting. While comparing choreographed competition to an actual critical incident can only go so far, this comparison might be worth it. When asked how they're able to deliver so many rounds on target so quickly, many competitors will explain that a good solid grip and full arm extension allows them to



PROPER GRIP

1 When setting up your grip, the pistol should be placed firmly into your firing hand like you are making a fist, with the web of your hand high and centered on the back strap. The firing hand thumb should be high, to create a space for the support hand.

2 Notice that when setting up your grip, the trigger finger remains off the trigger, and outside of the triggerguard.

3 Wrap the fingers of your support hand firmly around the firing hand with the index finger pressed firmly against the bottom of the trigger guard and the meaty part of your support hand nestled into the open space on the grip left by the firing hand. To create the perfect "seal" between both hands, the thumbs are stacked, with the third knuckle of the support hand nestled in the space between the first and second knuckle of the firing hand. No part of the firearm grip should be visible between your fingers, or between the strong hand and support hand.



4



5

4 *Solid isometric pressure should be applied from the front and the rear (described as a “push-pull” action, with the shooting hand pushing forward, and the support hand pulling back), which will aid in recoil management. The majority of pressure holding the firearm in place should come from the isometric tension between the two hands, rather than from trying to hold the pistol in place by finger pressure alone. That allows your trigger finger to work independently of the other fingers on your shooting hand, avoiding what’s referred to as “milking” the trigger.*

5 *As seen from above, the tip of the trigger finger, when placed on the slide, should be directly across from the tip of the thumb on the support hand. Most new shooters will find their support thumb being much farther back than the tip of the trigger finger—this is corrected by rotating the support hand farther forward, resulting in what’s referred to as a “thumbs forward” grip.*

press the trigger as fast as they are physically able. In fact, they’ll often refer to that technique as “mashing” the trigger (which is not exactly the kind of trigger control that my colleague had in mind). If we bring that theory back to how it might apply to surviving a critical incident, a solid grip means more rounds on target in a shorter amount of time. Any sloppiness in your grip means a lack of control during recoil, a higher muzzle flip, and slower follow-up shots. Think about it this way. Instead of the range exercise that my colleague used in an attempt to prove that trigger control was more important than grip, let’s try a new exercise, but this one with a different set of rules. Instead of firing one round at a target 50 feet away, let’s place the target at 12 feet (right in the heart of where most defensive shootings occur), and fire as many rounds as we can into the target’s center of mass in three seconds. Using my colleague’s technique, you’d be lucky to place more than one round on target, as you fought to bring the handgun back under control after firing

the first round. On the other hand, if you fired using a good solid grip and your arms at full extension (both techniques combining to manage your firearm’s recoil as much as possible), you’d be able to press the trigger as fast as humanly possible, and accurately deliver, well, a lot of rounds in that same three seconds.

So if we agree the primary purpose of a solid grip is to create and maintain control of the firearm during the firing cycle (thereby allowing rapid follow-up shots), then it’s going to be important to have as much physical contact between your hands and the firearm as possible. To do that consistently, follow the instructions outlined in our step-by-step illustrations. As Pincus explains in his book, *Counter Ambush*, “Consistency is the major factor here. The more consistent your points of contact are with the gun, the more your brain will recognize that you’re in the right position to shoot, and the more efficiently you will be at shooting.”

Lesson Two:

SHOOTING PLATFORM

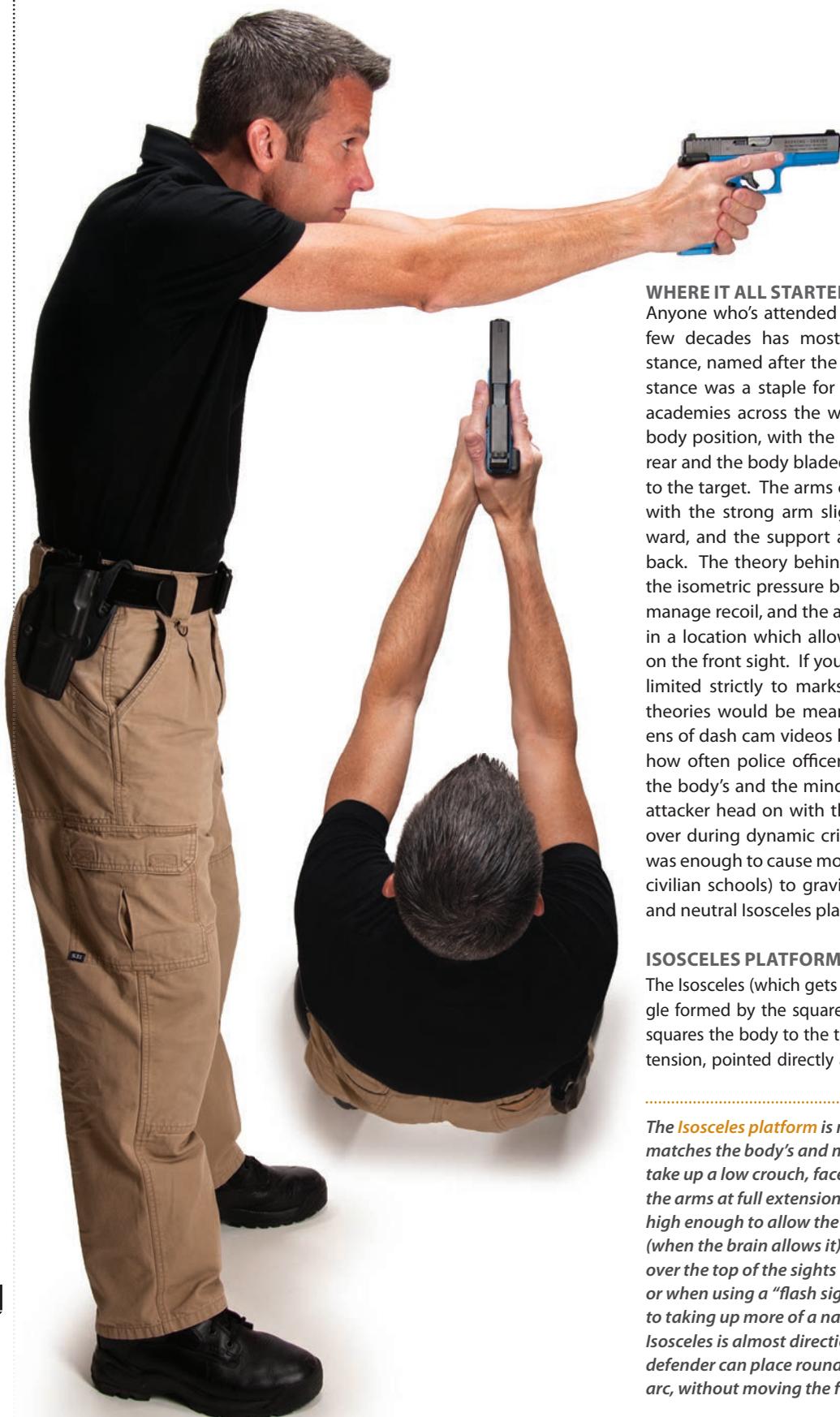
» IN THE CLASSROOM OR ON THE RANGE,

the term “shooting stance” usually implies a specific position for the arms, the head, the upper body, the legs, and the feet. When it comes to the “perfect” stance, instructors can argue for hours about the optimal angle of the shoulders to the target (if any), how far apart the feet should be, and whether the arms should be flexed a little, flexed a lot, or not flexed at all.

While you might have the luxury of perfecting each of those body positions when standing on the firing line at your local range, under the extreme stress of a violent attack, you’re not going to have the time or the luxury. In fact, I’ll often mention in my classes that the only “perfect” shooting stance occurs at the range, and that during a dynamic critical incident, you’ll have to be prepared to shoot from whatever awkward position you find yourself in, which might include being seated, rapidly retreating, or lying flat on your back. In addition, there is now ample evidence from a decade of police dash cam videos that suggest that the “automated responses” that occur during violent attacks, will have more of an effect on our body position, than will dozens or even *hundreds* of hours spent on the range. While it’s often said, “we’ll fight the way we’ve trained,” those dash cam videos suggest that we should, “train the way we’ll fight.” So let’s talk about those automated responses,

which if you’re interested, originate within an almond sized structure in the brain called the amygdala. The amygdala contains most of the brain’s alarm circuits designed to react to any imminent threat, which would include a violent attack. When its alarm circuits are tripped, the amygdala has a direct connection to the motor cortex (that is, it skips the reasoning and planning part of the brain) in order to take immediate action, such as: freezing our legs if we were about to step in front of a speeding bus; raising our hands to protect our head from a flying rock; or ducking into a crouch, orienting toward a threat, and pushing the arms out to full extension to defend against the threat. It’s that last automated response that has been recorded time and time again on dash cam videos during police shootings, and it’s the one that we’re going to focus on when it comes to discussing a “natural and neutral” shooting platform.





WHERE IT ALL STARTED: THE WEAVER STANCE

Anyone who's attended a shooting school in the past few decades has most likely heard of the Weaver stance, named after the late Jack Weaver. The Weaver stance was a staple for nearly four decades at police academies across the world, and takes up a "bladed" body position, with the strong side foot placed to the rear and the body bladed at approximately 45 degrees to the target. The arms create solid isometric pressure with the strong arm slightly flexed and pushing forward, and the support arm elbow down, and pulling back. The theory behind the Weaver stance was that the isometric pressure between the two arms helps to manage recoil, and the arm position places the firearm in a location which allows the shooter to easily focus on the front sight. If your shooting requirements were limited strictly to marksmanship at the range, those theories would be meaningful. The problem is, dozens of dash cam videos have proven that regardless of how often police officers had trained on the Weaver, the body's and the mind's natural reaction to face the attacker head on with the arms at full extension took over during dynamic critical incidents. That evidence was enough to cause most police academies (and most civilian schools) to gravitate toward the more natural and neutral Isosceles platform.

ISOSCELES PLATFORM

The Isosceles (which gets its name from the perfect triangle formed by the squared shoulders and straight arms) squares the body to the target, with both arms at full extension, pointed directly at the target. The stance is de-

*The **isosceles platform** is more natural, and it matches the body's and mind's natural reaction to take up a low crouch, face the attacker head on, with the arms at full extension. The firearm is elevated high enough to allow the shooter to use the sights (when the brain allows it), or the shooter can look over the top of the sights when using unsighted fire, or when using a "flash sight picture." In addition to taking up more of a natural body position, the Isosceles is almost direction neutral, in that the defender can place rounds in nearly a 180 degree arc, without moving the feet.*



Jack Weaver

THE WEAVER STANCE was developed by L.A. Deputy Sheriff Jack Weaver, in an effort to win Jeff Cooper's "Leatherslap" competition in Big Bear, California in 1959.

At that time, the typical competitive shooter shot from the hip or one-handed from the shoulder, and according to Jack, "What started out as serious business soon produced gales of laughter from the spectators as most of the shooters blazed away..." and "with guns empty and all 12 rounds gone but the 18-inch balloons still standing, they had a problem: load one round and take aim or load six and blaze away again." By the time the 1959 Leatherslap rolled around, Jack had realized that, "A pretty quick hit was better than a lightning-fast miss," and decided to bring the pistol up using both hands and use the pistol's sights, rather than just shooting from the hip. Jeff Cooper commented, "Jack walloped us all, decisively. He was very quick and he did not miss."



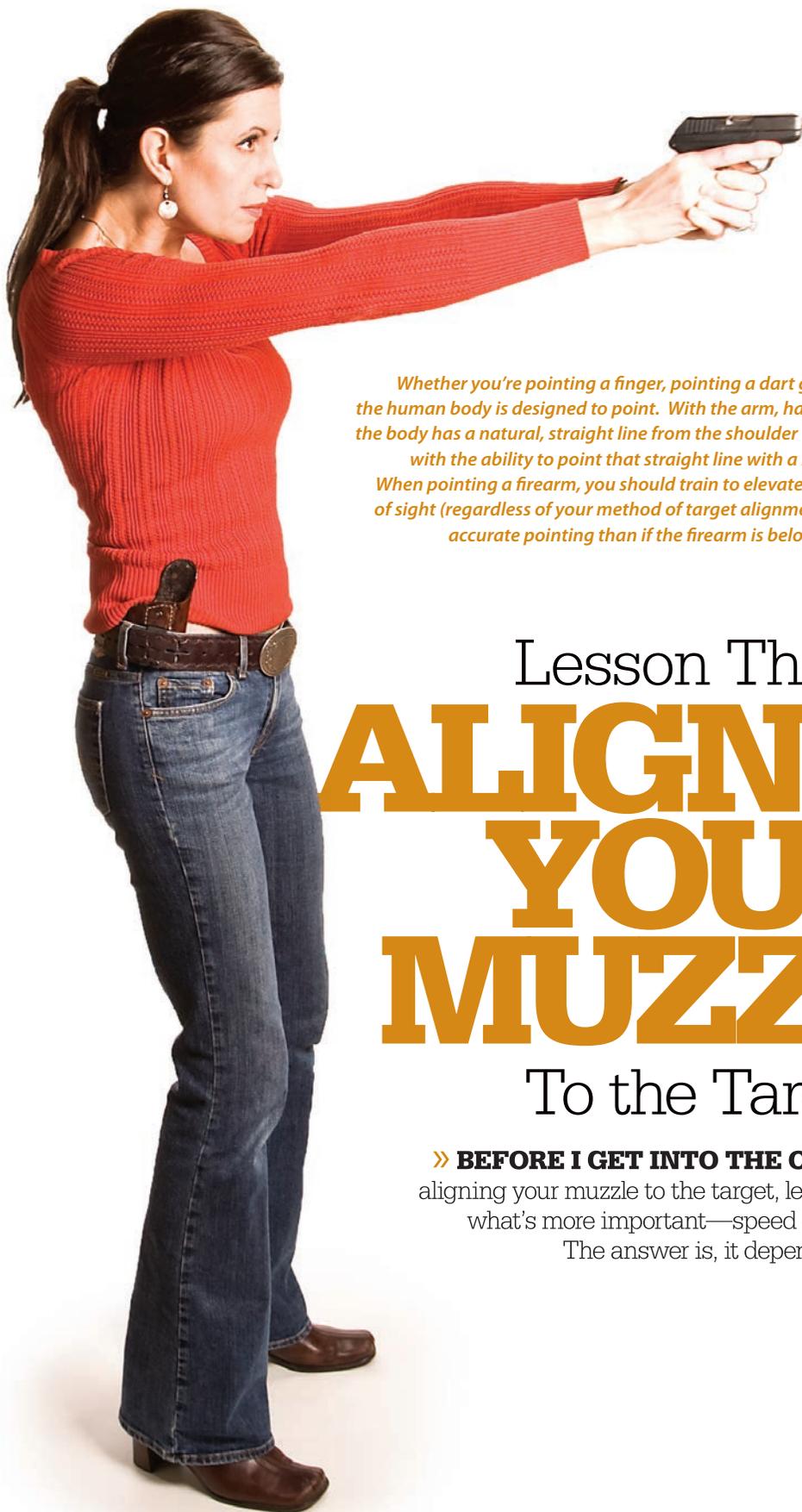
signed to match the body's and mind's natural reaction to face an attacker head on and to push the arms out defensively, which allows shooters to "train the way they'll fight." In addition, since both arms are at full extension, recoil and follow-through are easily managed—shooters will find the firearm dropping back on

target immediately after the muzzle rise. Since the arms point at the target using the Isosceles, it also provides a simple, repeatable method of using unsighted fire in a stress situation. You'll notice that I didn't refer to any specific position for the legs and feet—in a perfect situation, the feet would be firmly positioned under the body, but the "natural and neutral" nature of the Isosceles doesn't require that, in fact, the only real focus on the Isosceles is to face the

While the Weaver stance looks pretty cool, a decade of dash cam videos has proven that during dynamic critical incidents, we'll be more likely to take up a stance that matches the body's and mind's natural reaction to face the attacker head on, with the arms at full extension. In addition to placing the body in an unnatural position, the Weaver is also not "neutral," in that it's designed to place rounds in just one direction. For example, trying to place rounds at a second attacker to the right side of the defender, would require the defender to literally rotate their body 90-degrees to the right.

target, and push the arms out to full extension (or as far as possible) which creates a natural, straight line from the shoulder to the fingertip. We're born with the ability to point that straight line with a high degree of accuracy, especially when we're talking about the distances of most self-defense shootings, with nearly ninety percent falling between 9—15 feet. Considering

most adults have at least a two-foot reach, that means that the distance between your gun and your attacker, will most likely fall between 7—13 feet. Stepping back to the original theory behind the Weaver stance, it was believed that the Weaver allowed the shooter to position the firearm for easier acquisition of the firearm's sights, leading to more accurate fire. That's a great argument if you're trying to make a silver dollar sized hole at 50 feet, but it's less meaningful if you're trying to hit an attacker a dozen feet away (or one who's already on top of you), when speed will typically be critical, and trying to align your front sight, rear sight, and the attacker will be the last thing on your mind.



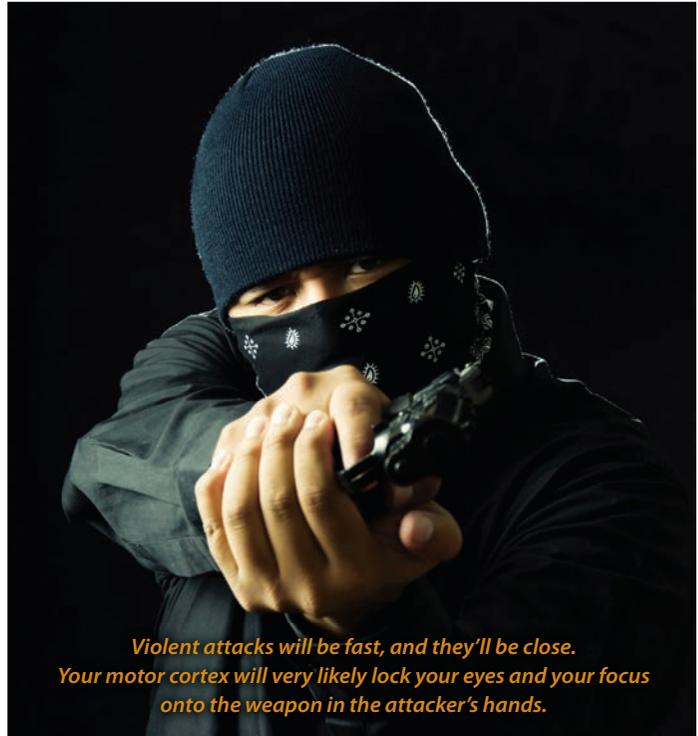
Whether you're pointing a finger, pointing a dart gun, or pointing a firearm, the human body is designed to point. With the arm, hand and finger at full extension, the body has a natural, straight line from the shoulder to the fingertip, and we're born with the ability to point that straight line with a high degree of accuracy. When pointing a firearm, you should train to elevate the firearm up into your line of sight (regardless of your method of target alignment), which allows even more accurate pointing than if the firearm is below your line of sight.

Lesson Three: **ALIGNING YOUR MUZZLE** To the Target

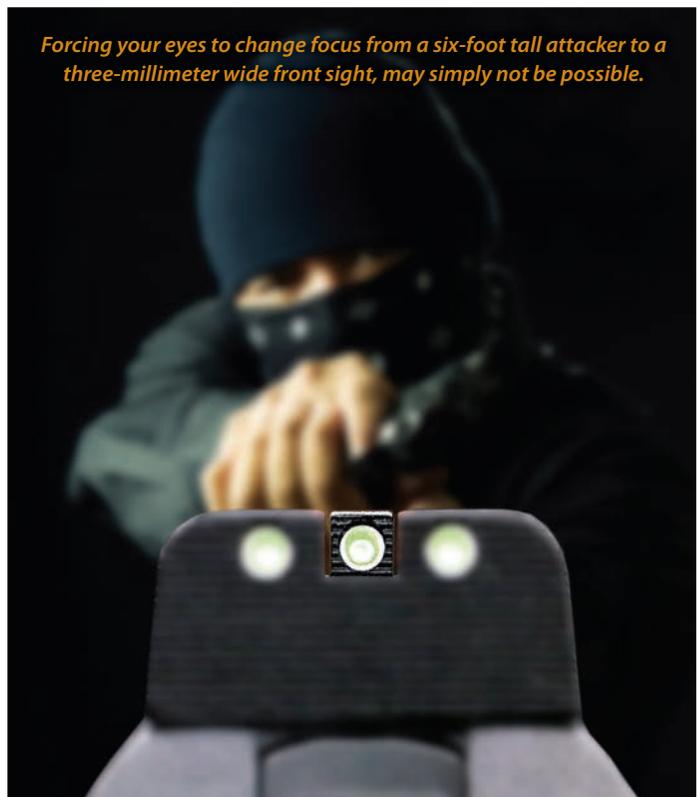
» **BEFORE I GET INTO THE OPTIONS FOR** aligning your muzzle to the target, let's first talk about what's more important—speed or accuracy? The answer is, it depends.

BALANCING SPEED AND ACCURACY

If we're talking about a typical day at the range or in the field, we'll usually measure the effectiveness of the shots that we've fired based upon their accuracy, rather than on how quickly we were able to get off the shot (missing fast when you were hoping to get that trophy buck won't impress anyone, including the buck). In a defensive situation however, we won't have the luxury of taking an unlimited amount of time to get the "perfect" shot, instead, we'll need to balance the *two* factors of speed and accuracy. Those two factors will constantly be in balance, and we'll need to make a split second decision on which factor is *most* important for the specific circumstances we find ourselves in. For example, if we're trying to hit an active shooter in the middle of a crowded mall, *accuracy* will be ultra critical; but if a knife-wielding attacker is already stabbing us, then *speed* will be critical, and a margin of error of ten or even fifteen degrees will still mean a hit. Your decision on speed versus accuracy will not only affect the outcome of the situation, it will also affect how you choose to align your muzzle to the target. Three primary methods are used for target alignment—using unsighted fire or "point" shooting (which prioritizes speed over accuracy); using a flash sight picture (which provides an equal balance of speed and accuracy); or using sighted fire (which prioritizes accuracy over speed). You shouldn't necessarily think of each of these methods as being absolutely distinct, instead, you can think of them as being on a sliding scale. On one end is unsighted fire (which is not the same thing as unaimed fire), which literally ignores the sights and gets the firearm up on target as quickly as possible, and at the other end is sighted fire, which requires us to focus on the front sight, and precisely align the front sight, rear sight, and target, for as accurate a shot as possible. Everything in-between, including a flash sight picture, is a combination of the two to one degree or another. Here's the catch—during a violent attack, that pesky amygdala buried deep in our brain (mentioned in the last topic) might just limit how far we can move toward the accuracy end of the scale. Here's why: The brain's automated responses to an attack will most likely include the motor cortex locking our head and eyes on what the *brain* perceives as the most critical part of the attack. Evolutionarily speaking, that might have meant the teeth of an attacking wolf; today, that might mean the knife or gun in the hand of the attacker. The net effect means that it may be difficult, or even impossible, to see our firearm's sights, eliminating sighted fire as an option.



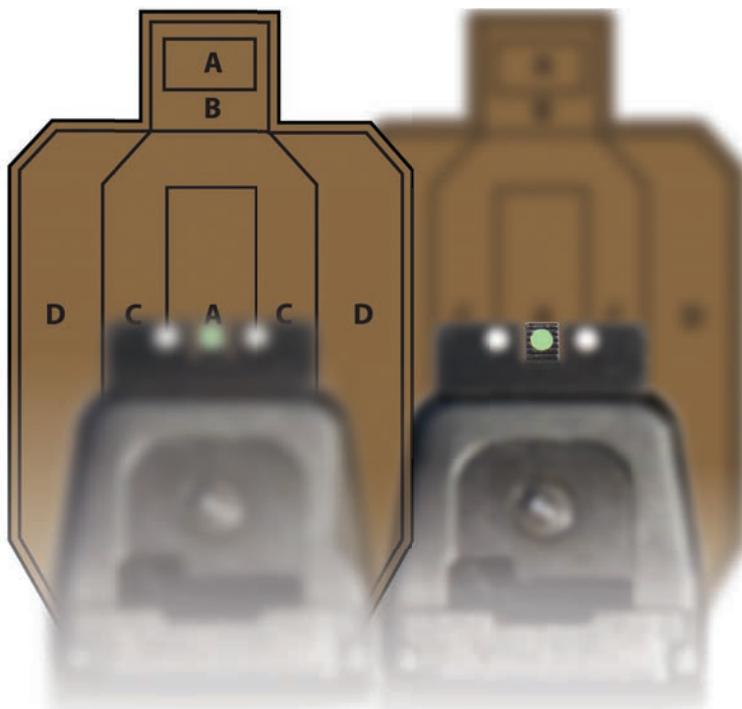
Violent attacks will be fast, and they'll be close. Your motor cortex will very likely lock your eyes and your focus onto the weapon in the attacker's hands.



Forcing your eyes to change focus from a six-foot tall attacker to a three-millimeter wide front sight, may simply not be possible.

Flash Sight Picture

A “flash sight picture” occurs when the shooter is able to get a rapid “overlay” of the sights on the target, without focusing on the front sight, and without taking the time to gain perfect sight alignment. The shooter looks for a “flash” of the sights on the target, to verify proper alignment, rather than using the sights to gain proper alignment.

**Sighted Fire**

When the requirements for precision require that you must use sighted fire, it's important to focus on the front sight rather than the target for the most precise shot. The front sight will be in complete focus, the rear sight will be semi-blurred, and the target will be the blurriest thing in your sight picture.

That's actually okay—unlike a scored competition on the range, the goal of defensive shots isn't to place rounds into a dime-sized hole. Instead, our goal is what's referred to as defensive accuracy. Defensive accuracy can be thought of as any round that *significantly affects the attacker's ability to continue his attack*. Defensive accuracy doesn't mean that we need to place our shots in the same dime-sized hole that we might go for when we're trying to impress our friends at the range, but it also means that we can't simply “spray and pray,” with no regard for where our shots land. The great news is that even when using unsighted fire, our accuracy can still be amazingly impressive at the close distances (with nearly ninety percent falling between 9–15 feet) that would typically accompany a violent attack. Working up the scale from speed to accuracy, let's take a look at each of the three methods of target alignment one at a time.

UNSIGHTED FIRE

Point or “Intuitive” shooting doesn't discard the idea of alignment, it simply makes the pistol's muzzle an extension of the arms and hands, and points the fully extended arms and hands at the target. Think of this as no different than how you'd extend your arm and point your finger at *any* object. At the close distances that would typically accompany an attack, you'd have no problem accurately pointing at an object much smaller than the size of a human being. As mentioned in previous topic, the Isosceles stance enables point shooting by its nature—with the arms at full extension, the barrel of the firearm is pointed directly at the target. In other words, the firearm becomes an extension of our arms and hands—where they point, the gun points. When using this method, my advice is to focus on the *exact spot* where you want your rounds to land, rather than focusing on

the entire target. Just like pointing your finger at a spot on the wall is more specific than pointing at the entire wall, focusing on a spot on the target will enable more accurate shooting. Speaking of accuracy, the average person's margin of error with point shooting will deviate by only a few degrees from his or her natural point of aim, allowing for tight shot groups at 9–15 feet, and even tighter groups at closer distances. Finally, think about point shooting in the same way you “shoot” a squirt gun—you don't use the squirt gun's sights and yet, more often than not, you can hit your “target” center of mass.

FLASH SIGHT PICTURE

When the situation you find yourself in pushes the requirements away from speed and toward accuracy, it may be necessary to use your firearm's sights to achieve a more precise shot. For the *most* accurate shot, three indexes must be aligned—the front sight, the rear sight, and the target. But as mentioned, the automated responses experienced during a violent attack may literally force your eyes to lock on the attacker, making it difficult (or impossible) to focus on the front sight. However, if you've trained to elevate the firearm up into your line-of-sight, it may be possible to at least gain what's referred to as a “flash sight picture.” Put simply, a flash sight picture occurs when the shooter is able to get a rapid “overlay” of the sights on the target, without focusing on the front sight, and without taking the time to gain perfect sight alignment. A flash sight picture will have the target in perfect focus, with the front sight and rear sight both visible (but out of focus) on the target. Said another way, the shooter looks for a “flash” of the sights on the target to *verify* proper alignment, rather than using the sights to

attain proper alignment. As mentioned earlier, it's important to look at the exact spot where you want the round to impact. Then, when the firearm is elevated into your line of sight, a "flash sight picture" occurs (the front and rear sights overlay the spot that you want to shoot) and the trigger is pressed.

SIGHTED FIRE

If your brain allows it, the most precise shot will require that you switch your focus from the target (where the brain and eyes will want to focus), to the front sight. This is the best method to ensure proper sight alignment. When focused on the front sight, it will be in complete focus, the rear sight will be semi-blurred, and the target will be the blurriest thing in your sight picture. When targets are up close (9—15 feet), misaligned sights are more forgiving, but as your target pushes out beyond typical attack distances, even an alignment error of 1/16 of an inch will translate to more than 12-inches of error at 50 feet. Double the error in sight alignment (or double the distance), and you'll double the error on target.

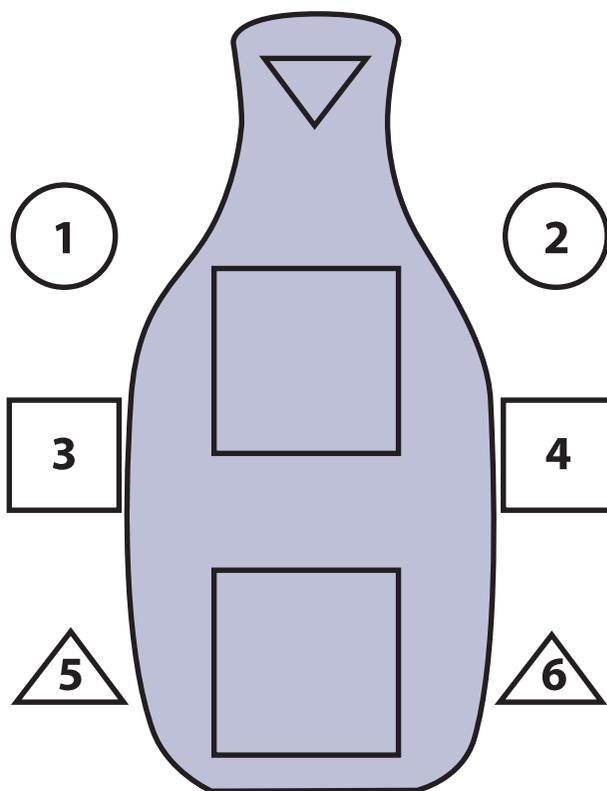
RANGE EXERCISES

Reading about accurately putting rounds on target is one thing, but proving it out on the range is another. The problem is, most range exercises have one thing in common—they're usually not timed; and the typical goal is to make as small a hole as possible to impress your friends; and to make you feel good about yourself, your firearm choice, and your grasp of the shooting fundamentals. To push my students beyond that comfort level, I typically recommend a balance of range exercises—ones that push the students toward the speed end of the spectrum, ones that push them toward the accuracy end of the spectrum, and ones that force a balance between speed and accuracy. Two of my favorites are the "Aim Small/Miss Small" and the "SEB" drill.

THE "AIM SMALL, MISS SMALL" DRILL

In the movie "The Patriot," Mel Gibson's character advised one of his sons to "Aim Small, Miss Small." While I normally don't look to the movies for shooting tips, in this case, it's good advice. Like golfers have known for decades, training on a smaller cup while putting, produces greater accuracy when presented with a larger target. That same, "Aim Small, Miss Small" theory applies to shooting accuracy. To run this drill, the shooter starts from the low or high ready position, and fires a single round at the back of any target. The shooter then fires strings of two to five rounds at the hole he or she just made.

Goal: This exercise is designed to force an intense concentration on accuracy by making the "target" no larger than a bullet hole. Many shooters will allow their degree of "slop" to be dictated by how large their target is, so the "Aim Small, Miss Small" drill is designed to force extra attention on precision.



THE "SEB" DRILL

The "SEB" Drill is my favorite speed and accuracy drill, taught to me by Rob Pincus from I.C.E. Training Company. Starting from the holster or from the low or high ready position, the shooter will fire on command of an assistant at an SEB target. The assistant will vary the commands between calls of "Up!" and one of the numbers (such as "Two!") On a call of "Up" the shooter will fire at the large square in the high center of the silhouette, and on the command of a number, the shooter will fire at the appropriately-numbered shape surrounding the large silhouette. The assistant can choose to call more commands of "Up" or more commands of the numbered shapes, in order to vary the shooter's need to balance speed with accuracy.

Goal: This exercise will force the shooter to vary his or her balance of speed and accuracy on the same target and within the same exercise.

Things That a Coach Can Watch For: Watch for shooters attempting to shoot the smaller, numbered targets with the same speed that they use to shoot the larger square in the silhouette. If they are consistently missing the smaller targets, they'll need to slow those shots down. On the other hand, if they are shooting with a consistent speed for the large and small targets and consistently hitting each target, they can afford to speed up their shots on the larger square.

The trigger finger should fall naturally on the trigger, with the trigger centered between the fingertip and first knuckle, or nestled within the crease of the first knuckle. If the finger doesn't fall naturally in this range, the grips are too big or too small.

Lesson Four:

TRIGGER CONTROL

» **IN LESSON ONE**, I pointed out that since dynamic critical incidents are usually fast, they're usually close, and when rounds are fired, multiple rounds are usually fired, that it stands to reason that the more rapidly and accurately we place rounds on target, the faster the violent attack will end. If a proper grip and full arm extension solves half of that equation, then the second half of the equation is solved by a smooth and efficient trigger cycle.

You'll notice I said trigger "cycle" rather than trigger "press." That's because in order to deliver multiple rounds quickly, you'll not only need to efficiently press the trigger to the rear, you will also need to efficiently and smoothly release the trigger to its reset point, before once again firing the gun.

TRIGGER BREAK POINT

Where many students get tripped up in learning a smooth trigger cycle is because they haven't built their firearm's break point or reset point into their "muscle memory" (actually, the neural pathways in the cerebellum). Without knowing exactly

THIS AIN'T CAMP TOMAHAWK

Back in Boy Scouts, I was taught that for accurate shooting (from the prone position, with sandbag support), I should breathe in, let it part way out, hold it, and then slowly *squeeeeze* the trigger in order to avoid anticipating the recoil. While that worked at Camp Tomahawk, it's not going to work in the chaos of a violent attack with adrenaline screaming through your body, and an attacker just seconds from reaching you, or already upon you. In the time it would take you to "breathe in and let it part way out.," the fight might be over, yet many training organizations continue to teach the same type of trigger cycle for their defensive handgun courses as they do for their basic firearms familiarization courses or their hunter safety courses, and that's a mistake. New shooters (especially new hunters) are often taught that the trigger should be *squeeeezed*, and that the shooter should be "surprised" when the gun fires in order to avoid anticipating the recoil. While that might work from a prone position with sandbag support, it's bad advice for defensive shooting, most importantly, because an attacker can cover 10 feet or more for every second that you take to slowly squeeze the trigger. Secondly, trying to avoid anticipating the recoil causes you to, well, anticipate the recoil.

Wherever the trigger is placed, the finger must be pressed STRAIGHT to the rear so that muzzle alignment is not disturbed.

where the break point is (the point at which the gun will fire) shooters might begin their trigger press smoothly, and then "jerk" the trigger in the final stages of the trigger press. In other words, the shooter is *guessing* where the break point is, rather than *knowing* where it is, which can cause the shot to pull in the direction of the shooting hand.





At Rest
The trigger is fully forward.



Break Point
*The point at which the striker is released,
and the gun fires.*



Reset Point
*The trigger resets at this point,
and can be pressed again, without letting the trigger
travel all the way forward to the rest position.*

THE "TEN-TO-THE-ONE" DRILL

To avoid the trigger "jerk" problem, the "Ten-to-the-One" drill is designed to force an intense concentration on learning exactly where a pistol's break point is, and to keep the trigger press nice and smooth from the trigger's rest position to the break point where the pistol will fire, without jerking the trigger. When conducting this exercise, students begin to realize that when they maintain a solid grip and flexed wrists and arms (as discussed in the lesson on "grip"), the trigger finger can be pressed smoothly, but *deliberately* to the rear, without affecting the alignment on the target. That is, nothing will move except for the trigger finger.

To run this exercise, the shooter establishes a proper grip and full arm extension, and aligns their muzzle to the target. With the trigger finger on the trigger, the shooter will slowly press the trigger while their assistant counts down from ten to one. When the assistant reaches "one," the student should have reached the trigger's break point, and the gun should fire—not before, and not after. After warming up, the assistant will speed up the drill with the commands, "Ten-to-the-five, four, three, two, one!" Eventually the coach will speed up the count so that the trigger press occurs in less than one second.

TRIGGER RESET

Without knowing exactly where the trigger's reset point is (the point at which the trigger will reset, and may once again be pressed to the rear), shooters will typically allow the trigger finger to travel much too far forward (sometimes even off of the trigger itself), resulting in slower follow-on shots, and a tendency to "slap" the trigger on subsequent rounds, disrupting target alignment.

The reset point of a trigger is easily identifiable by a tactile and audible "click" as the trigger is traveling forward. At that reset point, the trigger can once again be pressed to the rear, instead of allowing it to travel all of the way forward. You'll find dramatic differences in how far forward the trigger must travel before it resets when comparing different types of firearm actions, so you'll need to learn the reset point for your particular carry gun of choice. While practicing trigger reset should definitely be part of your dry firing exercises (or the next two exercises as explained in this section), I've found that one of the most effective ways of demonstrating when a proper trigger reset is *not* being performed, is to have an assistant videotape you during a range exercise. Most shooters are surprised to find out that not only are they allowing the trigger to travel all the way forward, in many cases, the trigger finger may be traveling so far forward, that it literally comes completely off the trigger, even bumping up against the triggerguard itself. That's inefficient, and doesn't meet the goal of quickly delivering rounds on target.

THE "PUSH YOUR LIMIT" DRILL

I learned about the "Push your Limit" drill from Rob Pincus, who designed the drill to not only build the neural pathways for knowing exactly where your trigger's break point is, but to also build the pathways for knowing where your trigger's reset point is, and to bring the two parts of the process together in an ever accelerating series of stages. The exercise is broken into three stages, with the first string of fire allowing the shooter to concentrate on the trigger's break point and reset point separately. The second string of fire will force the shooter to bring the two parts of the process together, and the third string of fire forces the shooter to push the trigger cycle time to the limits of his or her ability.

The setup for the "Rubber Band Exercise" is simple—it's the same setup you'd use when shooting a rubber band across the room. In this case however, you'll simply flex your trigger finger from a starting point of 90-degrees, and end with it at approximately 60-degrees. Concentrating on a smooth, even "trigger cycle," will build those neural pathways, and will translate to the range and dynamic critical incidents.

Stage One: Using an SEB target (as shown on page 14) at a distance of 5 to 7 feet, the shooter will fire five rounds at target #1 (the circle in the upper left hand corner) on a count of "one-one-thousand, two-one-thousand," etc., up to "five-one-thousand." This will require a shot fired approximately every second.

Stage Two: Same exercise as above, into target #2 (the circle in the upper right hand corner) on a count of "one and two and three and four and five." This will require a shot fired approximately every half-second.

Stage Three: Same exercise as above, into target #3 (the square in the middle left) on a count of "1, 2, 3, 4, 5" as fast as the shooter can count and fire rounds. This will require all five shots to be fired in approximately one second.

If the shooter was able to keep all 15 shots on the targets, the distance can be increased by 3 or 4 feet and the exercise repeated.

THE "RUBBER BAND EXERCISE"

While the two previous exercises require live firearms and ammunition, this last exercise can actually be done while sitting in front of your TV set at home. Like the "Push your Limit" drill, the "Rubber Band Exercise" is designed to build up muscle memory for a full trigger cycle from start to finish. Since a rubber band offers smooth resistance with no increase or decrease in resistance, it affords a simple method to practice your trigger cycle over and over again, while concentrating on a smooth trigger finger movement. My suggestion is to start this exercise by performing each trigger "cycle" by counting "one-one-thousand, two-one-thousand," etc., which will require a "cycle" approximately every second. You can then pick up the speed with a count of, "one and two and three and four and five." This will require a trigger "cycle" approximately every half-second. When doing this exercise, you should release your finger at the same speed and smoothness as you use to press it to the rear.

CHIEF INSTRUCTOR FOR USCCA EDUCATION & TRAINING:

Michael Martin is the author of the book, "Concealed Carry and Home Defense Fundamentals," available through the USCCA store, and as an interactive book through iTunes.

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101 HANDGUN ACCURACY SECRETS

Shoot To The **Absolute LIMIT** Of Your Handgun's Ability
With These Easy-To-Master Principles Of
Extreme Handgun Accuracy



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INTRODUCTION

BY KEVIN MICHALOWSKI

THERE'S THIS GUY I know who always asks me the same question when I show him a gun: “How accurate is it?”

And I always tell him the same thing: “It’s as accurate as you can be with it.”

The truth is, accuracy is a great big can of worms. Yes, when the time arrives, accuracy is important. You are, after all, responsible for every round you send downrange. You need to be able to hit what you are aiming at. But you have lots more to think about before your gun even comes out of the holster.

Here’s the way I see it: In a self-defense situation, accuracy is pretty far down the list. Before you start screaming, allow me to share that list with you:

Situational Awareness: This is the key to effective self-defense. If you don’t pay attention to what’s happening around you, you’ll likely fall victim to a surprise attack. At THAT point, you might be so far behind the curve that your super-accurate pistol will be of little help.

Conflict Avoidance: If you’ve been paying attention to what’s going on around you, at some point you’ll be able to use that information — combined with your training and experience — to

remove yourself from an area that is or might become unsafe. Conflict avoidance involves your situational awareness skills (Did you make note of suitable escape routes?), verbal skills (Can you de-escalate a situation?) and good judgment (Do you know when to get the hell out of a situation?). Check your ego at the door. Escape if you can.

Defensive Skills: Can you keep your attacker off you if you have to? Have you learned how to protect and access your weapon during a close-quarters deadly fight? If you don’t think about things like positioning, defensive movements and defensive/offensive strikes in order to give you access to your weapon, your bullseye skills are useless.

Combat Accuracy: This simply means putting bullets into the bad guy quickly. In a recent episode of my weekly video blog, *Into the Fray*, I showed how I could draw from cover and put a round on target in two seconds. That’s a long time. I’m slow; those two seconds might be the rest of my life. They might be the last two seconds I have to do anything. So, in that amount of time, I want to be thinking, moving and shooting.

If you are standing still, hitting a bullseye from 25 yards and thinking you have mastered everything there is to know about accuracy ... think again. Self-defense with a firearm is about more than shooting straight. There are several elements that come into play before you even have to worry about your accuracy.

My suggestion, then, is that you focus on accuracy as one important part of an overall system of self-defense. The content that follows in this guide is a good place to start.

Keep in mind, though, that everything you do leading up to the shot will be scrutinized. If you don’t have a lawyer now, you should think about getting one.

Practice shooting. Make sure you have good sights and a reliable, accurate firearm, but don’t think that good shooting is all you need to come out on top of a deadly force situation.

Stay safe. Train hard.

Kevin Michalowski
Executive Editor

Concealed Carry Magazine



SIGHT ALIGNMENT

BY KATHY JACKSON

MARTY HAYES, owner of the Firearms Academy of Seattle, is fond of telling new students the one and only real secret of accurate marksmanship. Are you ready? Here it is, the secret of accurate shooting:

“Your sights must be aligned on target at the moment the hammer falls.”

That’s it. That’s the key to accurate shooting. Everything else — grip, stance, smooth trigger press, follow-through — all of those are just detailed ways to help ensure that your sights are in the right place when you send the shot. If your sights are lined up with the target when that happens, you will hit the target. If they aren’t, you won’t. It’s that simple.

So how can a shooter be certain that the sights will be lined up on target when the primer pops?

DIFFERENT TYPES OF SIGHTS

Handgun sights come in a variety of configurations. There are three-dot sights, blade sights, U-shaped sights, V-shaped sights, “dot-the-i” sights, peep sights and scores of other varieties.

All of these different sighting systems are designed to ensure that the barrel of the gun is held in the correct orientation to the target on the vertical and horizontal axes. This ensures that the shot will land neither to the left nor right of, nor high or low from, the intended point of impact. When the gun’s barrel (represented by the sights) is properly lined up with the center of the target at the moment the shot breaks, the bullet will hit the center of the target.



UNDERSTANDING THE RELATIONSHIP BETWEEN FRONT AND REAR SIGHTS

Since the purpose of sights is to align the gun properly, it's important to understand how they're designed to do that.

The front sight might be a blade or a dot. If it's a dot, it might be large or small. The rear sight might be a U-shape, a V-shape, two dots, a straight line or a simple raised notch in the back edge of the slide.

No matter how the sights are configured, the front sight should be vertically "aligned" with — i.e., no higher or lower than — the rear sight. If the rear sight is a basic straight line, simply place the dot of the front sight right on top of that line, as if you were dotting an "i."

Otherwise, place the front sight so that it is centered within the notch of the rear sight. There should be an equal amount of light on either side; this will keep your shot from going to the left or right of where you aim.

Except in the case of "dot-the-i" sights, the top edge of the rear sight should be held exactly even with the top edge of the front sight. Holding the top edges of the front and rear sights on the same plane will prevent your shots from hitting high or low.

When the sights are held in the correct relationship to each other, the shot will

■ *Handgun sights will vary from style to style and model to model, but their basic function remains the same: They allow you to reliably hit what you're shooting at. Some sighting systems, such as the revolver sights on the far right, are installed at the factory and are not replaceable. All of the other handguns pictured have replaceable units and, depending on your needs and preferences, you can have them replaced with any number of dozens of differing pistol sights.*

go neither high nor low, neither left nor right. The gun will be aligned with your eye and with the target on both the horizontal and vertical axes.

Some sight designs that pair a large front sight with a comparatively small rear sight will tempt you to "bury" the front sight while shooting. This will cause your shots to hit low. Pay special attention to the horizontal axis (keeping the top edge of the front sight in line with the top edge of the rear sight) until you have become very familiar with using these types of sights.

WHERE TO PUT THE FRONT SIGHT

Now that you have the front and rear sight in the correct relationship to each other, where do you place the front sight in relation to the target?

Most handguns will have their sights aligned on the horizontal axis to provide either a "combat hold" or a "target hold." These "holds" simply describe where the shooter is placing the sights in relation to the target and where the

round will strike the target. A gun that is sighted in for a combat hold requires the shooter to place the front sight where it covers the exact center of the target, while a gun sighted in for a target hold achieves greatest accuracy when the front sight is aligned at the center of the bottom of the bullseye.

Generally speaking, handguns that are appropriate for self-defense will use the quicker but less precise combat hold.

Remember Benjamin Martin's advice to his son in the movie *The Patriot*? "Aim small, miss small." This is an excellent piece of shooting advice: When you are faced with a large target, pick a small area within that target upon which to center your shots. For instance, when looking at a cardboard IPSC target, rather than aiming for "somewhere in the center," try to hit the triangle which makes up the top part of the capital A in the A-zone.

As discussed above, remember that the correct placement of the front sight on the target must happen at the same time as the front and rear sights are held

in the correct relationship to each other.

WHERE TO FOCUS

No matter which sighting system is on your handgun, it is important that you learn to keep your eyes focused on the front sight the entire time you pull the trigger — and during follow-through after the shot breaks.

Physiologically, it just isn't possible for the human eye to focus on a near object and a far object at the same time. This means that when your eye is focused on the front sight, the target will be blurry. And when your eye is focused on the target, the front sight will be blurry. Some people (mostly young folks) can switch their focus back and forth rapidly enough to fool themselves into thinking that both are in focus at the same time, but it's not true. Only one or the other is in focus at any given time.

What all this means is that you will need to decide which is more important to have in sharp focus: the large target or the tiny front sight. If you want to shoot accurately, you absolutely need to keep that tiny front sight and what it is doing in focus. (This is why shooting instructors always tell their students to concentrate on the front sight.)

If you are prone to missing high, it is possible that you are shifting your focus from the front sight to the target at the last possible moment before you send the shot. When you shift your sight to the target, it's very common for the muzzle to rise slightly in response — just enough to cause the shot to land high rather than in the center of the bull.

WHAT ABOUT THAT WOBBLE?

It is normal for the sights to wobble a bit when you're holding your firearm on target. Accept that fact. The wobble is a normal event, and it happens to every shooter. Human beings are not machines, and not a single one on the planet can hold a firearm with machine-like stillness and immobility. The wobble will always be there.

Sometimes the wobble will be worse than other times. As we age, our hands naturally become a little shakier. After a

few swallows of tea, coffee or caffeinated soda, most people experience slightly shaky hands (though most of us never notice it). When there is a lot of adrenaline in your system — when shooting in front of someone you wish to impress, for points in a match or under the significant stress of a deadly force encounter — hands will always shake. It's just a fact of life.

So what to do about it? First and foremost, you need to admit that you do shake. Don't try to deny it or force yourself not to do it. You must accept the wobble and pull the trigger smoothly while the wobble is happening. If instead you fight it or try to snatch the trigger back during that brief, absolutely perfect moment as your front sight trembles across the center of the target, your shots will go low. Don't say I didn't warn you.

You must accept the wobble for what it is: a minor, natural event that cannot really keep you from hitting the target unless you overreact to it.

Keep your sights aligned as evenly as you can, but do not try to snatch the trigger back at the magic moment when the sights are absolutely, totally, perfectly aligned. Instead, smoothly increase pressure on the trigger while keeping the sights aligned on the target as steadily as you are able.

By steadily increasing the pressure on the trigger while keeping the sights lined up as steadily as you are able, you ensure that your sights will be aligned with the target at the moment the shot is fired.

And what's the entire secret of accurate shooting?

“Your sights must be aligned on target at the moment the hammer falls.”

ACCURACY SECRETS

■ No matter how the sights are configured, the front sight is designed to be placed on the same vertical axis as the rear sight.

■ Many handguns have replaceable sights. If the sights on your handgun aren't working for you, you should experiment with different types of sighting systems if at all possible.

■ When the sights are held in the correct relationship to each other, the shot will go neither high nor low, neither left nor right.

■ Guns that are sighted in for a combat hold require the shooter to place the front sight where it covers the exact center of the target, while guns sighted in for a target hold achieve greatest accuracy when the front sight is aligned at the center of the bottom of the bullseye.

■ Generally speaking, handguns that are appropriate for self-defense will use the quicker but less precise combat hold.

■ “Aim small, miss small.” When you are faced with a large target, pick a small area within that target upon which to center your shots.

■ It is important that you learn to keep your eyes focused on the front sight the entire time you pull the trigger — and during follow-through after the shot breaks.

■ Especially if you are prone to missing high, it is possible that you are shifting your focus from the front sight to the target at the last possible moment before the shot goes off.

■ It is normal for the sights to wobble a bit when you're holding your firearm on target. Accept the fact that the wobble is part of shooting.

■ If you fight the wobble or try to snatch the trigger back during that brief, absolutely perfect moment as your front sight trembles across the center of the target, your shots will go low.

■ By steadily increasing the pressure on the trigger while keeping the sights lined up as steadily as you are able, you ensure that your sights will be aligned with the target at the moment the shot is fired.

■ Your sights must be aligned on target at the moment you fire. If your sights are lined up with the target when the shot goes off, you will hit the target. If they aren't, you won't.



■ *Good trigger control starts with dry-fire practice. After you are able to hold the gun steadily on target through the trigger pull, you can progress to live ammunition.*

TRIGGER CONTROL

BY MASSAD AYOOB

TO HIT WHAT YOU'RE SHOOTING at with a handgun, trigger control is “the heart of the beast.” It seems to be far more important than, say, sight picture. At close-combat distances, a poor sight picture might pull the shot out of the heart and dump it elsewhere in the chest, but a convulsive jerking of the trigger can cause the shot to miss the whole human-sized target.

The late Ray Chapman was the first world champion of the combat pistol. He used to say that shooting a handgun well was simple, it just wasn't easy. That's true in spades for the trigger control element.

After the decision to fire has been made and the gun is on target, the shooter must bring the trigger straight back in a manner that doesn't pull the gun off the mark. The rearward pressure should be smooth, it should be uninterrupted and it should be evenly distributed.

With any physical skill, we must crawl before we walk and walk before we run. Trigger-control development should start with dry-fire, progressing to live ammunition only after the shooter is conditioned to hold the gun steadily on target as the hammer drops. Dry-fire should always be practiced with a safe backstop, as if it were live, as a hedge against the day human error finds us with a round in the thought-to-be-unloaded firearm.

When it's time for live ammo, the pace should begin with careful, slow fire, progressing into faster and faster cadenced shot sequences until true rapid fire is achieved. With any complex psychomotor skill — a chain of physical events, which firing a gun most certainly is — the quickest route to learning to do it fast is to start by doing it slowly.



FINGER PLACEMENT AND HANDGUN GRASP

Historically, we have been taught to manipulate the trigger with the tip of our index finger or with its “pad,” which means that the whorl of the fingerprint is centered on the trigger. However, this history comes largely from bullseye shooting with cocked revolvers and light-trigger, single-action semi-automatics. Target guns tend to be heavy, usually somewhere between 34 and 60 or more ounces. A light touch from the sensitive fingertip will serve us well if our pistol is a gently held 48-ounce High Standard .22 with the recoil of a mouse burp — and we’re shooting at NRA’s specified rapid-fire rate of five shots in 10 seconds.

However, in defensive shooting with a concealment handgun, the dynamics change. Now we have a 20-ounce baby Glock that must be stabilized against a 5- to 8-pound trigger pull, or a 12-ounce Smith & Wesson AirLite “snubby” with up to a 12-pound trigger pull. Now we have recoil that can truly live up to its colloquial name, “kick.” Now, rapid fire means five shots in one second before our homicidal attacker can reach us with his tire iron.

DIFFERENT JOBS REQUIRE DIFFERENT SKILLS AND DIFFERENT TOOLS

For a heavier than “target” trigger

▪ *Regardless of the style of sidearm, certain aspects of proper handgun grip remain constant: The gun must be held firmly in order to ensure its proper operation, the fingers must be kept away from the muzzle, and the shooter must be able to comfortably run all major operations of the gun. Depending on the type of handgun, some of these aspects can be more challenging than others.*

pull, you’ll find that getting your finger deeper onto the trigger will give you more leverage. The sweet spot is what the old double-action revolver masters called “the power crease” and what medical folks would call the distal joint of the finger on the palmar side. With longer, heavier pulls, this index finger placement simply gives the shooter more biomechanical advantage for a smooth, straight-back pull that won’t allow the muzzle to deviate off target.

Similarly, the light grasp so long favored by target shooters is poorly suited to stabilizing the handgun against a heavy trigger pull or to keep it from shifting in the shooter’s hand when jackhammer recoil must be dealt with. Half a century of handgunning has taught this writer that a very firm grasp — a crush grip, if you will — better serves both needs.

The harder you hold the handgun, the less it will shift in your hand during recoil. It will feel as if it’s “kicking” less. That’s not happening; grip force doesn’t alter the laws of physics. What’s happening is that your body is more efficiently managing the recoil. The gun is not moving as much and is coming back on target sooner. A

strong stance that puts body weight into the gun helps considerably here too. The less the recoil moves your body, the less likely you are to develop anticipation that makes you jerk the trigger and bring the shot low.

The firm grasp also helps trigger control. Our fingers are subject to a sympathetic reaction called interlimb response. When one finger moves rapidly, the others want to open and close with it. This creates a phenomenon the old masters called “milking.” When the fingers close as if upon a cow’s udder in sympathy to the index finger’s movement on the trigger, they pull the gun down and toward the weak-hand side. If you’re a right-handed shooter and have been hitting low left, that may well be the diagnosis.

If “milking” is the disease, a hard grasp is one proven cure. If the rest of the fingers are already closed as tightly on the handgun’s grip as they can be, they can’t close any more in sympathy with the index finger’s rapid activation of the trigger.

FIT FACTORS

No shooter will shoot his or her best without a gun that fits his or her hand.

A key dimension of that fit is “trigger reach.” The gun should sit in the firing grasp with the barrel in line with the long bones of the forearm, the web of the hand high on the back strap of the frame and the finger naturally in its “sweet spot” on the trigger. If the gun affords too short a trigger reach, a longer trigger on a 1911 pistol or larger grips that cushion the back strap and push the web of the hand further back can solve the problem. The new generation of polymer-frame auto pistols with replaceable back straps in various sizes, pioneered by Walther, help here too.



SHORTCUTS

There are shortcuts to achieving good trigger control. Not many, but a few. One is what I call an “Exemplar Drill.” The new shooter takes his or her firing stance and grasp and is responsible for sight alignment. The veteran shooter places his or her gun hand over the shooter’s, with the experienced trigger finger in front of the novice digit. The old-timer presses the newcomer’s finger slowly back against the trigger the first few times to show him or her what a good trigger press should feel like. Then, the new shooter and the veteran pull the trigger together at the same pace. Finally, the trainee is pulling the trigger, with the trainer’s index finger just lightly touching the trainee’s to monitor the movement and make sure he or she isn’t backsliding into poor technique. I learned it from Ray Chapman, Chapman learned it in the Marine Corps and the USMC Marksmanship Manual circa 1930 had it in print. Sometimes, old secrets get lost and have to be rediscovered.

For the shooter working alone, a laser sight is a great tool for developing trigger control. Put the red dot on the target, and hold it there through the trigger stroke. Do it dry-fire to start. It conditions the shooter to the feel of smoothly stroking the trigger back without deviating from point of aim. Progression to live-fire is smooth and natural. Then switch to the conventional sights: The smooth trigger pull should remain constant.

As Chapman said, it’s simple, but it’s

■ *Different styles of handguns have different styles of triggers. This 1911 has a single-action trigger, meaning the trigger does nothing other than release the hammer. This makes it one of the smoother and lighter triggers available.*

not easy. It takes time and dedication. Sometimes, you’ll need to open your mind to new techniques or work with a gun that you’re not familiar with but which might be a more suitable fit to your hand. After you’ve “got it,” you’ll feel the light bulb come on, and now it will be up to you to maintain a training regimen to “keep the feel of it” and make a smooth trigger pull happen faster and faster. Stay with it, and you’ll be a better shot before you know it.

ACCURACY SECRETS

■ To hit what you’re shooting at with a handgun, trigger control is “the heart of the beast.”

■ A convulsive jerking of the trigger can cause the shot to miss the whole human-sized target.

■ The shooter must bring the trigger straight back in a manner that doesn’t pull the gun off the mark.

■ Trigger-control development should start with dry-fire, progressing to live ammunition only after the shooter is conditioned to hold the gun steadily on target as the shot is sent.

■ The pace should begin with careful slow fire, progressing into faster and faster cadenced shot sequences until true rapid fire is achieved. The quickest route to learning to do it fast is to start by doing it slowly.

■ “Rapid fire” means five shots in one second before our homicidal attacker can reach us with his tire iron.

■ For a heavier trigger pull, you’ll find that getting your finger deeper onto the trigger will give you more leverage. The sweet spot is what medical folks would call the distal joint of the finger on the palmar side.

■ The harder you hold the handgun, the less it will shift in your hand during recoil. A strong stance that puts body weight into the gun also helps considerably.

■ If the rest of the fingers are already closed as tightly on the grip frame as they can be, they can’t close any more in sympathy with the index finger’s rapid activation of the trigger.

■ No shooter will shoot his or her best without a gun that fits his or her hand. A key dimension of that fit is “trigger reach.”

■ A laser sight is a great tool for developing trigger control: It conditions the shooter to the feel of smoothly moving the trigger straight back without deviating from point of aim.

■ Maintain a training regimen to keep the feel of the trigger pull and make a smooth trigger pull happen faster and faster.



PROPER GRIP TECHNIQUES

BY LARRY CORREIA

PROPER GRIP IS ONE of the keys to proficient shooting. Without knowing how to hold the handgun correctly, you will lack in control and accuracy.

In the days of yesteryear, everyone shot pistols one-handed. This still works great for things like Olympic pistol games, where pure accuracy is king. A one-handed grip with a bladed-off stance works great for slow-fire bullseye shooting, because there is very little outside influence to disturb the gun. But we're talking about defensive pistol shooting, where calm, leisurely accuracy goes right out the window; instead, it's about being fast and acceptably accurate while under a great deal of stress.

The key to that is control. A two-handed grip will provide a great deal of control, so if you've got two hands available, use them to your advantage. A very experienced instructor once told me that the thing to remember is "meat on steel." The more meat (hand) you can get on steel (the gun), the more control you will exercise.

First off, let's talk about your primary hand — the hand that is the first one on the weapon and the one controlling your trigger. You want to get as high up on the gun as possible without getting struck by any moving parts. A common mistake made by a new shooter is that he or she will grasp the gun low on the grip, leaving a large gap between the web of his or her hand and the tang of the gun. The problem is that anytime you give the gun room to move, it will move. If there is an air bubble there, the gun will freely shift into it.

Moreover, the lower you grip the gun, the greater amount of torque you'll feel as the gun recoils. The higher you place your hand, the more in-line the bones of your

■ *Properly gripping your firearm will ensure that you'll be ready to engage a threat when necessary, and it will also ensure that your firearm will function as designed.*

wrist will be with the barrel, and the less the muzzle will rise.

On the flip side of the coin, don't grip a semi-automatic so high that you're in danger of being hit by the reciprocating slide. I have very big hands, and I have a small Bulgarian Makarov that I shoot occasionally. These two things don't go together very well. I have to make a concentrated effort every time I shoot that little monster to keep my primary hand lower than I otherwise would, because otherwise the slide bites the web of my hand. This is the same reason that, though I worship at the altar of St. John Moses Browning, I can't shoot a stock Hi-Power or GI 1911 without leaving skin on the gun.

When it comes to a solid grip, a gun that fits you more naturally will be easier for you to shoot than one that you struggle with. A gun that is too small for a big-handed shooter is problematic, just as a gun that is too large for a small-handed shooter is. This is a major reason why spouses should never just pick out a gun for their significant others without their input. As an instructor, there is nothing more painful to watch than the 4-foot, 6-inch petite lady trying to shoot the HK USP .45 her husband picked out for her because he thought it was the greatest gun in human history.

That said, with good technique and practice, you can learn to shoot a gun well even if it isn't a perfect fit. Anyone who's ever been issued a particular gun by an agency is aware of this. But we live in America, and this article is directed at permit holders, so thankfully we can buy whatever the heck we want. Why wrestle with a gun you're not comfortable with if you don't have to?

Next, how hard should you hold the gun with your primary hand? I've heard a few things over the years that are pretty intuitive ways to explain this. Hold the gun like a firm handshake — or about as hard as you would hold a hammer to drive a nail. You don't want to squeeze the gun to death, because that is just going to cause shaking and fatigue, and you don't want to hold the gun too weakly, because then it will shift more under



■ *New and hobbyist shooters often neglect off-hand (or “other strong hand”) shooting. Though it can be extremely challenging at first, competence with your sidearm in either hand is essential for using it effectively in a lethal force incident.*

recoil (and, on some semi-automatics, might even cause malfunctions).

Now that you've got your strong hand on the gun, what do you do with your support hand? As a firearms instructor, I've seen pretty much every kind of grip you can imagine, and most of them are absolutely terrible.

My personal favorite bad grip is the “1980s Cop Drama Grip,” where the support hand holds the strong arm's wrist. This does absolutely nothing to control the gun. The next bad grip is the old “Cup and Saucer.” With this grip, the shooter just lays the strong hand on top of the support hand. Unfortunately, under recoil, the strong hand just moves up and away from the support hand. The worst grip of all, though, is the “Self-Correcting Grip.” I call it that because you will only do it once. Basically, this is the one where the support hand is up high, encircling the strong hand, but the support thumb is placed over the web of the strong hand ... right in the path of the slide. Ouch! Once in a while, somebody manages to do this grip during a class. There is usually no small amount of cursing involved.

Most shooters just take their support hands and mash them on top of their strong hands. The problem with doing this, however, is the old adage about “meat on steel.” For many shooters, depending on hand size and the size of

their firearms, their support hands sometimes aren't touching any steel at all. The strong hand thumbs are blocking the grip, so the shooters are left squeezing “meat on meat,” which is better than nothing but isn't allowing the shooters to reach their full potential.

Now this is where everyone is different, and some experimentation is in order. While holding the gun in your primary hand, try moving your strong thumb up higher — out of the way — then mash your support hand down on the grip. Then place your strong thumb on top of your support hand, both thumbs pointing downrange, alongside the gun. If your gun has a frame-mounted safety, your strong thumb will often fit right on top of it, giving it a comfy place to ride and ensuring your safety remains off while shooting. This is usually referred to as a “High-Thumbs Grip.”

Your support fingers should be on top of your strong fingers. I hesitate to use the word “interlaced,” because that always causes confusion among students who then try to weave their digits together, but your support fingers should naturally fall onto the low spots between your strong fingers. Now your support hand can exert some pressure on the firearm.

This doesn't work for everyone (once again, it depends on hand and gun size), but experiment with your gun until you

find whatever gives you the most “meat on steel.” What you’re going for here is to make your support hand do some work also. If you can get a relatively neutral grip, where your support palm is putting equal pressure inward on the gun, your support hand can actually help you shoot more accurately than when employed in one of the aforementioned grips.

TRY THIS EXPERIMENT

Take your strong hand. Make a fist, about as hard as you would squeeze your gun. Now move your trigger finger back and forth like you’re pulling the trigger. Now imagine that your support hand is squeezing the gun and helping control it. Loosen up your strong hand a little bit, and now pull your trigger finger as fast as you can. You should notice a significant difference in how freely your trigger finger can run. If you make your support hand help control the gun, you’ll discover a far greater degree of trigger control.

There is a lot of argument about just what point of your trigger finger should be pulling the trigger. Personally, I’m not sure there is one right answer, as it depends on the shooter’s hand, gun size and trigger weight/distance/reach. When I shoot a single-action gun with a short, light trigger, I find that I shoot with the pad of my finger; when I shoot double-action, with a longer, heavier pull, I find that I use the crease of the distal joint.

ONE GIVES ME MORE CONTROL; ONE GIVES ME MORE LEVERAGE

I’m a huge proponent of dry-fire practice. I honestly believe that if you go to the range to practice the fundamentals of shooting — stance, grip and trigger pull — and you’re spending 30 cents every shot, you’ll run out of money way before you become proficient. But if grip is all about controlling the gun, how can you simulate recoil during dry-fire?

Now this is not a perfect solution, but I do find that it helps. This drill works with semi-automatic firearms only, and you will need someone to help you. (For safety concerns, any time you dry-

fire, make sure that the gun is unloaded, make sure there is no live ammo in the room, check that the gun is unloaded, make sure you’re still aiming at a backstop that will stop a bullet and then check to make sure the gun is unloaded. Did I mention to check to make sure the gun is unloaded? Good.)

Remove your firearm’s magazine so that the slide will not lock to the rear. Get into your shooting stance and take up your grip. Put the front sight on your dry-fire target. Have your partner stand off to your side. All rules of gun safety still apply while doing this drill; at no time is the muzzle ever to point anywhere other than the dry-fire target. After you are in your stance, your partner will reach up and forcefully rack your slide all the way to the rear, then let go.

It isn’t the same as real recoil, but you will notice a few things: If you found that you rocked back quite a bit, it shows you the weak points in your stance. Often this is when you will need to lean into the gun more. Remember, you’re driving the gun — it isn’t driving you. But more in line with the topic of this article, did you have to shift your grip? If you find yourself having to flex your hands and adjust your fingers after your partner runs the slide, it’s showing you all of the spots in your grip where meat wasn’t properly contacting steel. Have your partner give you a moment to adjust your grip, then try it again.

After you’ve done this drill a few times, you should have isolated all of the spots where your grip is lacking. Ideally, after your partner runs the slide, the gun will come right back down and you won’t have to shift your hands at all. Everything will be nice and solid. Now practice that grip. Remember how it feels. That way, when you go to the range and you’re shooting live ammo, you already know what you need to do. Once again, this is a valuable drill, but anytime you’re manipulating a firearm with a partner, it is extremely important that the muzzle is kept in a safe direction. Remember, your partner should stand off to the side, taking care to NEVER get in front of the gun.

After you have some confidence in

your grip, you must practice at the range. An ideal grip will allow you to rapidly engage the target and repeat as necessary. Keep an open mind, and be willing to experiment with different finger placement until you find what allows you to exercise maximum control. Practice until you’re ready to fight your attacker — not your technique.

ACCURACY SECRETS

■ Having a good grip is key to being a proficient shooter.

■ A two-handed grip will provide a great deal of control. The more “meat” (hand) you can get on “steel” (the gun), the more control you’ll exercise.

■ You want to get your primary (trigger) hand as high up on the gun as possible without getting struck by any moving parts.

■ The higher you place your hand, the less the muzzle will rise.

■ When it comes to a solid grip, a gun that fits you more naturally will be easier for you to shoot than one that you struggle with.

■ With good technique and practice, you can learn to shoot a gun well — even if it isn’t a perfect fit. But why wrestle with a gun you’re not comfortable with if you don’t have to?

■ Hold the gun about as hard as you would a firm handshake.

■ You need to experiment with your off-hand to find the best positioning, but your support fingers should be on top of your strong fingers. Avoid the “Cup and Saucer Grip.”

■ If you make your support hand help control the gun, you will discover a good degree of trigger control.

■ Dry-fire practice is very important in helping you find the best grip for you.

■ A weak grip can cause a semi-automatic pistol to malfunction.

■ An ideal grip will allow you to rapidly engage the target and repeat as necessary.

■ Practice until you’re ready to fight your attacker — not your technique.



POINT SHOOTING

BY GABE SUAREZ

POINT SHOOTING: now that should stir up some controversy, right?

I was once in the “sights all the time at any distance” camp. Then the reality of reactive gunfighting on the street showed me that there are plenty of times when you will not be prepared for the fight and will have to either catch up against uneven odds or risk dying. At those times, any shortcut that will keep you alive is worth all the money in the world.

Gunfights are either reactive or proactive. In a proactive gunfight, you have the information and justification that you need to draw your pistol and shoot. You can call it being proactive or even being preemptive to the bad guy’s actions. Recently, one of my New Mexico students told me of a case where an estranged husband visited his wife at the deli counter of a local market and proceeded to stab her multiple times with a butcher knife. The restraining order she got against him did nothing to protect her, but a local CCW permit holder who saw this moved into position, drew his pistol and — reportedly using his sights — shot the attacker to death. That is a proactive, preemptive gunfight: no startle, no catch up, no problem. The only things needed are a pistol, marksmanship skills and the will to use them.

Such gunfights, or should I say shootings, make up the lore of sighted, marksmanship-based shooting methods. All you need, the advocates say, is an alert mind, a clear sight picture

▪ *Gunfights are extremely dynamic and, as such, can sometimes deny you the time to acquire a traditional three-dot sight picture.*

and a manageable trigger. But such fights, while very supportive of certain skill sets, are not the norm. The norm is a gunfight where the criminal, or group of criminals, has begun the attack upon a relatively unprepared victim. (Were the victim paying attention, he or she would likely have been able to avoid the entire thing.) That would-be victim must first realize what is happening; when the incoming information reaches a tipping point that indicates he or she must act quickly or perish, he or she must react faster than the bad guy. Does it sound difficult? Does it sound dangerous? Right on both counts.

What is lacking is preparation. I know all about the Color Codes of Awareness and about mental preparedness. I also know that human beings are fallible. We are overworked, preoccupied and sometimes even physically sick. We are rushed, and we carry the weight of the world on our shoulders. Hardly conducive to living in a state of Condition Yellow or relaxed alertness, eh? Rather than living in Condition Yellow — as my late friend Jeff Cooper described it — we often lapse into Condition White: Often sadly inevitable, it is the situation we might find ourselves in when the fight unexpectedly comes to us.

Let's analyze what happens in a gunfight. You might see the bad guy. He appears to be a bad guy because of his attire, his demeanor or maybe even the way he looks at you. Whatever it is, something about him isn't right. You are receiving bits of information constantly. You notice his eyes and where he is looking. You begin to notice that all the customers in the store are also looking at him. You notice that they appear scared. He is about 5 feet away now and you notice his gang-style clothes seems big for his small frame,

and you begin to wonder if there is a weapon hidden under them. Then you begin to notice the outline of a pistol butt and his hand resting on it. It is beginning to move from the belt line toward you.

His first words don't even register as the adrenaline dump in your gut begins to shoot through your veins. "This is how it happens," you think.

THE NORM IS A GUNFIGHT WHERE THE CRIMINAL, OR GROUP OF CRIMINALS, HAS BEGUN THE ATTACK UPON A RELATIVELY UNPREPARED VICTIM.

Now let's look at the rest of the story: You draw your pistol. Actually, it's more of a desperate "grab and shove" toward the bad guy than a perfect and correct shooting school range draw. You are looking right at him. Your hunter/predator eye is drawn to the movement of his hand and fixes on

his gun. It is small and black. Your pistol is out by now, pointing at him one-handed as your body screams, "MOVE!" Still transfixed by the image of him, and visually drawn to the gun moving toward you, you pull hard on the trigger once, twice, three times. Not the controlled trigger press you perfected in school, but hard trigger smashing. Your eyes have not left him as he falls dead at your feet with a loud thud. His gun clatters against the floor.

That is a reactive gunfight and the most likely scenario for most private citizens who carry concealed.

So what is the answer, point shooting or aimed fire? Are sights useless? Should we rip them off our slides and train only inside elevators? Not at all. Point shooting and sighted fire are two different ends of a continuum of shooting. You use what you need and what is called for, depending on the fight at hand. This description was first coined by a man in Federal service who posts under the nom de guerre "7677" at Warrior Talk (warriortalk.com), and it explains the situation quite well:

"Shooting is a physical act that does

not change. There are degrees to your visual focus (fully on threat, fully on sights or somewhere in between). So analyze your shooting system. If all you are training on is proactive sighted fire, from open carry and from a stationary shooting position at medium distance, you might not be prepared for what an attacker has in store for you."

ACCURACY SECRETS

■ Gunfights are either reactive or proactive.

■ The reality of reactive gunfighting proves that there are plenty of times when you will not be prepared for the fight — and will either have to catch up against uneven odds or risk dying.

■ The norm is a gunfight where the criminal, or group of criminals, has begun the attack upon a relatively unprepared victim.

■ Rather than living in Condition Yellow, we often lapse into Condition White: Often sadly inevitable, it is the situation we might find ourselves in when the fight unexpectedly comes to us.

■ Gunfights happen VERY, VERY quickly: A "draw" turns into a "desperate shove."

■ Point shooting and sighted fire are two different ends of a continuum of shooting. You use what you need and what is called for, depending on the fight at hand.

■ If all you are doing is proactive sighted fire, from open carry and from a stationary shooting position — at medium distance — you might not be prepared for what an attacker has in store for you.



SHOOTING WELL UNDER PRESSURE

BY JACK RUMBAUGH

SO FAR, YOU'VE HAD the fundamentals of shooting presented to you. It's easy to perform any of these skills on demand when you are on the range under no pressure at all. But what happens when a sense of urgency is introduced to the equation? If you are not properly prepared to deal with the pressure, it is likely that your performance will be less than stellar. How do we gain the confidence to perform well when things get tough? There are several training methods that are useful for simulating different types of pressure. Let's find out what they are and how to use them effectively.

DRILL THE FUNDAMENTALS

The first step you should take is to practice the fundamentals of shooting until they become reflexive and smooth. As you become more familiar and well-practiced with the necessary techniques, the more confident you will become. It will take time and hundreds (if not thousands) of repetitions to really make a technique “yours” — to learn it to the point that you can perform it on demand without serious conscious thought. Making sure you understand sight alignment, trigger press, grip and stance — and how each of these areas interact — is extremely important. After you have these fundamentals firmly established in your toolbox, you are ready to introduce that sense of urgency into your training.

MEET THE TIMER

Introducing a time factor into your training can generate some of that pressure we're looking for. The modern shot timer is a valuable tool to have in your training gear, but be careful. Never make

the holstering process part of your timed drill, as getting your gun back into its holster too quickly can lead to both accidents and the development of bad habits. You should always reluctantly and carefully holster your pistol.

You can introduce time pressure into your dry practice or your range session very easily. A simple drill is to safely prepare for dry practice (triple checking your firearm is empty and that there is no ammo in the training environment) and then set the timer for a random start and a 2-second par. When the timer sounds, you acquire your pistol, present it to the target, get your sight picture and alignment and press the trigger ... all before the second beep.

After that is easy for you, set the timer for 1.75 seconds. As that becomes easier, reduce the time. Whatever you do, though, **DO NOT** sacrifice technique for speed. It's always easier to learn the right way a little slower than to try to unlearn incorrect technique.

You can take the timer along for your live-fire range sessions as well. There are numerous standard drills you can incorporate into your range time, such as the famous "El Presidente" Drill (two shots into each of three targets a foot apart, reload, same, all starting from a surrender position with your back to the targets). Using a timer, you can quantify how long it takes you to perform a certain technique properly. As you gain skill, you can see how you have improved. The timer is extremely useful in generating some anxiety in your training, and the more you train with a timer, the less this anxiety will affect you.

COMPETE WITH YOUR GUNS

Compete! If you want pressure, competition gives you a healthy dose. The first time you head up to the line, heart in your throat, waiting for the beep, you'll see what I mean. I have had the pleasure

of competing in IDPA, IPSC and indoor and outdoor GSSF matches — and I can tell you that the first time is stressful. The more you compete, the easier it gets. The pressure will always be there, but the manner in which you perceive and handle it changes. Try out different shooting sports. Each one has slightly different stressors involved. Not only do you have the stress of a time constraint, but you also have points involved. On top of that, there is usually a set of rules to follow. Failure to follow the rules might result in a disqualification. More

stress. And if you go with friends, you have the stress of not letting them beat you. After you have run a few courses of fire, you won't even break a sweat.

TRAIN IN FORCE-ON-FORCE

This is my favorite way to add stress to training. Nothing ramps up the anxiety level like facing another human being who wants to stab or shoot you. Working with a live opponent introduces an element of chaos to your training that cannot be duplicated with any other method, and the most cost-effective way to do this is with airsoft pistols. There are other options out there, to be sure, but they are not readily available to private citizens and they tend to be quite costly. Airsoft is easily obtained, is very reasonably priced, requires no special safety gear other than an airsoft mask and a sweatshirt and does not require much clean-up after a session. All you need is a broom or a vacuum cleaner.

After you have the equipment and a training partner, you're ready to go. The simplest drill runs as follows: You and your opponent stand 21 feet apart — and on the go signal, you both draw and fire. You can mix things up with unequal initiative, shortening the distance or trading a contact weapon for the pistol. The only limiting factors are the space available and your imagination. As you

run more drills, you will find the anxiety level becomes less of a distraction. You are learning to deal with the stress in realistic training, and — hopefully — you will be able to deal with the stress in a real situation more effectively.

I want to reiterate that you must never sacrifice proper technique for speed in any of these drills. The key contribution of the drills we've outlined is to desensitize yourself to the stresses that you would find yourself exposed to in a defensive situation. The more you perform under pressure in training, the better you will perform under pressure when it counts. During a crisis, you will invariably default to the level of your training, so let's keep that level high.

ACCURACY SECRETS

■ If you are not properly prepared to deal with pressure, it is likely that your performance in a critical scenario will be poor.

■ Be sure to practice firearms fundamentals until they become reflexive and smooth.

■ Making sure you understand sight alignment, trigger press, grip and stance — and how each of these areas interact — is extremely important.

■ Introducing a time factor into your training can help generate pressure, which can make your training session far more reality-based.

■ Never make the holstering process part of your timed drill. Holstering too quickly can lead to injuries and the development of bad shooting habits.

■ Competition gives you a healthy dose of pressure, which improves the real-world application of your training.

■ Use airsoft pistols or something similar to train "force-on-force." Nothing ramps up the anxiety level like facing another human being who wants to stab or shoot you.

■ The more you perform under pressure in training, the better you will perform when it counts.

**NOTHING RAMPS
UP THE ANXIETY
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ACCURATE OFF-HAND SHOOTING

BY GEORGE HILL

THE ONE CRUCIBLE for firearms tactics that doesn't involve people shooting back at us is competition. IPSC, IDPA, Cowboy Action ... whatever your flavor of choice is, they are going to ultimately throw you a curve ball by asking you to shoot with your weak hand. Everyone's scores will take a dip on a stage that requires weak-hand shooting.

This tells us something in a very clear, numeric and measured way: We all have to work on our weak-hand shooting. There is no "magic trick" that can help us here — and no matter how good we are with our strong hands, we are not as good weak-handed.

Is this going to have any real-world value to us? Absolutely. Look at the way we present ourselves in a defensive situation: knees bent, head up, eyes forward, arms up and out. Our arms are going to be the first things injured should damage come our way. In a defensive situation, we might have to ward off a knife attack or a swing from a club, or we might catch a bullet in the strong arm or hand. Something else might occupy our strong hand, like a friend or loved one, and we are controlling them to move them to a safer position. Anything can happen and if you lose your strong hand, then you've probably lost 75 percent or more of your ability to engage your target effectively. What if you're coming around a corner that would expose most of your body before your strong hand is able to cover the target? You would be much safer if you could switch hands and navigate the corner with confidence. What we need to do is to raise our skill level so we can lower our liability with weak-hand shooting.



Since there is no magic trick to weak-hand shooting, it is a simple matter of coming back to the basics and taking your time ... without taking *too* much time.

Let's start from the draw. Since we most often carry our weapons concealed, our weapons are usually not in a convenient location for weak-hand draws. This is going to require some stretching, bending and maybe even some grunting or colorful language, but we need to be able to access our weapons. To practice this, raise your strong arm and put it on your head to keep it out of the way. There is no specified draw technique here, because all of us pack our guns differently. If you pack crossdraw or in a shoulder rig, this challenge will pose no problem. If you pack in a typical manner — with the gun just behind your strong-side hip — you might go across your front or around your back (depending on your position or flexibility). Whatever works for you, do it. The point here isn't how you do it — it's that you do it. This needs to be realistic and practical for street-level deployment. Practice this standing until you work it out, then practice it sitting. In competition, you will not be required

■ *Almost anyone can discharge a firearm with their non-dominant hand, but it takes practice to do so accurately. Time spent on the range training pays off when circumstance denies you your strong hand and time isn't on your side.*

to draw with your weak hand (for safety purposes). In competition, you'll have to draw the weapon normally and transition it to your weak hand. This transition is easy, but it's something you'll need to practice.

To transfer the weapon safely to your weak hand, very slightly loosen your grip and let the pistol tilt slightly forward. Then place your weak hand behind your shooting hand, slide it up under the top of the backstrap and slide your shooting hand back down and away as you grip the pistol with your off-hand. Practice moving your gun back and forth between your hands. Because weak-hand shooting means weak-hand reloading and holstering, if you can shave a half second off this transition, every time, you can shave full seconds off the clock at each string. Little bits of time add up quickly — and in a lethal force encounter, little bits can mean a lot.

Back to shooting. With the gun in your hand, you should now be able to engage your target, shoot your gun dry and reload it — all one-handed. Some

shooters will hold their guns between their knees or use their holsters to help reload their weapons. Whatever you do, this is something that has to be practiced a lot, because if you have to do it when it counts, no one is going to wait for you to figure it out.

The same methods of shooting a weapon weak-handed are just like strong-hand shooting ... the only difference is that it can be like learning how to shoot all over again. Your hand isn't as stable. Your trigger is alien to your finger and pulling it isn't so smooth and steady; it's more of a spasmodic twitch that you're not ready for.

When shooting weak-handed, there are psychological hurdles and physiological challenges that must be overcome: psychological, because you think you are handicapped when weak-handed; and physiological, because you have not developed the muscle memory to accomplish the tasks of control manipulation and recoil recovery — let alone just holding the weapon steady.

They call your weak hand “the weak hand” for several good reasons.



■ *Backup guns and off-hand shooting often come into play under the same kinds of circumstances: Either a primary weapon is dropped, the dominant hand is injured or a fight is severe enough that a gun is run dry or taken away from the defending party.*

Typically, the muscles are not as strong, trained or sensitive as those in your dominant hand. What you are going to find on the range is a lessened ability to hold your weapon stable, and your trigger manipulation will no longer be the thing of beauty it was in your other hand. In fact, you'll likely find that you've suddenly become ham-fisted.

Before you even start practicing shooting weak-handed, you need to get that hand up to speed. Try typing with just your weak hand or dialing your cell phone with your weak hand. These skills don't necessarily transfer to shooting, but you need to rewire your brain to your left hand and let it know that it can do some fine-motor-skill activities. I know a local doctor who ties the shoelaces on his right foot right-handed and on his left foot left-handed just to keep that dexterity up. He can also tie the knots on a fish hook with just his left (weak) hand too. You might consider getting a squeeze ball to help improve your grip as well. (I've found that these are handy items to have anyway, if your job requires you to talk to strangers.)

While in a fight, you'll want to move, but if you're down to a weak-hand-on-

ly shot, I would hope you're ready to employ every trick in the book. Try holding the weapon at a slight angle — about 1 o'clock — rather than straight up and down. You can hold your gun steadier with this slight angle, and you can manage recoil better this way. The angle is going to be different for everyone; try this on for size next time you are at the range.

The most important thing about shooting weak-handed is to take your time, concentrate on your sight picture and work on breaking the shot consistently. You should devote 10 to 20 percent of your shooting to firing weak-handed, and — like everything else in the shooting sports and self-defense — practice, practice, practice!

ACCURACY SECRETS

■ We all have to work on our weak-hand shooting.

■ Our arms are likely going to be the first things injured should damage come our way.

■ We need to raise our skill level so we can lower our liability with weak-hand shooting.

■ There is no magic trick to weak-hand shooting; it's simply a matter of

coming back to the basics and taking your time — without taking *too* much time.

■ First, you must master drawing with your off-hand. You might have to adjust your carry position to make this possible.

■ To transfer the weapon safely to the weak hand, loosen your grip and let the pistol tilt forward. Then place your weak hand behind your shooting hand, slide it up under the top of the back strap and slide your shooting hand back down and away.

■ Learn to reload your weapon one-handed and practice it often.

■ There are psychological hurdles and physiological challenges that must be overcome to shoot weak-handed.

■ You should practice doing everyday things such as typing and dialing the phone with your weak hand to build up its muscles. Get a squeeze ball to help improve your grip.

■ Try holding the weapon at a slight inward angle (1 or 11 o'clock). This aligns the bones more naturally.

■ You should devote 10 to 20 percent of your shooting to firing weak-handed.



ACCURATE SHOOTING WHILE ON THE MOVE

BY JACK RUMBAUGH

SHOOTING ON THE MOVE is by nature a complex skill set. You have to move while presenting your pistol and placing shots on your adversary with acceptable combat accuracy — all without getting shot. Some of the skills we will employ deserve their own in-depth study, but those are for another time. Let's break this down to the components and outline each one.

Gunfighting is 50 percent shooting and 50 percent not getting shot. I'm of the opinion that most important is the "not getting shot" part. If this were not so, movement would have no place in our toolbox. There really is no big secret to movement in a gunfight: You put one foot in front of the other and start walking. It gets more complicated as you dive deeper into dynamic movement, but we must walk before we run, so to speak. As you realize you are facing an attacker, you simply move off the "X" (where you are originally standing when the action begins) to one of several angles we'll discuss in just a moment.

You must combine your movement with a smooth presentation. The goal is not to present and then move or move and then present; they should be one motion. As you move, there will be angles of movement that will be more advantageous to you to use. The situation will dictate which one will be the most appropriate. Using the clock analogy, you might find that movement to the 11 o'clock position will work well and movement to another angle will be less than optimal. You never want to back-pedal, as you'll always lose; your adversary will be able to move forward much faster than you can move backward.

- *When you're forced to defend yourself with a gun, you need to move as you react to the threat; if it isn't stopped within a few seconds, you need to continue moving and defending yourself until your attacker no longer poses a danger to you or others.*

This is where force-on-force training really shines. You can get all the repetitions you'll need to practice the skills of moving, presenting and engaging your target at various angles.

One thing that needs to be mentioned: The fitter you are (within what is possible considering your age, injury status and general health), the better off you will be when moving. Being able to move briskly and still have something left in reserve — should you need it — is extremely desirable. Movement means greater chances of survival.

Another piece of the puzzle is your presentation and where you carry. We have found through hundreds of scenarios in our Interactive Gunfighting classes all over the globe that a botched presentation puts you so far behind the curve that you are unlikely to catch up. A smooth and polished presentation from concealment is key. In a defensive context, it's not important what you can do from your uber-cool IPSC speed rig but what you can do with your everyday carry gear. Also, where you carry will affect your presentation. I have found time and time again that appendix carry is a superior choice. It keeps your pistol near your centerline, provides you with greater economy of motion than other methods of carry and is faster to presentation. If you can carry this way, I highly recommend giving it a try.

We've talked about movement and presentation; now we're finally on to shooting. You should, at this point, have a firm grasp of the fundamentals needed to shoot accurately. The particular skills you've internalized so far might not serve you in a dynamic environment, so we need a new set of skills to plug into the equation. The phrase I used in the first paragraph was "acceptable combat accuracy." By this I mean that you are able to get hits on a man-sized torso target at typical close-quarters combat distances. We aren't talking about the precision 50-

yard shot for score. We're talking about survival at 12 feet. To get the acceptable hits at typical close-quarters battle (CQB) distances, you need to take into account a couple of key issues: distance and time.

As the distances compress, the less time you have to react — much less get that perfect sight picture we all train so hard for. You'll need other techniques to use in those situations. The term we use to describe what we need to do at typical CQB distances is "sighting continuum." It's simply a sliding scale — from "point shooting" to perfect sight picture and alignment. You simply see what you need to see of your sights to get those good hits we were

talking about. For instance, you might employ some form of body-indexed shooting technique to get your hits at 2 yards, but as the distance increases, you might need to transition to a flash sight picture to get your good hits. You might use what is affectionately called "metal on meat" shooting — where the metal of your pistol is simply super-imposed on the meat of your attacker. As I said earlier, you simply see what you need to see to get the hits you need to get.

Again, I cannot stress enough that a traditional two-handed grip is not going to be effective for what you might have to accomplish during a lethal force encounter. There will be places in your range of movement where a two-handed grip will be out of the question. There are angles of movement that favor shooting with the left hand over the right. Certain circumstances won't allow you to do much more than barely clear your holster and fire as quickly as you can.

We have found that the body hates tension and will always try to go with the path of least resistance. If you try to keep a two-handed grip on your pistol, there will be a point when you have created tension in the body and your tendency will be to unwind and backpedal. (As mentioned, that is to be avoided.) For a

right-handed shooter, this is obvious moving toward 1 o'clock. If you try to maintain that two-handed grip, you'll quickly find yourself backpedaling. If you drop one hand and go right hand only, you'll gain a few more steps ... but, again, you'll begin to backpedal. The only sure way to keep your muzzle on target is with an eventual transition to your left hand. Ambidextrous shooting is a valuable skill to master, so make sure you do so.

It's very important to note that these techniques must be practiced to be perfected. Work movement into your dry practice. Work on alternative sighting methods at the range, work on your transitions and combine all of your techniques during your force-on-force training. You'll be glad you did.

ACCURACY SECRETS

- Gunfighting is 50 percent shooting and 50 percent not getting shot.
- There really is no big secret to movement in a gunfight.
- You must combine your movement with a smooth presentation.
- The situation will dictate which movement or direction will be the most appropriate.
- You never want to backpedal.
- The fitter you are, the better off you will be when moving.
- Movement means greater chances of survival.
- A smooth and polished presentation from concealment is key.
- Distance and time are key issues in getting the acceptable hits at typical CQB distances.
- The term "sighting continuum" describes what we need to do at typical CQB distances. It's simply a sliding scale — from "point shooting" to perfect sight picture.
- There is an area where movement and sighting intersect. There will be places in your movement where a two-handed grip will be out of the question.
- There are angles of movement that favor shooting with the left hand over the right.
- These techniques must be practiced to be perfected.

**WE AREN'T
TALKING
ABOUT THE
PRECISION
50-YARD
SHOT FOR
SCORE. WE'RE
TALKING
ABOUT
SURVIVAL
AT 12 FEET.**



HOW TO CURE A FLINCH

BY KATHY JACKSON

WE'VE ALL EXPERIENCED IT: mysteriously misplaced holes on our targets. The holes are low, below the bullseye and usually left of the centerline. What in the world could cause that?

A flinch happens when your muscles clench suddenly in anticipation of the shot firing, yanking the muzzle of the gun downward and off target at the last possible moment. It can be made worse by firing without adequate hearing protection, firing large-caliber guns with unexpectedly solid recoil or firing guns that just don't feel good in your hands. Every shooter on the entire planet has dealt with a flinch at one time or another. There are no exceptions; it's the one experience all shooters share.

Sometimes a habitual flinch can result from just a single negative experience. I've met more than one woman whose first exposure to shooting was when a jokester relative handed her a full-power .357 Magnum or a 12-gauge shotgun loaded with 3½-inch slugs and told her to pull the trigger without warning her what to expect. Such a rough introduction to the shooting sports can create seriously negative opinions about shooting — and often leaves an enduring flinch.

Since every shooter has dealt with a flinch, most shooters have some method of coping with a flinch when one develops. It's worth listening to experienced shooters at the range and finding out what works for them. The only "solution" I would warn you away from is the "non-solution" of mechanically adjusting your sights so that the gun hits high and right when it is fired by someone without a flinch. That's a range trick, not a solution.



■ *Though nothing replaces time spent sending projectiles downrange, dry-fire exercises, especially with a laser-assisted pistol such as the SIRT, are equally important and can be a lot easier to work into a busy schedule.*

DIAGNOSIS

Diagnosing a flinch is not difficult. Sometimes you can feel yourself getting ready to flinch; that clenched, quivery feeling in your muscles right before the shot fires is often a telltale sign. The most certain way to diagnose a flinch is to fool your muscles into believing that you are about to fire live ammunition, when in fact you are going to dry-fire the gun. Here's how to do that.

If you have a semi-automatic handgun, you can diagnose and then cure your flinch by purchasing snap caps, which are inert ammunition-shaped objects you can load into your gun. (They are the same size and shape as your regular ammunition but usually come in bright colors.) When you load a snap cap into your semi-automatic handgun and pull the trigger, all you will hear is a click. Snap caps are not live ammunition and therefore cannot fire, nor will they cycle the gun's ac-

tion.

This method works best if you have two or three magazines. Fill the magazine with a couple of live rounds, a snap cap, a little more live stuff, another snap cap and so on. Randomly mix the number and order of snap caps and live rounds. If you only have one magazine, have a friend fill it for you while you look elsewhere. If you have two or more magazines, fill them yourself and then shuffle them around so you do not know which one is which.

Using these specially prepared magazines — on the range when the firing line is hot — safely load your firearm as you ordinarily would. To accomplish this same task with a revolver, you can either randomly mix snap caps in with live ammunition in the cylinder or you can randomly leave a few empty holes where ammunition would ordinarily go. Before you close the cylinder, close your eyes and gently rotate the cylinder. Close the cylin-

der without looking so that you do not know how the ammunition is lined up in your gun.

Now your firearm is loaded partially with real ammunition and partially with snap caps that will not fire. The next step is to fire the gun. Line your sights up on the target, focus on the front sight and steadily increase pressure on the trigger until you send the shot. When you get to a snap cap, you'll hear a click instead of a bang, and, if you've been flinching, you will graphically see the muzzle end of the gun take a deep dive instead of remaining steady (as it should).

As a slight aside, this is also a good time to practice your ability to clear a misfeed with a clearing sequence that is often called "Slap, Rack, Bang." When you encounter a snap cap or any other failure to fire in a semi-automatic handgun, slap the baseplate of the magazine to be certain it is firmly seated in the gun, rack the slide to clear the

non-functioning ammunition out of the way, assess the target to be sure it still needs shooting and then bang (pull the trigger again).

Having diagnosed the problem, it's time to cure it.

PRESCRIPTION: DRY-FIRE

The first and most important method of dealing with a flinch is lots of dry-fire. Dry-fire, as I'm sure you've picked up, is going through the motions of firing the gun when there is no ammunition in it. You can do this at home as long as you have a safe backstop and as long as you follow every single one of the rules for safely dry-firing a gun.

If you are uncertain whether you can safely dry-fire in your home, DON'T. You can always safely dry-fire on the range. There is no rule that says you must always use ammunition at the range — it's perfectly safe and acceptable to dry-fire there instead. No one will be surprised, because good shooters often dry-fire at the range as just one facet of their regular practice routine.

Just as if you were firing live ammunition, grip the handgun properly, align your sights carefully and slowly increase pressure on the trigger until the trigger's break point is reached. You should keep your eye glued to the front sight and continue holding the trigger to the rear (without lessening your finger's pressure on the trigger) for a full two seconds after the trigger has been completely pulled.

As you focus sharply on the front sight during dry-fire, you might notice that the sight wobbles a bit. This is normal — not something to worry about or fight against. In fact, if you pay special attention to the front sight, you'll see that no matter how badly your hand is shaking, the area on the target that is actually covered by your "wobble zone" is really quite small.

As long as your trigger pull is smooth, every single shot will fall within that very small wobble zone, close to the center of your target. But if you try to snatch the trigger back to



■ *The POW — or "Plain Old Wall" — Drill is basic but very effective. Dry-fire at a specific spot on a wall, noting any movement of your muzzle as the shot breaks. Reducing movement during the trigger press drastically improves accuracy.*

get an absolutely perfect shot during the brief moment when your front sight wobbles across the exact, perfect center of the bullseye, your shot will land very low and much further away from the center.

Do not try to muscle the wobble away. The more you clench up, the worse the wobble becomes. And don't try to race against it by snatching the trigger back. Simply increase the pressure on your trigger while accepting the wobble for the normal phenomenon that it is.

Even though you have accepted this normal wobble of the front sight, remember that you are still trying to hold the front sight as steady as you can. Don't allow it to dip or sway as a result of your trigger pull. If you find your trigger pull also pulls the sights out of alignment to the right or to the left, adjust the amount of trigger finger you have resting on the trigger.

As you execute the trigger press, you begin to feel the tension within the trigger mechanism increasing, making the trigger pull feel increasingly heavy. Do not allow this to slow down the rate at which the trigger is traveling to the rear. Instead, press the trigger at the same speed during the entire process, increasing the pressure upon it steadily until the trigger breaks. Never think

about the trigger's break point — let it surprise you, every time.

In order to keep from thinking about the trigger break, some folks find that chanting "front sight, front sight, front sight" helps keep their minds from trying to anticipate the shot.

Finally, one last important step: After the trigger breaks to the rear, do not take your finger off the trigger for at least two full seconds. Keep the sights steadily on the target and continue holding the trigger completely to the rear while you count: one-one-thousand, two-one-thousand.

Try to dry-fire for at least five or 10 minutes every day or so.

PRESCRIPTION: ON THE RANGE

On the range, try to do exactly as you have practiced in dry-fire. Get the sights lined up on the target, focus sharply on the front sight and gradually increase pressure on the trigger. Do not think about the shot firing. Do not try to "grab" the magic moment when your sights are completely and perfectly centered on the bullseye. Instead, accept that the front sight will wobble a little bit and concentrate on keeping it as steady as you can while you put increasing pressure on the trigger. Do not try to figure out when the shot will

fire. Let that be a surprise to you.

If you need to chant “front sight, front sight, front sight,” do so; anything to keep your mind from anticipating when the shot will fire. Again, you want the shot to be a surprise.

Practice good follow-through. After the shot goes off, continue holding the trigger completely to the rear while you line the sights back up and focus sharply on the front sight. Count one-one-thousand, two-one-thousand while you hold the trigger to the rear. Then, and only then, release the trigger and allow it to come forward.

If you feel your muscles getting ready to flinch, take a deep breath. Then safely unload your firearm, and practice dry-firing right there on the range until you have settled down a little. Any time you feel ready to flinch, consciously relax every muscle in your body — except the ones you need in order to shoot safely — and go back to dry-firing until you feel ready to try it again.

CHECKUP

After you’ve fired live ammunition for a while, it’s time for a checkup. Mix snap caps in with your regular ammunition again, as you did for the initial diagnosis. This time, you’re simply going to shoot and keep shooting. Since you have been doing so much dry-fire, you know exactly how the sights should look when you pull the trigger on an unexpected snap cap — exactly as they do when you were expecting to fire a live cartridge.

By the way, it’s kind of embarrassing to find that muzzle dipping downward so dramatically when you come across a snap cap while firing. The only cure

I’ve ever found for that embarrassment is to acknowledge and then conquer the flinch.

PRESCRIPTION: MORE DRY-FIRE

If you’re still flinching at the range, set up your safe dry-fire area again because you need to practice dry-firing some more. This time, you’re going to do something different; you’re going to try balancing a coin (on its flat edge) on the front sight while you dry-fire.

Lay a penny across the top of the front sight. Then dry-fire as usual. Align the sights, focus on the front sight and steadily increase pressure on the trigger while keeping the coin balanced on top of the front sight. Can you do it?

Practice until you can keep the penny balanced on top of your handgun during each and every trigger pull — without fail. Make a game of it. Instead of using a penny, get a roll or two of dimes and use them. Every time a dime falls off, pick it up and put it into your penalty jar — and then get out another dime. When

the jar is full enough, you can use the contents to buy ammunition or professional firearms instruction only. (No cheating!)

Continue to regularly practice your dry-fire drills, especially when you cannot get to the range as often as you know you should.

FOLLOW-UP CARE: REGULAR CHECKUPS

Now that your flinch is under control, you should take your snap caps to the range from time to time to check on your progress and to prevent the flinch

from returning in full force. Remember that you will need regular dry-fire practice too.

Most shooters have recurring bouts of flinch trouble. This isn’t unusual, but it means that it is once again time to focus on the basics.

ACCURACY SECRETS

■ A flinch happens when your muscles suddenly clench in anticipation of firing a shot, yanking the muzzle of the gun downward and off target at the last possible moment.

■ Sometimes a habitual flinch forms from just a single negative experience.

■ The most certain way to diagnose a flinch is to fool your muscles and brain into believing that you are about to fire live ammunition.

■ The first and most important method of dealing with a flinch is lots of dry-fire, or going through the motions of firing the gun when there is no live ammunition in it.

■ As you focus sharply on the front sight during dry-fire, you might notice that your front sight wobbles a bit. This is normal and expected — not something to worry about or fight against.

■ Do not try to muscle the wobble away. The more you clench up, the worse the wobble becomes.

■ Let the hammer fall or striker click surprise you every time.

■ Some folks find that chanting “front sight, front sight, front sight” helps keep their minds from anticipating the shot.

■ After the trigger breaks to the rear, do not take your finger off the trigger for at least two full seconds.

■ Try to dry-fire for at least five or 10 minutes every day.

■ Practice good follow-through. After the shot fires, continue holding the trigger completely to the rear while you line the sights back up and focus sharply on the front sight.

■ Lay a penny across the top of the front sight and then dry-fire as usual, trying not to knock the coin off of the front sight.

**LAY A PENNY
ACROSS THE TOP
OF THE FRONT
SIGHT. THEN
DRY FIRE AS
USUAL. ALIGN
THE SIGHTS,
FOCUS ON THE
FRONT SIGHT
AND STEADILY
INCREASE
PRESSURE ON
THE TRIGGER
WHILE KEEPING
THE COIN
BALANCED ON
TOP OF THE
FRONT SIGHT.
CAN YOU DO IT?**



CONCLUSION

THIS CONCLUDES our report on firearms accuracy. We hope you've found a few guidelines by which you can greatly improve your aptitude while armed.

If at all possible, we strongly urge you to seek out professional firearms training.

Remember that the learning process for ANY given practice never ends. There is always room for improvement. In addition to seeking professional, hands-on training, immerse yourself in books and other reading material that will help you build mental advantage and improve your state of readiness — not to mention make your hands-on training much more effective. Socialize with other people of a similar mindset. Compare strategies, train together and stay safe.

*Your Complete Peace Of
Mind Starts Here...*

Self-Defense Insurance For Gun Owners



You want safety and security for your family. You'd do anything to protect them. But did you know you're still vulnerable to criminal charges and financial ruin – even if you did everything right? Your USCCA membership arms you with the education, training, and self-defense insurance you need to protect your family with confidence. Because, after all, *doing the right thing shouldn't cost you everything...*

Your 3-Step Plan To Becoming A Confident And Responsible Gun Owner Today:

- ① Get Protected By Joining The USCCA
- ② Rest Assured Knowing We Have Your Back
- ③ Sharpen Your Skills So You're Fully Prepared

Join USCCA Today For Complete Peace Of Mind:

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Or Call Our Wisconsin-Based Team At 877-677-1919



COVER VS. CONCEALMENT

How Knowing The Difference Could Save Your Life



COVER, CONCEALMENT AND THE ELEMENTS OF A GUNFIGHT

BY KEVIN MICHALOWSKI

Executive Editor, *Concealed Carry Magazine*

The first rule of winning a gunfight is to ensure that you don't get shot. Getting shot greatly reduces your chances of emerging victorious. Yes, you can and should — to the best of your ability — fight through any injury and continue attempting to defeat your attacker no matter what. But doing that with a bullet hole in you is all the more difficult. The best way to avoid incoming rounds is to place some sort of barrier between you and your attacker. You have two choices: cover or concealment.

Cover is anything that will stop incoming rounds. Cover is dense, solid and impenetrable. Cover offers you the best chance to avoid the impact of bullets coming your way. But you need to use cover correctly in order to maximize its protective effects; more on that later.

Concealment simply hides you from your attacker. Concealment is better than nothing because it, at the very least, obscures your outline and does not give your attacker the opportunity to acquire a perfect sight picture. Concealment will not stop bullets, and in a perfect world, concealment is simply a brief stop on the way to cover.

A car door is concealment; an engine block is cover. An interior wall made of sheetrock and paint is concealment; a brick wall is cover. Bushes and shrub-

bery are concealment; a 12-inch tree trunk is cover.

Any cover is better than concealment, and there are some items and locations you might not think of as cover. A fire hydrant is cover. A curb can be cover if you are able to get down on the ground. In both of these cases, you will need to get as much of your body as possible behind the cover. Again, any cover is better than nothing. You must use what you have available. A simple steel file cabinet likely won't stop a bullet, but if that cabinet is filled with paper — depending on the angle of the bullet — you have something that will adequately protect you.

There is a saying I heard often while serving in the U.S. Navy: Do all you can with what you've got where you are. That's how I feel about the use of cover and concealment, except that we must understand we need to be looking for and moving to cover. You can't just stay in one spot. You need to move, and that movement needs to be getting you to cover.

A big part of proper situational awareness is to regularly make note of escape routes and areas of cover or concealment. Now that you are carrying a gun you should be looking at the world differently. You should be paying attention





» *Moving — specifically, moving properly — during a lethal force encounter is a skill that is best practiced before it's needed.*

to the elements of the world around you and thinking about what you might do should you suddenly find yourself in a very bad situation.

For instance, as you are walking down the street, you see a big, blue, metal mailbox and a smaller concrete planter filled with dirt and sporting a nice arrangement of colorful flowers. The mailbox is closer to you. If you hear a shot or suddenly find yourself in what we will call “a bad situation,” your first immediate move might be directly toward that big, blue mailbox to assess the situation. You should immediately be thinking, “I’m out of sight, but this box is really only two pieces of sheet metal. I need better cover.”

As you assess your ability to use the planter for cover, you’ll also have to be thinking about the size of the planter, how long it will take you to get there and whether or not you can get behind it effectively. Remember too that the flowers sprouting out the top of that thing are only concealment. The real cover is the concrete and the dirt. The planter is clearly the better choice for cover, but you need to consider all the elements of that piece of cover before you make your move.

There are a million combinations of situational factors and all are unique to the situation and your physical abilities. We could play “what if?” for hours and never answer every question. If you have bad knees and can’t kneel down behind that planter without pain, you might be hesitant to head in that direction. But consider this: If the bullets are coming your way, the pain of a gunshot wound will be far worse than knee pain as you try to crouch. I can’t answer every question about every scenario ... I’m just asking you to think about what you might do.

EFFECTIVELY USING COVER

There is no doubt about it: When bullets start flying, you will very likely be terrified. Don’t let that fear keep you from thinking clearly. That’s why we address these topics before we are terrified. You need to think about what you will do; you need to train for sever-

COVER, CONCEALMENT AND THE ELEMENTS OF A GUNFIGHT



» *Train to limit how much of your body is exposed when “rolling” out from behind your cover.*

al alternatives before you are in a deadly situation. This is especially true when it comes to effectively using cover. When the adrenaline kicks in and you realize bullets are flying, you are very likely going to want to get as close to your piece of cover as possible. Don't do it. Good cover is good cover, and getting closer to it doesn't make it any better.

If you press your body tightly up against your cover, you limit your vision and your ability to move. You also run the risk of being injured by fragments of the cover that will be flying around when the cover stops the bullets.

The first rule of using cover effectively is to not crowd the cover. If you are using something like a vehicle, a wall, a tree or a pillar, you should be back from the cover about 3 to 6 feet. This allows you a good field of view and keeps you from being struck by flying debris. The goal is, of course, to keep as much of your body shielded as possible. To the extent that you can, conform to your cover. Any part of you that is sticking out could be struck by gunfire; refer to the first rule of winning a gunfight at the top of this piece.

Conforming to cover is a perfect segue to the rules for shooting around your

cover. Clearly, you must emerge from cover to get a shot at your attacker. The goal is to limit your exposure to incoming fire while maximizing your ability to see and engage your target. We do this by “rolling” out.

Rolling out is likely not the most accurate descriptor for emerging from cover to take a shot, but it is the term commonly used in law enforcement training and I will explain that training here. Assuming you are a right-handed shooter and you are shooting around the right side of a tall vertical barricade, like the corner of a wall, you should be back 3 to 6 feet from the cover. Your feet should be a bit less than shoulder-width apart. Your right foot should be forward of your left foot and you should acquire your preferred two-handed grip on your firearm. Now “roll” forward with a slight lean to your right. Keep your feet, legs and hips behind the cover. All that should appear around the cover is your firearm and only as much of your head as is required for you to establish a good sight picture. Take the shot (or shots) and return to cover.

You can also do this from a kneeling position. Simply drop down on your left knee and roll forward to emerge from

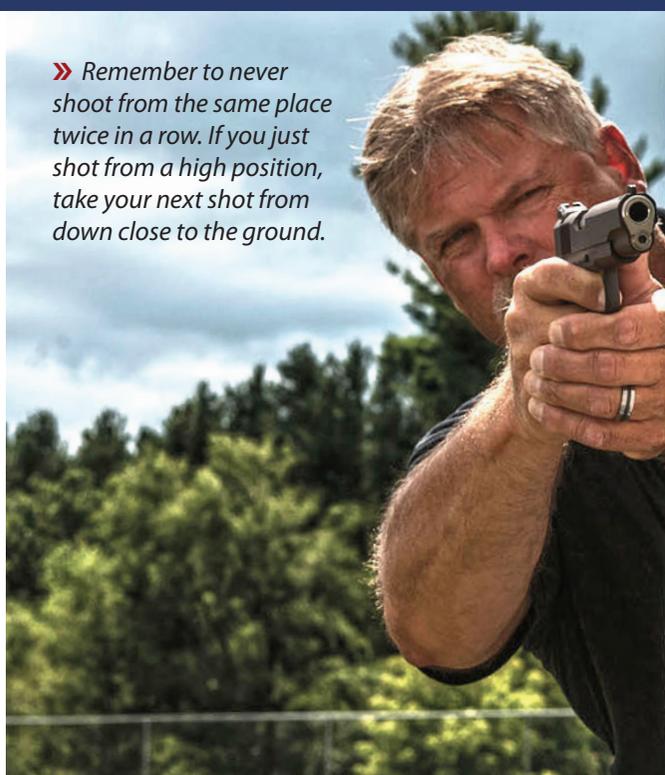
the cover and take the shot. This can be difficult for those with bad knees, so practice before you are forced to try it in battle. This system allows for you to maintain a stable shooting platform but still keep the majority of your body behind cover. Of course, you might have to reposition and change your angle to get a good shot.

To make it work for the other side of the barrier, you will need to reverse your foot position. If you can shoot with your non-dominant hand, you should try that. If you can't, you might end up being forced to expose a little more of your body in order to get a good sight picture. If you have to ... well, you have to. But remember: You should only expose the minimum. Anything you stick out there could be shot off.

Standard law enforcement training demands that you never, ever, emerge from cover in the same place twice in a row. That is, if you are standing and you roll out to take a shot, you should kneel for your next shot. And maybe go prone for your third shot. Then return to standing. The goal is to ensure that your attacker can't predict where you will pop out next. Now, this works effectively on a static range with perfect training

COVER, CONCEALMENT AND THE ELEMENTS OF A GUNFIGHT

» Remember to never shoot from the same place twice in a row. If you just shot from a high position, take your next shot from down close to the ground.



barriers, but the real world might throw some other problems your way. Adapt. Try to come out in different locations if you can, but if you physically can't, you'll have to do the best you can with what you have where you are.

WHAT IF ... ?

The description above is a fine example of using cover if the cover is perfect, the footing is perfect and you are working on a training range that allows you to shoot around all sides of a barricade. Will everything be perfect in a gunfight? Almost never. You'll need to adapt to your surroundings. Apply the basic rules of staying back from the cover, using the angles to your advantage and only exposing the smallest amount of your body to your attacker as possible.

Aside from that, you need to adapt to your cover. You also need to be constantly looking to see if better cover is available. If you are caught on the street and all you have for cover is a fire hydrant, I suggest you get small and use that hydrant as best you can while you look for something better. If all you have is a curb, prone out, return fire if you can and look for better cover.

If you are physically unable to go prone or squat down behind a hydrant, you need to immediately abandon those ideas and get moving. You need to understand your physical limitations and know that any training or any suggestions you get must be contextualized to your physical abilities. If you can bend, squat or lay down, well then, get out of the way. Movement is not as good as cover, but it is better than nothing. Don't wait to move; rather, move while you are assessing your options. A gunfight is a dynamic event; do all you can to make yourself a difficult target.

ONE LAST THING: KEEP THINKING!

Self-defense is a thinking person's game. Yes, a deadly event will be terrifying, but you have a better chance of getting through it alive if you keep your head.

During a training seminar, I watched a video I wish I could find now. It was a gunfight caught on the dashboard camera of a police car. The officer and the criminal were on opposite sides of a 4-foot-tall chain link fence equipped with those plastic privacy slats. The criminal ducked behind the fence and quickly popped up, firing two shots. The officer moved to the rear of the vehicle, then tried to time his shots to catch the shooter as he popped up to fire. After about three attempts, the officer realized his target was hiding behind plastic slats. He then fired through the fence, hitting the assailant and ending the fight.

Did the officer violate one of the cardinal safety rules because he could not clearly see his target? Technically, yes, but the overriding safety concern allowed for his actions. More importantly, that officer knew the difference between cover and concealment and used that knowledge to his advantage.

There is no way to define all of the options you might face when it comes to employing cover and concealment. Learn the basics and adapt them to your situations. Play the "what if?" game. It could save your life.





SHOOTING ON THE MOVE

*MASTER THE BASIC SKILL
ONE STEP AT A TIME*

If you think a gunfight is going to be a static event with you standing 7 yards from the bad guy and putting round after round into a stationary target, you are likely going to die during a gunfight.

If there is one word to choose to describe a gunfight, that word is “dynamic.” People will be moving, so you had better be moving. You need to get to cover. You need to make yourself a more difficult target. In short, you need to move — and before you can move, you need to learn how to move effectively.

We will start by moving straight to-

ward the target and straight back, because that is the easiest and we want to master the basic elements first. For those of you asking, “Why would I move toward the target?” think of it like this: You might have good cover in front of you. Get to that cover to stop the incoming rounds and win the fight.

WALK THE LINE

The typical shooting stance, if there is one, puts your feet about shoulder-width apart. If you try to walk that way, you will basically waddle — and the intense side-to-side motion will cause some serious accuracy problems.

Your goal is to keep the front sight on or as close to the target as possible. That’s right: You will experience some sight movement as you shoot on the move. This is inevitable. What you want to do is reduce that movement to the point that you can maintain combat-effective fire. We will get to that in a minute. First we must get the walking part correct.

Let’s assume we are first working on moving forward. Being a former military guy, I always start moving with my left foot. So, pick up that foot and put the heel down a comfortable length in front of your right foot. Try to imagine that you are walking on a balance beam.



You don't have to be perfect on this; just make sure you are not waddling. What is important is that you come down on your heel and roll your foot forward smoothly.

Before you even start training to shoot, bring your unloaded gun up on target and practice walking forward, on the line, setting your heel down first and rolling to your toe. Pay attention to the stride and to the front sight. Focus on taking smooth steps and maintaining the front sight on the center of the target. This is a great time to try some dry-fire practice to bring all the components together, but remember this: Live-fire will give you more accurate and immediate feedback about where and when you are dropping the hammer.

Now that you are walking forward slowly and smoothly and focusing on the front sight, it is time to introduce live ammo to this equation. Remember, slow for form.

Starting about 15 yards from the target, get your sight picture and start walking the line with your heel-toe rolling steps. Start shooting after your second step.

To fire accurately, take up your trigger slack and, as you see the front sight on the center of the target, finish your trigger press. You need to be able to take up and fire smoothly yet quickly. I'm not telling you to jerk the trigger; I'm suggesting you think about combat accuracy, not match-grade accuracy. We only need "minute of bad guy" groups. Just think about this: every time you see your front sight on the center of the target, finish your trigger press. At this range, you should be making good hits if you are going slowly and working on your form.

BACK IT UP

The best thing about shooting on the move as you go backward is that you will quickly notice that you can shoot better going backward than you can while you are going forward. This is a good thing, because you get the double benefit of getting farther away from danger while you are putting rounds on target. The downside is that you can't see where you are

» *Rolling the foot from heel to toe is the smoothest way to advance while shooting, and rolling from toe to heel will take you in reverse with similar steadiness. Start slow for form.*

going. So, once again, I urge you to start slowly and only attempt to pick up speed once you have mastered the basics.

Shooting on the move to the rear is almost exactly like shooting on the move going forward except that as you step backward, put your toe on the ground first and roll to your heel. Continue to try to walk that line, dropping one foot a comfortable distance behind the other as you roll your toe-heel step. Start this drill about 5 yards

from the target and shoot on the move until you are about 15 yards away.

If you really want to add some next-level ninja stuff to this, remember that as you move backward, don't shift your weight off the stationary foot until you are sure you have firm footing beneath your mobile foot. It is best to practice moving to the rear on a flat, smooth range at first. If you want to add in some obstacles to your movement, only do so during dry-fire practice. Consider that while backing up, things like curbs, parking lot barriers and other items could block your path. It pays to learn how to navigate these obstacles, but please use dry-fire practice to master the footwork. It is just safer.

THE WRAP-UP

This drill is done with a single target on a flat, open shooting range. When moving forward, start from about 15 yards and fire until you are as close as 5 yards. Then start moving backward. Once you feel comfortable putting rounds accurately on target, try shooting on the move — laterally.

Stay safe. Train hard.



A man with a beard and glasses, wearing a black t-shirt, a black tactical vest, and a green baseball cap with a patch that says "I'm not Dexter". He is wearing yellow earplugs and holding a black handgun in his right hand, pointing it forward. He is also wearing a brown leather holster on his hip and tan cargo pants. The background is black.

SHOOTING ON THE MOVE: LATERALLY!

*GET TO A POSITION OF
ADVANTAGE AND MAKE
YOURSELF A MORE
DIFFICULT TARGET*

In the last edition of "Drill of the Month," we covered shooting on the move while moving forward and to the rear. That is the foundation of shooting on the move. Using the elements presented in that column, you get a basic understanding of how accurately you can fire your pistol while you are moving.



» *Shooting on the move becomes increasingly difficult when lateral movement is added to the equation. Not only does foot motion change, your grip on the sidearm should change as well. For right-handers, switch to a one-handed grip when moving to the left, and when moving to the right, maintain a two-handed grip. This keeps your shoulders from getting in each other's way.*

You should have realized pretty quickly that these movements have limited benefit. Whether you are going directly forward or straight to the rear, you are still in the line of fire. That's a bad thing. Ideally, you want to move laterally. Get off the X while you engage your attacker to make him think about something other than putting his rounds on target.

We taught forward and rearward movement as the foundation for shooting on the move. If you have not mastered those two elements, go back, review and train until you have them mastered. Once that is done, we can start to work on shooting while moving laterally.

First, let's review the twofold goal of shooting on the move: You are shooting on the move so you can get to a position of tactical advantage and to make yourself a more difficult target.

If you are ready, let's jump in.

The overriding concept guiding effective lateral movement is to never cross your feet. Crossing your feet in some sort of Broadway dance move is a recipe for falling down. If you have fallen down, you can't be moving toward your position of tactical advantage. You might be a more difficult target because you have "gone prone," but if you have gone prone unexpectedly, you run the risk of dropping your gun, hurting yourself or being involved in a negligent discharge — thus

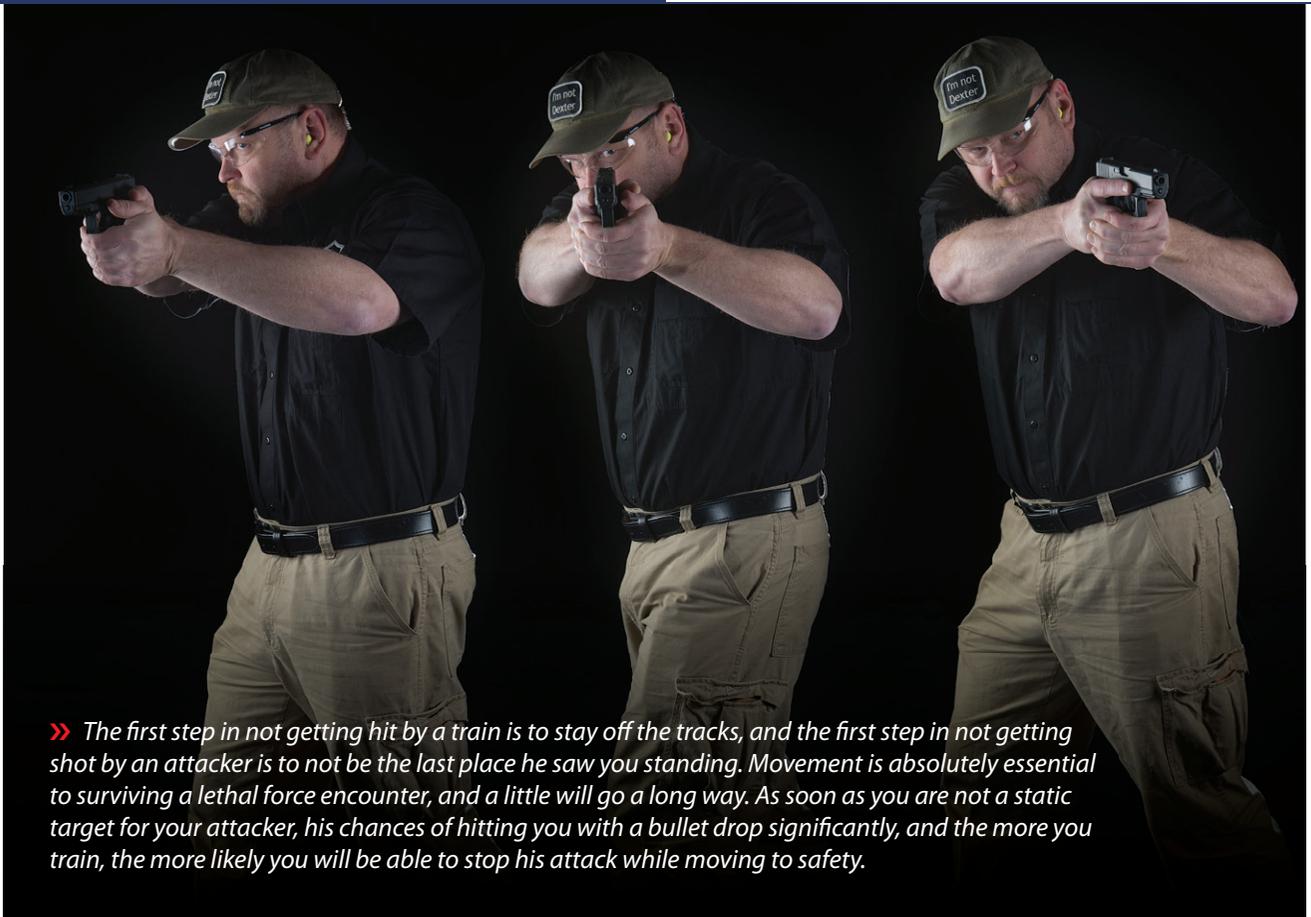
sending a round somewhere you did not intend for it to go. So, never cross your feet.

Instead, point your feet in the general direction you want to travel and walk just like you did when trained to move forward: heel-to-toe steps, moving smoothly. Walk in a fairly straight line and move your torso as though it was a tank turret.

How you grip your firearm is dependent on your direction of travel, yet this is where some trainers differ. Let us assume for the purposes of this drill the target is 10 yards away and directly in front of you and you are a right-handed shooter. If you are moving to your right, you can aim and fire with a standard two-handed pistol grip. To maintain your muzzle discipline (only pointing your gun at something you are willing to destroy), execute the following sequence:

1. Draw and acquire the standard two-handed grip.
2. Keeping your muzzle pointed downrange at your target, pivot on the balls of your feet so both feet are pointed 90 degrees to the right, relative to your target, and begin walking by moving your left foot first.
3. Press the trigger fully to the rear each time the front sight is on the target.

Some trainers have told me I should only fire between steps. Others have told me only to fire when both feet are on



» *The first step in not getting hit by a train is to stay off the tracks, and the first step in not getting shot by an attacker is to not be the last place he saw you standing. Movement is absolutely essential to surviving a lethal force encounter, and a little will go a long way. As soon as you are not a static target for your attacker, his chances of hitting you with a bullet drop significantly, and the more you train, the more likely you will be able to stop his attack while moving to safety.*

the ground. I have found it does not matter. If the front sight is on the target, I will get suitable combat accuracy while moving.

Now, for the right-handed shooter moving to the left, we get into some differences of opinion. I have trained with instructors who demanded I keep both hands on the pistol, and I have trained with instructors who have told me to fire one-handed with my left hand tight against my body to keep it out of the way. I shoot and teach the one-handed technique for two reasons: The first reason is because that is how the Wisconsin Department of Justice Training and Standards Bureau teaches it for my LEO qualifications. The second reason is that I find it easier to stay on target.

If the first rule of a gunfight is to not get shot, the second rule is to put rounds on target to end the fight quickly. So I suggest that you do what works for you in that area.

So my sequence for moving to the left is as follows:

1. Draw and acquire the standard one-handed grip. Cant the gun about 15 degrees to the left. Put your left hand on your chest.

2. Keeping your muzzle pointed downrange at your target, pivot on the balls of your feet so both feet are pointed 90 degrees to the left, relative to your target, and begin walking by moving your right foot first.

3. Press the trigger fully to the rear each time the front sight is on the target.

When training to shoot on the move, it is of utmost impor-

tance that you start slowly and establish good form. This is true for your body position and your focus on the front sight. Once you have mastered this drill moving slowly, you can begin to pick up speed. But you have a decision to make.

THE BIG DECISION

Should you fire while on the move? As we said before, shooting on the move does two things: It allows you to get to a position of tactical advantage and it makes you a more difficult target.

Notice that I didn't say anything about improving your accuracy. Shooting on the move does not improve your accuracy. You are still liable for every round you put downrange. It might be better for you to simply move quickly to cover and start shooting from there.

You might need to shoot on the move, and if you decide that you need to shoot on the move, pay extra attention to your surroundings and what is behind your target. Every decision in a fight is your responsibility. A deadly force incident is dynamic by nature, and this skill should be mastered before it is employed. If you need to use such a skill to save your life, don't hesitate. But if there is a greater danger to bystanders, move and then shoot.



USING YOUR VEHICLE AS COVER

The United States is a nation built around the automobile. We love our cars and trucks and really feel helpless without them. But that couple tons of metal, glass and rubber is not exactly perfect cover when bullets start flying. If you are going to use your car for cover, you need to do so correctly.

The first thing you need to know is that much of your car is concealment — at best. No matter what you have seen in the movies, car doors, vehicle glass and even interior fixtures like seats will not stop bullets.

If you are using your car for cover, you will need to keep the heaviest parts of the vehicle between you and the bad guy. The engine compartment and, to a lesser extent, the wheel hubs and tires are the best options when you need cover.

Bullets will sometimes whistle right through car doors. There are some interior components that might stop an incoming round, but they are small and narrow. Worse yet, they are not located in the same position on every car door. Don't count on using the doors for anything other than a means of concealment as you move to cover. Windows certainly will not protect you and, worse yet, they allow the bad guy to see you. The best you can hope for is that the laminated glass of a windshield will deflect a bullet off course enough to keep it from putting a hole in you. Don't ever rely on hope to stop bullets.

Using a car for cover is very similar to using any other form of cover: Conform to it. Use only the areas that will certainly stop incoming rounds and, most importantly, stay back from any vehicle you are using for cover. Because of the light sheet metal, plastic, fiberglass and tempered auto glass, vehicles provide a very high risk of sending flying debris right toward your face if bullets impact near you. The farther back you are from your cover, the less chance you have of being injured by flying debris.

Also, pay attention to where you stop and stand when fighting near a vehicle. Keep those wheels and tires between you and the bad guy. It's pretty easy for a round to skip off the pavement and into the foot or lower leg of someone standing beside a car. Several gunfights have been won by quick-thinking police officers who have dropped to the ground and fired rounds into the lower extremities of their attackers.

I have produced a related video segment for Episode 68 of my *Into the Fray* video blog. Here is the link: usconcealedcarry.com/using-car-cover.

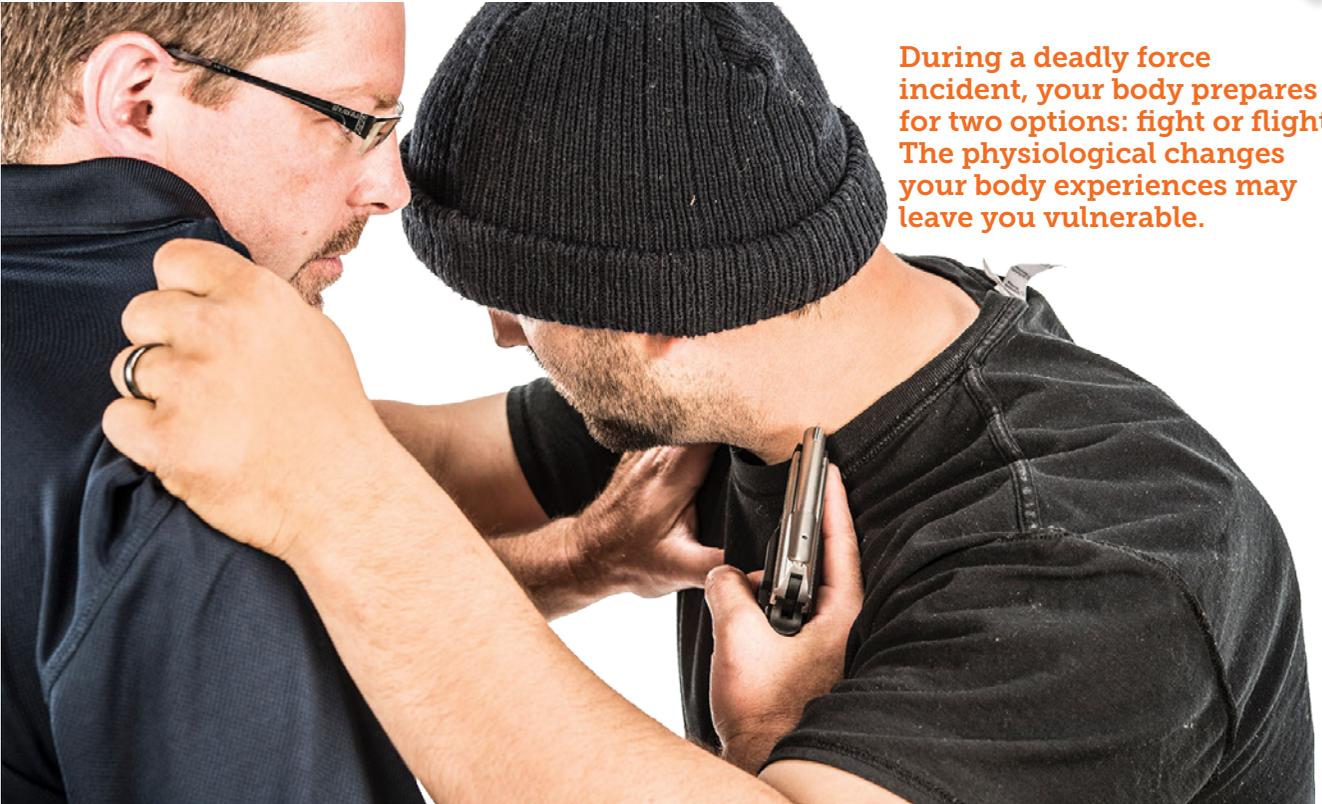
Never assume that just because a car is big it offers good cover.





THE PHYSIOLOGY OF A FIGHT

*What Can You Expect From Your Body
During A Deadly Force Incident?*



During a deadly force incident, your body prepares for two options: fight or flight. The physiological changes your body experiences may leave you vulnerable.

One of the most important things you can do during your self-defense training is to keep things simple. Tens of thousands of years of human evolution have weeded out most options, leaving human beings with two basic choices: fight or flight. Social scientists have tried to add other elements to the list, but when you realize you are facing a deadly force incident, your body prepares for one of these two options. In short, you can address the threat or you can flee. Human evolution has created a means to prepare you for such action.

In a fight-or-flight situation, your body prepares for rapid and powerful action, starting with a release of adrenaline. The physiological changes that occur as a result of this adrenaline dump are great if you need to flee or fight like a wild animal, but can cause some issues if you are trying to employ deadly force with a complex tool requiring fine motor skills, such as your handgun.

VASOCONSTRICTION:

One of the first things your body does in response to danger is attempt to move the blood to the “important” parts of your body. Muscles tense and force the blood to the heart, lungs, and major arteries and internal organs. This leaves very little blood out there in the extremities. Have you ever seen anyone actually go pale because of fear? That is one result of vasoconstriction. The other result is that you will likely lose your fine motor skills. Your hands may feel like clubs. Typically simple actions become very difficult. That is why we train to utilize gross motor skills whenever we can. When you are scared, your fingers won’t work as well you expect them to.

AUDITORY EXCLUSION:

Do you know why cops almost always shout? Because in stressful situations people don’t hear very well. High stress can do some interesting things to your ears. You may hear only

muffled sounds. Or amid a cacophony of noises, you may hear just one tiny, unimportant sound that cuts through the clutter, leaving you wondering why you’re hearing it. You may or may not hear any or all of the gunshots being fired. Under stress your ears can play tricks on you.

TUNNEL VISION:

While we might consider our eyes to be our most important tool for gathering information, under stress things can be different. Tunnel vision or target fixation can mean you only see a small part of what is going on. Often, victims of violent crime see only the weapon and never get a good look at their assailant. You can break this tunnel vision by turning your head and physically looking for other threats. But the first step is knowing it can happen to you.

EXPANDED OR COMPRESSED TIME:

Under stress, you may feel like things are happening in slow motion or you may not have an accurate grasp of time or of how long an event went on. This may or may not be incredibly important during a deadly force event, but it can be incredibly important after the event, when it comes time to make a statement to police. This is another reason to only speak to authorities with your lawyer present. Compressed or expanded time is common and investigators

know it, but that does not stop them from calling you a liar if you say the bad guy stood in the door for five minutes, when, in fact, he was only there for a few seconds.

What is most important about the physiological elements of high-stress situations is knowing they can occur. You may experience some of these symptoms or you may experience none of them. If you are unlucky enough to be involved in several high-stress incidents, you might notice something different

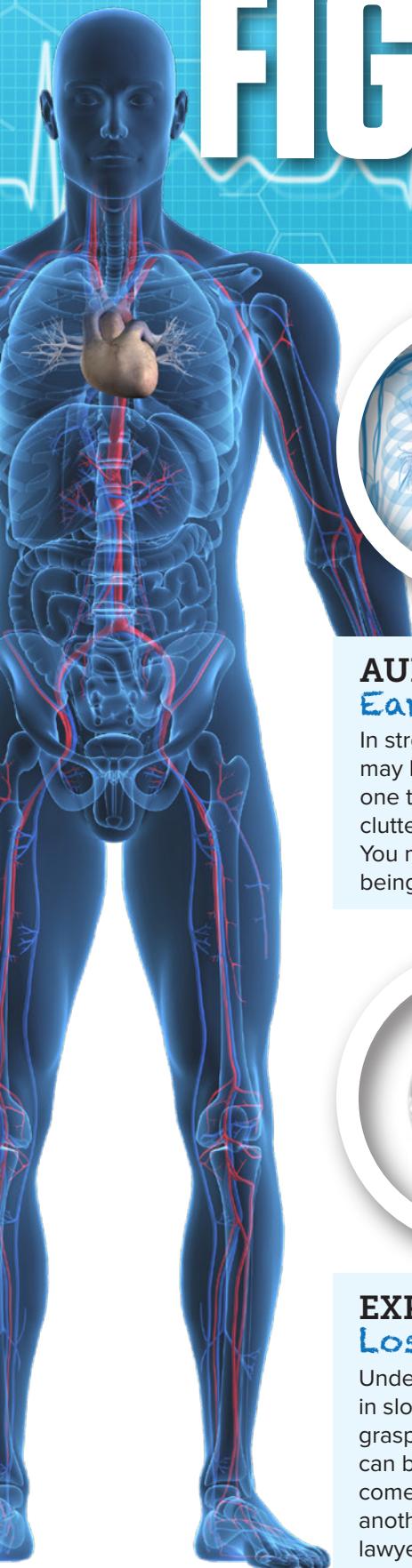
each time. But being aware of what might happen prepares you for the eventuality and gives you the chance to fight through these symptoms and prevail over your attacker. The worst thing you can do, upon noticing something like vasoconstriction or auditory exclusion, is stop and ask yourself, "What is going on?" Preparation in advance is the key to winning the fight. Know what will happen to your body and you will be ready to overcome those obstacles.

When you are encountering an extremely stressful situation, you may experience time that stands still or speeds up.



FIGHT OR FLIGHT

How Adrenaline Affects Your Body



VASOCONSTRICTION

Loss of Fine Motor Skills

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AUDITORY EXCLUSION

Ears Can Play Tricks On You

In stressful situations people don't hear very well. You may hear only muffled sounds. Or, you may hear just one tiny, unimportant sound that cuts through the clutter, leaving you wondering why you're hearing it. You may or may not hear any or all of the gunshots being fired.



TUNNEL VISION

Line of Sight Narrows

Tunnel vision or target fixation can mean you only see a small part of what is going on. Often, victims of violent crime see only the weapon and never get a good look at their assailant. You can break this tunnel vision by turning your head and physically looking for other threats.

EXPANDED/COMPRESSED TIME

Loss of Time Perception

Under stress, you may feel like things are happening in slow motion or you may not have an accurate grasp of time or of how long an event went on. This can be incredibly important after the event, when it comes time to make a statement to police. This is another reason to only speak to authorities with your lawyer present.



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SURVIVING ROAD RAGE:

Survival Steps To Avoid Being A Victim



Special Road Rage Report

- Take The Test: How do you measure up?
- 5 Tips to defeat road rage.
- Are you in danger?
- It could happen to you: A true member story.



LEGAL DEFENSE
FOR
SELF DEFENSE

What is Road Rage?

Most drivers have been there: a fellow motorist is aggressively changing lanes, tailgating, and generally making the road unsafe for everyone else on the road. This behavior can also include speeding, stopping suddenly, honking the horn excessively, and flashing headlights at other vehicles. Hostile drivers can make an already stressful situation much worse.

“Road rage” is an American term that first began appearing in news stories in the late 1980s when a series of aggressive driving accidents and shootings occurred on highways near several major cities. Road rage is the criminal behavior that occurs when aggressive driving goes unchecked and begins affecting other motorists.

The National Highway Traffic Safety Administration (NHTSA) defines

road rage as the behavior that occurs when an aggressive driver “commits moving traffic offenses so as to endanger other persons or property.” NHTSA further states that road rage comes about through aggressive and angry behavior including: rude gestures, verbal insults, physical threats, and other dangerous driving methods, targeted toward other drivers to intimidate. This could lead to charges for assault with a motor vehicle or other dangerous weapon against a co-occupant or other vehicle.

In addition, road rage fatalities are also up nearly tenfold since 2004. Moreover, a recent NHTSA study found that between 2008 and 2016, approximately 1,500 people died in motor vehicle crashes. Each accident shared an alarming common denominator: road rage.

TAKE THE TEST

How Do You Measure Up?

Have you ever flashed your headlights or honked at a driver that was driving too slow?

Have you ever used obscene gestures or rolled your window down to scream at another driver?

Have you ever changed lanes rapidly to get around another car or traveled over the speed limit?

Have you ever sped up rapidly past a slow driver, cut over into the slow driver's lane, and hit your brakes to scare the slow driver?

If you answered "yes" to any of these questions, you may be prone to road rage.

78%
of U.S. drivers
surveyed (2,705)

Admit to having engaged in road rage over the last year.

Source: AAA Foundation for Traffic Safety 2014

Could You Be Unintentionally Causing Others to Lash Out? Ask Yourself These Questions:

Do you accidentally drive with your high beams on at all times?

Do you text or scroll through social media while driving?

Do you change lanes suddenly without checking your blind spots?

Do you accidentally leave your turn signal on for miles at a time?

Do you put on makeup, fix your hair, or eat entire meals while driving?

If you answered "yes" to any of the above questions, you may be unintentionally provoking road rage in others.

5 TIPS: #1 – DO NOT ESCALATE THE CONFRONTATION

Anger and frustration could land you in prison or worse...

Before you honk at or flip off a fellow motorist and cause that person to react, slow down and collect your thoughts. Snap decisions can have long-term consequences for you and your family.

In a survey conducted by the AAA Foundation for Traffic Safety, 9 out of 10 respondents said they believed that aggressive drivers were a “somewhat” or “very serious” threat to their personal safety. The study also revealed that nearly 8 million drivers have actually exited their vehicle or purposely bumped or rammed another car to confront or agitate another driver. The Foundation found that many drivers admitted to having let their anger and frustration get the best of them at least once in the past year, and engaging in destructive behaviors such as yelling, honking, gesturing at, or purposely tailgating another driver. These actions attributed to up to 56% of all fatal crashes.

WARNING SIGNS

Slow down and try to avoid a fellow motorist who is:

- Driving aggressively
- Making threats
- Approaching your vehicle
- Holding a weapon

Reasons for Road Rage:

Other drivers may become dangerous because of:

- Stress
- Heavy traffic
- Perceived poor driving



The bottom line: **DO NOT** engage the other driver in any sort of way that could escalate the situation.

5 TIPS: #2 – DO NOT RESPOND TO INSULTS OR THREATS

Do not respond to verbal threats.

The AAA Foundation for Traffic Safety recommends giving perceived angry drivers room and space, avoiding eye contact, and calling the authorities if the situation escalates to a physical confrontation.

DEALING WITH AN AGGRESSIVE DRIVER

- 1 Be courteous
- 2 Control your anger
- 3 Don't take traffic problems personally
- 4 Avoid making eye contact
- 5 Don't make obscene gestures
- 6 Don't tailgate
- 7 Use your horn sparingly
- 8 Don't block the passing lane
- 9 Don't block the right turn lane

66%
of traffic
deaths

Can be linked to
aggressive driving.

Source: National Highway Traffic Safety Administration

If you are confronted by an angry driver, and the situation develops into a shouting match with the other person, you should control your actions before any threats are made. It is important to remember that the law does not allow you to use force to respond to mere words or threats, alone. Unless the other driver has the immediate ability to carry out the threat, the law does NOT justify the use of force or deadly force. Additionally, the law will not protect you if you provoke another person into a physical confrontation. However, if the angry driver exits the car and runs toward you with a weapon in his hand, and you respond with force, you would have a strong legal justification for your use of force. On the other hand, if you use force against verbal threats alone, you may not be able to claim self-defense, and could face serious criminal charges and possible incarceration.

5 TIPS: #3 – CALL 911 IF YOU FEEL UNSAFE

Call 911.

Should the situation escalate to the point where you feel unsafe, get to a safe place and call 911.

When you find yourself in a situation that becomes heated and the other driver will not break away from the encounter, call 911, identify yourself, report you are the victim of a road rage incident, and tell the operator you feel threatened. You should give the 911 operator a description of the other driver, their vehicle, and their location. Tell them if the other driver displayed a weapon, but DO NOT describe your actions. Finally, hang up the phone and drive to a safe location.

We have seen many situations where one person believing the encounter is over, drives away, only to be stopped by law enforcement later down the road because the true road rager called 911 and made a false report that they were threatened with a gun. If at the time of the police stop, you have

37%
of road rage
linked traffic
deaths

Were attributed to
the use of firearms.

Source: National Highway Traffic Safety Administration

a gun in your vehicle and it turns up after a search by the officers, you will most likely be taking a ride downtown and facing criminal charges. The police officer reporting to the scene is operating under the assumption that a person was being threatened with a gun, and a gun was found in your vehicle.

Do not assume that the other driver or an independent witness will not call 911 to report the incident. This assumption can land you in hot water. Be the first to dial 911 and report the situation or you may regret it.

PICTURE THIS:



It's rush hour and you're running late for work.



A driver suddenly cuts you off and slams their breaks. You honk your horn in warning.



The aggressive driver gets out of their car and starts yelling threats at you.

5 TIPS: #4 – DO NOT CONFRONT THE OTHER DRIVER

Do not get out of your vehicle to confront the other driver.

A face-to-face confrontation with an angry motorist could lead to deadly consequences.



What should you do if the situation gets out of hand?

BONUS TIP

Don't respond to aggressive drivers with aggression.

If a road rager gets out of their vehicle and heads toward you, pull over to a safe place out of the way of traffic and call 911. If possible, head to the nearest police or fire station. If you cannot move away safely, remain in your vehicle. Do NOT engage the other driver outside of your vehicle.

As with any 911 call regarding a potential road rage incident, the police will be dispatched to the scene of the altercation. If on scene, police discover

a firearm (even if legally possessed) in the vehicle of either motorist, there is a high probability that the firearm owner will be arrested, even with little or no evidence of wrongdoing.

That being said, if you have a firearm with you in your vehicle, keep your cool. There are criminal complaints filed every day in this country based on incidents of people overreacting, calling 911, and conveying false allegations. Nonetheless, these allegations can only be disproven after a full police investigation. Reacting or showing frustration may prolong the process further.

5 TIPS: #5 – YOUR LAST RESORT: DEADLY FORCE

If all else fails, at what point is deadly force justified?

If you are confronted with an inescapable situation with a road rager and you reasonably believe deadly force is immediately necessary to prevent them from attacking you with deadly force, your use of force will likely be justified.



Knowing the law before you act can mean the difference between a jail cell and the comfort of your own home.

Suppose you have done everything in your power to avoid a confrontation—you ignored the other driver and you drove away from the situation. Nevertheless, he follows you and forces you to stop. He exits his vehicle and approaches you, unarmed, while you remain within your car. Is deadly force justified in this scenario?

Probably not. It would be difficult to argue an imminent threat of serious bodily injury or death. Verbal threats alone without the present ability or means to carry them out are NOT

enough to justify using deadly force.

However, suppose the other driver had a weapon in his hand. This scenario would be a different story. Based upon his aggressive and threatening behavior toward you, you may be justified in using deadly force against the other driver, if you reasonably believe deadly force is immediately necessary to protect yourself against unlawful force. This may be especially true if the other driver attempts to unlawfully and forcibly enter your vehicle.



“Words alone do not justify your use of force. Your use of force has to be reasonable, immediately necessary, and it also needs to be proportional to the amount of force that is being displayed against you.”

Emily Taylor
Independent Program Attorney

ARE YOU IN DANGER?

Keep in mind...

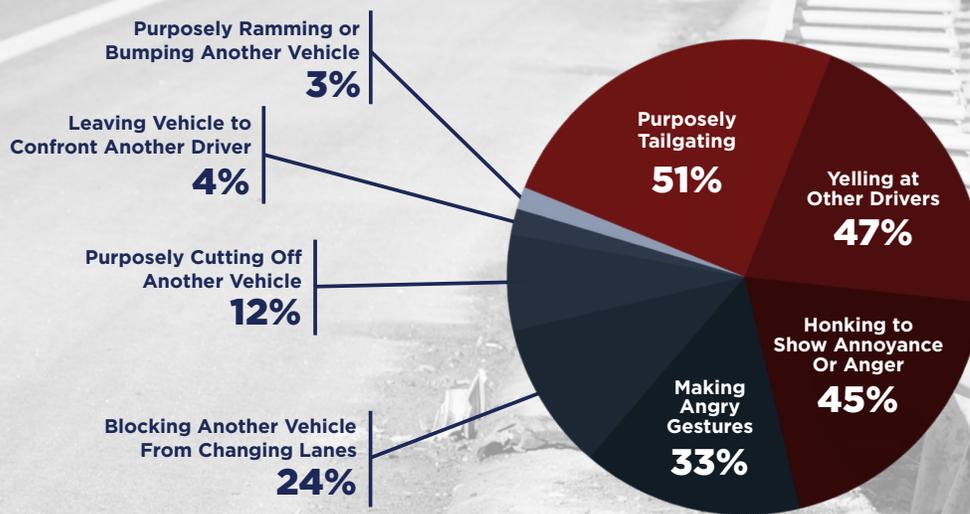
Every state has different laws. If you are travelling between states, familiarize yourself with each state's laws. When you are in another state, you are subject to that state's laws. If you accidentally break a firearms law, it could be very expensive.

The laws of the various states will differ in terms of how you should legally respond in these types of situations. Make certain you know and understand what is permitted in the state you are located. Don't just assume your actions will be automatically justified. Ultimately, it may come down to whether or not a judge or jury of your peers deems your actions to be reasonable under the circumstances.

If you ever find yourself in a situation where you have to use your weapon to defend yourself, make certain you have a plan in place to deal with the legal aftermath. A renowned Legal Defense for Self-Defense U.S. LawShield® membership gives you access to a 24/7/365 Attorney-Answered Emergency Hotline, providing you with immediate legal assistance and guidance at crucial times when you need it most.

Millions of drivers have weapons in their vehicles. The American Automobile Association (AAA) reports that more than 4,000 aggressive driving incidents involved weapons, including firearms and knives, in 2017.

ROAD RAGE ON DISPLAY



Source: AAA Foundation's Traffic Safety Culture Index, 2014

A sample of 2,705 U.S. licensed drivers age 16 and older who reported driving at least once in the past 30 days (time of survey), are weighted to reflect the U.S. population.* The sum of percentages is greater than total drivers as more than one factor may be present for the same driver.

EDUCATION IS YOUR NUMBER ONE DEFENSE

Know what you can do to avoid and survive road rage.

With this publication, you now have the tools to properly react to hot-headed motorists and the many challenges you can be confronted with.

TOPICS LEARNED

Do not escalate the confrontation

Don't let another's actions get the best of you.

Do not respond to insults or threats

Unless the aggressor has the immediate ability to cause you harm, mere words will not justify deadly force.

CALL 911 if you feel unsafe

Only describe the driver, vehicle, location, and whether they have a weapon.

Do not confront the other driver

Stay within the safety of your vehicle. Your last resort is deadly force. Know the laws to prevent your arrest.

“We receive many calls every week regarding bogus allegations of gun displays by our members in traffic. It’s important to remember to stay calm, leave the area, and call the U.S. LawShield hotline before making a statement to the police.”

Edwin Walker

Independent Program Attorney

Come and join us for a live seminar so you can learn more about how to protect yourself and have all of your questions answered.

Receive real-life knowledge and guidance from law enforcement professionals trained to handle life-threatening situations. Then, learn from experienced Independent Program Attorneys as they explain how to navigate the legal aftermath of an incident.

LESSONS LEARNED IN THE CLASSROOM



EMPOWER YOU WITH THE SKILLS TO SURVIVE THE DRIVE

It Could Happen To You:

A True U.S. LawShield Member Story

On October 5th, 2017, Joyce was traveling in her truck when she saw another car run a stop sign. To avoid an accident, Joyce was forced to slam on her brakes. Shaken and frustrated by the near collision, she changed lanes, pulled up next to the other car, rolled down her window, and yelled: "Did you not even see me?" In response, the other driver began shouting profanities at Joyce.

Thinking that the interaction was over, Joyce continued down the road, and the other driver tore in front of her, slammed on her brakes, and blocked Joyce's path. At this time, the irate driver exited her car and aggressively approached Joyce's vehicle. Joyce, not knowing whether the woman was going to attack her or her vehicle, removed her pistol (still in its holster) from her purse and placed it on her lap. With the woman quickly approaching, coming within 15-feet of her, Joyce quickly shifted her truck into reverse and began backing up. After Joyce created some distance between herself and the woman, she began traveling a short distance away. While waiting at a red-light, Joyce saw the same woman had followed her and was now taking a picture of her truck from behind. In response, Joyce placed her handgun back in her open purse sitting in the front passenger seat, exited her vehicle, took a photograph of the woman and her car, and immediately returned to her truck. Fearing that the woman would approach her again (this time from behind), Joyce drove away from the woman.

About a week later, Joyce received a phone call from a police detective. She told the detective exactly what happened to her that day on the road. During this conversation, the detective informed Joyce that the woman who was involved in the road rage incident claimed Joyce had fired her handgun at her. Joyce told the detective three times that she would submit her firearm for testing to prove she had not shot her weapon. Joyce also told the detective that she took a photograph of the woman who was chasing her, and she texted the photograph to the detective. The detective was polite and told her that he would speak to the judge and call her back in a few days. The detective never called Joyce back. Subsequently, a S.W.A.T. team raided her house on November 27, 2017 and placed her in custody for Aggravated Assault with a Deadly Weapon.

Joyce was eventually able to bond out of jail and received a court date with the grand jury months later. She was finally no-billed by the grand jury thanks to her lawful actions, her willingness to testify, and the work of the Independent Program Attorneys. Joyce's nightmare was finally over.

If you find yourself in Joyce's shoes, don't forget to call 911 when it is safe and report you were the victim of a crime. As this true story shows, even following the law can land you in jail for a felony.



LEGAL DEFENSE
FOR
SELF DEFENSE

FOR SELF-DEFENSE,
**WE'VE GOT
YOUR BACK**



LEGAL DEFENSE FOR SELF-DEFENSE

If you must act in self-defense, you shouldn't have to worry about paying for an attorney.



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POLICE TRAFFIC STOPS

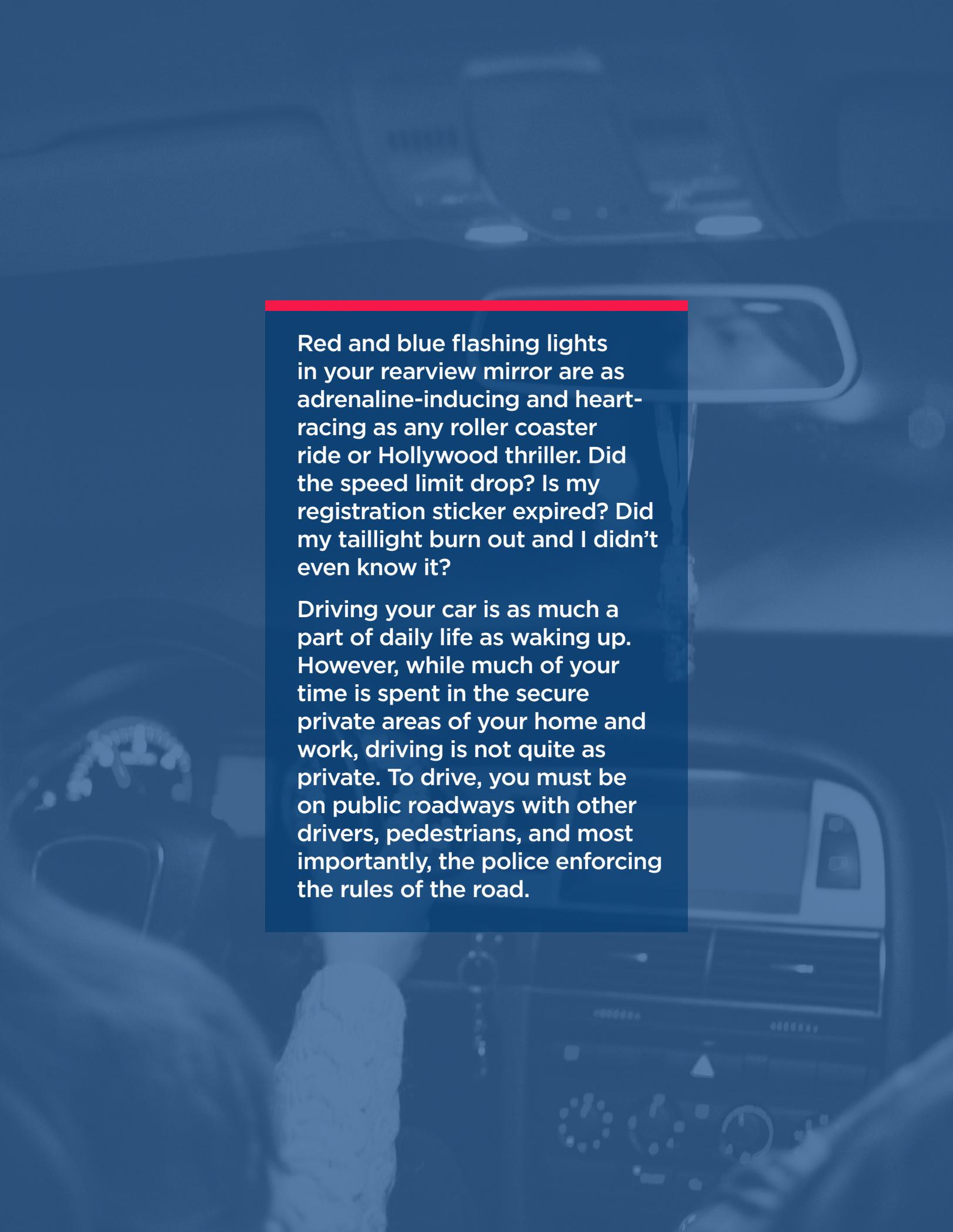
WHAT ARE YOUR RIGHTS
& HOW SHOULD YOU ACT?

Special Report Handling A Police Traffic Stop

- Know your rights
- When can your car be searched?
- How to conduct yourself during a traffic stop



LEGAL DEFENSE
FOR
SELF DEFENSE



Red and blue flashing lights in your rearview mirror are as adrenaline-inducing and heart-racing as any roller coaster ride or Hollywood thriller. Did the speed limit drop? Is my registration sticker expired? Did my taillight burn out and I didn't even know it?

Driving your car is as much a part of daily life as waking up. However, while much of your time is spent in the secure private areas of your home and work, driving is not quite as private. To drive, you must be on public roadways with other drivers, pedestrians, and most importantly, the police enforcing the rules of the road.

YOUR FOURTH AMENDMENT RIGHTS

While the majority of traffic stops conclude with “Sign here, this is your court date, be safe,” there is always the potential that things could go further. What happens if the police officer thinks you have a bad attitude, asks you questions you don’t want to answer, or starts looking through your windows? He orders you out so he can start looking through your car. Even though you know you have done nothing wrong, do you have rights? It is here, behind the wheel, where you are most likely to encounter the police, and most likely to need your Fourth Amendment rights.

The law regarding search and seizure has been developed by the courts over the years, but it started in one of the amendments to the United States Constitution.

KEY POINTS

Knowing the Fourth Amendment:

- Protects from unreasonable searches and seizures
- Requires a warrant based on probable cause
- Statutes and case law have created exceptions to the warrant requirement

THE FOURTH AMENDMENT GUARANTEES:

People shall be secure in their persons, houses, papers, and effects from unreasonable searches and seizures. A warrant for search or seizure shall be issued upon the showing of probable cause that a crime has been committed or is being committed.

While this right to be free from unreasonable searches and seizures is fundamental, it is by no means without exception. Congress, state legislatures, and the courts continuously carve out exceptions to the warrant requirement. When deciding whether or not a warrantless search is constitutional, the Fourth Amendment sets forth the presumption that a police search without a warrant is “unreasonable.”

The justification for a warrantless police search will fall under the state’s compelling interest in police or public safety, the preservation of evidence, or both. Nowhere in our daily lives do we run a greater risk of being involved in a police encounter which can possibly involve our Fourth Amendment rights than during the routine traffic stop.



WHEN CAN THE POLICE MAKE A WARRANTLESS SEARCH OF OUR CARS AND UNDER WHAT AUTHORITY CAN THEY DO IT?

THE AUTOMOBILE EXCEPTION

Your car is not your castle when it comes to the Fourth Amendment.

When can police conduct a warrantless search?

In 1925, the Supreme Court in *Carroll v. United States*, a case involving prohibition and bootleggers, held that unlike homes (which are stationary), the automobile may be quickly moved, thus making it more difficult to secure and detain for purposes of getting a search warrant.

The Supreme Court has since further expanded its justifications for allowing warrantless searches of automobiles to include the rationale that people have a lessened “expectation of privacy” in their vehicles. This is because the interior of the vehicle is open to plain view, and the automobile itself is subject to increased government regulations.

There is not only a lessened expectation of privacy in the automobile itself, but also in compartments, containers, and packages contained or transported inside. This in and of itself does not mean the police can arbitrarily search every car they stop. The law requires that the police have “reasonable, articulable suspicion” that a violation of the law has occurred to instigate a traffic stop. Then the police must establish probable cause that the car, or its compartments or containers, holds evidence of a crime or contraband in order to justify a warrantless search.

**222
MILLION**

Registered passenger
vehicles in the U.S.

Source: Statista, 2016



“A bill of rights is what the people are entitled to against every government on Earth.”

THOMAS JEFFERSON

President of the United States (1801-1809)

THE SEARCH INCIDENT TO ARREST EXCEPTION

There are exceptions to your Fourth Amendment rights.

Not every police search must be made under a lawfully executed warrant.



The warrantless search incident to arrest is one of the oldest exceptions to the Fourth Amendment. The courts have repeatedly held that upon arrest, it is reasonable for a police officer to search a person for weapons (in the name of officer safety) and for evidence of a crime (lest it be discarded or destroyed).

EXPANSION OF SEARCHES

Government's reach:

- Initially, it was acceptable for a person to be searched upon arrest
- Search area was expanded to the person's belongings
- Search area was then expanded further to include an area immediately around a person

Over time, the courts have increased the areas that may be searched incident to arrest. This started with the rule that it is reasonable to search the person's body and clothing, and was later expanded to include any objects the person may have in their possession such as wallets, backpacks, purses, etc.

In the 1969 case of *Chimel v. California*, the United States Supreme Court increased the reasonable search area incident to arrest to any place within the person's immediate control at the time they are arrested. This is sometimes referred to as a person's "wingspan." The area was included based upon the thought that an arrested person could lunge for or grab a weapon or evidence lying nearby.

CAN AN AUTOMOBILE BE SEARCHED INCIDENT TO ARREST?

These two warrantless search exceptions: search incident to arrest and the automobile exception, came together and were examined by the United States Supreme Court in the 1981 case of *Belton v. New York*.

The court set forth a rule that if the police arrest a driver for any reason (traffic violations, DWI, outstanding warrants, possession of narcotics, etc.), the driver, the automobile's passenger compartment, and any containers therein can be searched.

This is a synthesis of the "lessened expectation of privacy" from the automobile exception, and the "wingspan" concept from the search incident to arrest exception. This ruling, while vast in its scope, did not alter the requirement that a police officer have probable cause that the trunk of an automobile contains evidence that a crime has been committed or will be committed to justify its warrantless search.

It also did not affect the exception that an impounded automobile can be administratively searched pursuant to the police department's personal property inventory procedure.

For 28 years, police departments throughout the United States used this ruling to search the vehicle passenger compartments of people who are arrested while driving or inside of automobiles. This rule from *Belton* was upheld in the 2004 case of *Thornton v. United States*, wherein the Supreme Court held that even if a person is outside of a car they just exited, when they are arrested, the vehicle may be searched if it is reasonable to believe that it may contain evidence related to the offense for which they are arrested.

~52
TRILLION

Annual person-miles
traveled in the U.S.

Source: Bureau of Transportation Statistics, 2009

Probable Cause

A reasonable person (an officer in most cases) *believes* that a crime has been or is going to be committed.

Reasonable Suspicion

A reasonable person (an officer in most cases) *suspects* that a crime has been or is going to be committed.

INVENTORY EXCEPTION

PICTURE THIS



Police lights flash and you pull your vehicle over.



For whatever reason, the officer decides to arrest you.



Based on your actions or what was observed by the officer, a search is underway.

Then in 2009, the United States Supreme Court diminished *Belton's* rule in the case of *Arizona v. Gant*. In this case, an individual who had exited and walked away from his car was arrested for driving with a suspended driver's license.

The police then used the "search incident to arrest" exception to search the passenger compartment of his car and its contents. In the pocket of a jacket left on the back seat, they found a bag of cocaine and charged him with the offense of possession of a controlled substance.

At the time of his arrest, Mr. Gant was clearly standing far away from his car. The Supreme Court held that the police could not use the "search incident to arrest" exception under these facts. This is because at the time Mr. Gant was arrested, he could not have reached into the vehicle

for a weapon or to destroy evidence. Also, there was no reason to believe the vehicle contained evidence relating to his arrest for driving with a suspended license. However, if it can be established that at the time of a person's arrest, the person **IS** within reaching distance of a weapon in the automobile, **OR** he is arrested for an offense for which evidence may be found in the vehicle such as drugs or stolen property, the rules of *Belton* and *Thornton* still apply to the warrantless search.

PLAIN VIEW DOCTRINE:

An officer may seize contraband and evidence of criminal activity that is in plain view.

WHAT HAPPENS AT A TRAFFIC STOP?

Traffic stops bring with them a certain set of procedures.

Stay informed to ensure the correct procedures are followed and that your rights have not been violated.

Under the Fourth Amendment, a police officer must have reasonable, articulable suspicion that a traffic offense was committed in their presence to justify a traffic stop. The Court went one step further in 2014 in the *Navarette v. California* case, stating that a police officer can conduct a traffic stop based on an anonymous 911 tip that the driver committed a crime (Justice Scalia noted in his dissent that this decision was “a freedom destroying cocktail”).

26.4
MILLION

Persons age 16 or older indicated that their most recent contact with the police was as a driver pulled over in a traffic stop.

Source: Bureau of Justice Statistics, 2011

After the stop, an officer may lawfully request the driver's identification and proof of insurance, check the registration of the vehicle, and check the driver for outstanding warrants. Further, the officer may lawfully ask questions for more information, including the purpose of the trip and intended destination. However, there is no requirement that questions other than those concerning identification be answered. The police officer may approach the passenger for this information to be given consensually as well, but a police officer must have a reasonable suspicion of criminal activity in order to further question or detain the passenger.

There is no exact time limit for a traffic stop, but it is not supposed to be any longer than is necessary to check for warrants and write the driver a ticket. In order for a police officer to extend the traffic stop past this purpose, he must have reasonable suspicion or probable cause of other criminal activity, such as a belief the driver is intoxicated or that there are illegal drugs in the vehicle. Generally, the traffic stop is not to be used by the police as a random fishing expedition for other criminal activity.

WHAT TO EXPECT DURING A TRAFFIC STOP

- 1 A request for driver ID
- 2 Vehicle registration check
- 3 Warrant check of driver
- 4 Request for additional information
- 5 Passenger may also be questioned

HOW TO CONDUCT YOURSELF DURING A TRAFFIC STOP

Some learn the easy way and some learn the hard way.

Learn how to conduct yourself in the right manner when stopped by the police.

In the event you are confronted by a police officer during a traffic stop, try not to panic. A police officer may interpret your nervousness as “suspicious behavior” even though nervousness alone is not enough for a police officer to develop reasonable suspicion of criminal activity.

Even if you have no clue as to why you are being stopped, pull over to a safe area on the right shoulder or a parking area to the right. If the stop is at night, turn on the passenger compartment dome light. It may put a police officer at ease when walking up to your car since he can see your movements, but remember that it will also illuminate the inside of your car, putting its contents in plain view.

Keep your hands on the steering wheel or where the police officer can see them. Keep your insurance some place easily accessible, so you do not have to rummage through your glove box. A police officer may incorrectly assume you are reaching for a weapon or may see the contents inside of the compartment.

Ask the police officer why you were stopped but do not make any admissions. In response to the common question, “Do you know why I stopped you?” you are not required to confess to any crime or traffic offense.

319

Federal, state, and local law enforcement officers have died in the line of duty between 2016-2017.

Source: Officer Down Memorial Page 2016-2017

Police officers are trained to expect many different scenarios when making traffic stops, such as a person who could be mentally disturbed or under the influence of drugs or alcohol. Average citizens do not encounter the police every day and while many may find it intimidating to talk to a police officer, it is important to remember: **WE DO HAVE RIGHTS.**

HOW TO CONDUCT YOURSELF DURING A TRAFFIC STOP



DO NOT INCRIMINATE YOURSELF!

You do not have to answer any other questions the police officer may ask; in particular the question “Is there anything illegal in the car?” However, if you do choose to answer, do not provide any false information.

Since you have been temporarily detained and are not yet in formal custody, the police are not required to tell you that you have the right to remain silent. However, you always have the right to remain silent. Do not incriminate yourself!

The police may lawfully order you to remain in or exit the vehicle. If the police officer asks you to get out of your vehicle, it is permissible to roll up the windows and lock the doors once you are out. This may make it more difficult for the police to use the search incident to arrest exception if they arrest you for a traffic offense and have no other probable cause to search the automobile.

If you become uncomfortable during the police encounter, politely ask the police officer if you are free to leave. The officer’s answer will determine if

you are officially being detained and may contribute to the ultimate determination of whether or not your rights were violated.

If the police officer asks for permission to search your car, yourself, or your belongings, you may lawfully choose not to consent. If you consent to the search or voluntarily make incriminating statements, any violations of your rights by the police will not be actionable, unless it can be argued that your consent was not voluntary.

Above all, be polite yet firm in the assertion of your rights even in the face of threats, promises, or other forms of intimidation by the police officers!

RECAP

Encountering police:

- Don't panic
- Pull over to a safe area
- Keep your hands visible
- Ask why you were stopped
- Make no admissions
- You can choose to remain silent
- Be polite yet firm

EDUCATION IS YOUR NUMBER ONE DEFENSE

Don't allow your rights to be violated.

With this publication, you now have a better understanding of how your Fourth Amendment rights work (and how they don't!).

TOPICS LEARNED

YOUR FOURTH AMENDMENT RIGHTS

It's a right for a reason

AUTOMOBILE EXCEPTION

Reduced level of privacy

SEARCH INCIDENT TO ARREST

Allows search of you and your immediate vicinity upon your arrest

TRAFFIC STOP PROCEDURE

An attempt to gather information will be made against you

TRAFFIC STOP DECORUM

Remain calm and know your rights

“Just as officers should have training on how to deal with legally armed people, you should have training on being legally armed and dealing with law enforcement.”

Austin Davis

Firearms Instructor, Former Police Officer, U.S. LawShield® Member

Come and join us for a live seminar so you can have all of your questions answered and learn more about how to protect yourself.

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FOR
SELF DEFENSE

FOR SELF-DEFENSE,
**WE'VE GOT
YOUR BACK**



LEGAL DEFENSE FOR SELF-DEFENSE

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6

THINGS YOU DIDN'T KNOW

Would Happen When
The Police Arrive...



6 THINGS YOU DIDN'T KNOW

Would Happen When The Police Arrive...

If you've decided to carry a firearm for self-defense, you've undoubtedly thought about the reality of having to use it. You've thought about how you need to train, you've thought about what kind of ammunition best fits your defensive needs, and you've thought about which holster will best fit your gun, body type, and preferred carry method.

There's more to armed self-defense, though. Once the threat to your life is ended, the most difficult part of the process can be just beginning. There's a lot that happens in the aftermath of a self-defense shooting that most people don't realize are not just possibilities...they're hard realities.

It can be extremely dangerous to be the one holding a gun when the police arrive at the scene of a shooting, so be sure you aren't.



1 You Will Be Detained And Possibly Arrested

If you are forced to defend yourself with a firearm, the police will have to get involved. You need to dial 911 immediately: tell the dispatcher your location and that someone has been shot and that you need an ambulance. Describe to them what you look like and what you're wearing, but apart from that, simply repeat that you were in fear for your life and that someone has been shot.

Officers will arrive at the scene of the shooting and before they do anything else, they will need to immediately ascertain who presents a deadly threat to innocent life. They will evaluate everyone at the scene, principally you, as you're the one whose description they got over the radio. If you haven't already done so, they will order you to drop your firearm and you will likely be placed in handcuffs. Though you will not necessarily be under arrest, you will be taken into police custody until they can sort out exactly what happened. Until they do this, they can't proceed with anything else.

It is mandatory that you comply with all of their physical demands. Before they arrive, you need to re-holster your firearm or place it on the ground; it can be extremely dangerous to be the one holding a gun when the police arrive at the scene of a shooting, so be sure you aren't.

Remind yourself that you are not being handcuffed because you did anything wrong; you are being handcuffed because the officers need to be sure that no one at the scene is going to start shooting again. It is extremely important that you not resist them or try to fight back. Remember: you haven't done anything wrong. You were in fear for your life or the lives of others and were forced to employ deadly force in the defense of said innocent life.

...you will likely be placed in handcuffs. Though you will not necessarily be under arrest, you will be taken into police custody...



2 Your Gun Will Be Seized And Held As Evidence

The officers will be responding to either a “shots fired” call or a shooting that occurred during a homicide. Do not let the word “homicide” panic you; “homicide” just means that one person was responsible for the death of another person—nothing more and nothing less. In all likelihood, the police will be taking your gun as evidence in the investigation of this shooting or homicide. Again, do not let the word “evidence” rattle you. As long as you acted in self-defense and were in fear for the loss of innocent life, you will be able to work with an attorney to vindicate your actions.

Your gun, however, will be in police custody for longer than you will. Nazir Al-Mujaahid, the first concealed carry permit holder in the state of Wisconsin to use his sidearm in a defensive situation, had to wait almost 2 years to recover his pistol from the evidence locker, even though no charges were ever filed against him. The state law enforcement agency handling the shooting will understand that if they ever relinquish custody of that gun, the chances of ever getting it back will be very low—so they will hang onto it as long as they can on the off-chance they will ever want to assess it again.



“
...the police will be taking your gun as evidence in the investigation of this shooting...”

3

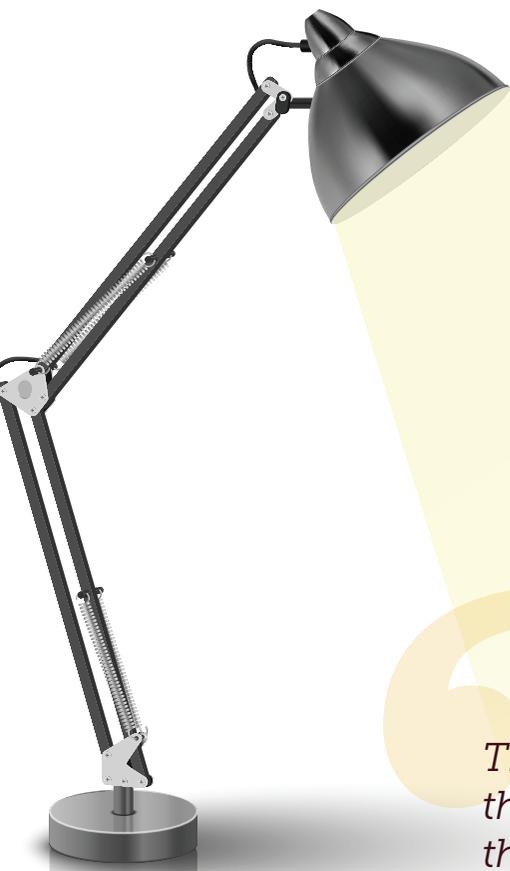
You Will Be Interrogated Both At The Scene Of The Shooting And At The Police Station

Responding law enforcement officers will ask you a lot of questions. They will demand to know what happened that led to you shooting another person. They will demand to know if you are alone and they will demand to know what led up to you discharging your firearm.

Though it can be extremely tempting to tell them everything that comes to mind, you have to be very careful. Those officers will be interacting with you the same way they interact with everyone they put in handcuffs: as a suspect. They will be trying to get you to say as much as possible before you invoke your right to remain silent without an attorney present. Never forget that the Fifth Amendment was not included in our Constitution to defend guilty people; the Fifth Amendment was included to protect innocent people. Those responding officers will be trying to get you to cut loose with what in the legal world are called "excited utterances": exclamations made by an individual before they have been apprised of their right to remain silent. These statements are admissible in court. As you will likely be extremely excited and upset in the wake of a shooting, it is imperative that you limit your statements of any kind until you have had time to calm yourself and consult with an attorney.

Look at it this way: when a law enforcement officer is forced to shoot someone in the line of duty, they are immediately removed from the scene, assessed by EMS, and kept from outside contact until they have had an opportunity to relax, collect themselves, and avoid saying or doing anything that could further complicate an already complex situation. You should demand the same treatment. If you feel light-headed or otherwise over-excited (and you will), tell them that you do not feel well and need medical attention. This will require them to contact EMS for you, and questioning will cease. Use this window of time to calm yourself, to make sure you are physically unharmed, and to ensure that you don't make any unfortunate errors that could later cost you.

Those officers will be interacting with you the same way they interact with everyone they put in handcuffs: as a suspect.



4

If You Don't Already Have One, You Will Need To Hire An Attorney —Fast

We've all heard that when questioned, every American has "the right to an attorney." How to get hold of one, however, can be confusing and difficult without a little forethought.

What that specifically means—"You have the right to have an attorney present during questioning"—is that after you are placed under arrest, officers are not allowed to ask you any more questions unless you consent to answering them. However, they will ask you as many questions as they can before they actually place you under arrest. This is what they are trained to do, as they understand that after you have been arrested and "Mirandized" (apprised of your Fifth Amendment right against self-incrimination), any information they get from you without a lawyer present will likely be ruled inadmissible in court.

If you are forced to defend yourself, you will need to answer questions about the particulars of what happened. This will be necessary to prove that you were "in the right"—i.e., not acting outside of the law. To do so, though, will often involve you being either taken into custody or outright arrested. The officers on the scene of the shooting need to know what happened, and if all you say is "I'm not talking without a lawyer," they are going to have to arrest you in order to get you into a position in which you will answer their questions. After you are arrested, you will be searched for weapons and brought to an interview room at the local law enforcement center; this is the point at which they will allow you to contact an attorney.

To do so, you will have one of three options: you can open a phone book and blindly choose a name, you can contact your personal lawyer, or you can call the USCCA Member Services Hotline to get the ball rolling on your defense.

After you are arrested, you will be searched for weapons and brought to an interview room at the local law enforcement center; this is the point at which they will allow you to contact an attorney.



5 You May Have To Post Bail Or Pay Bond

Depending on the particulars of your situation, you may actually be arrested and taken to a city or county jail. If this is the case, and you are not accustomed to being treated like a criminal, you're going to be in for a very unpleasant experience.

Once arrested, you will likely be given the option to post bail, which is either a quantity of cash or other security that the law enforcement agency will hold as insurance that you will return for a court hearing or to sign a document representing your promise to do so. This will depend on your specific situation, but posting bail can be very difficult for the average individual. Self-defense shootings seem to happen after banker's hours and few people keep anywhere from thousands to hundreds of thousands of dollars in cash on hand in their residences. Your options are to call a bail bonds company (if they are legal in your area), call a family member who can try to arrange the collection of the necessary funds, or contact the USCCA, who will handle the situation from there.

...few people keep anywhere from thousands to hundreds of thousands of dollars in cash on hand...



6

The DA Will Gather Police Reports To Make A Charging Decision

After all of the officers have asked all of their questions, they will compile their notes into their official reports and decide if they think there is evidence of a crime. If they believe you have committed a crime, these police reports will be sent to the District Attorney—along with a DA referral form, which means that the officers believe there is enough evidence that a crime was committed for you to be taken to court and charged with something. This is not a rapid process.

It may take anywhere from days to a week or more for all officers involved in an incident to complete their reports. This is not out of laziness or carelessness; this is because depending on where the incident occurred, your incident may be only one of a dozen or more calls these officers had to handle that day. In order for their reports to be as accurate as possible, they'll have to take their field notes and, as soon as possible, read through them and put them into a narrative form—one that will help someone who was not at the scene understand exactly what happened in the clearest possible language.

Once they're done with the immediate situation involving you, they have to get back onto the streets and get back to their job as a cop, Deputy, or Trooper. Their field notes may sit in their squad car until they can write their report, and once their report is complete, it may sit in a basket in the station or in the District Attorney's office for anywhere from hours to days. Remember: this is before anyone has even started to decide whether you will actually be charged with a crime.

The key is to make sure that you are at home during this process, not sitting in a jail cell.

...make sure that you are home during this process, not sitting in a jail cell.



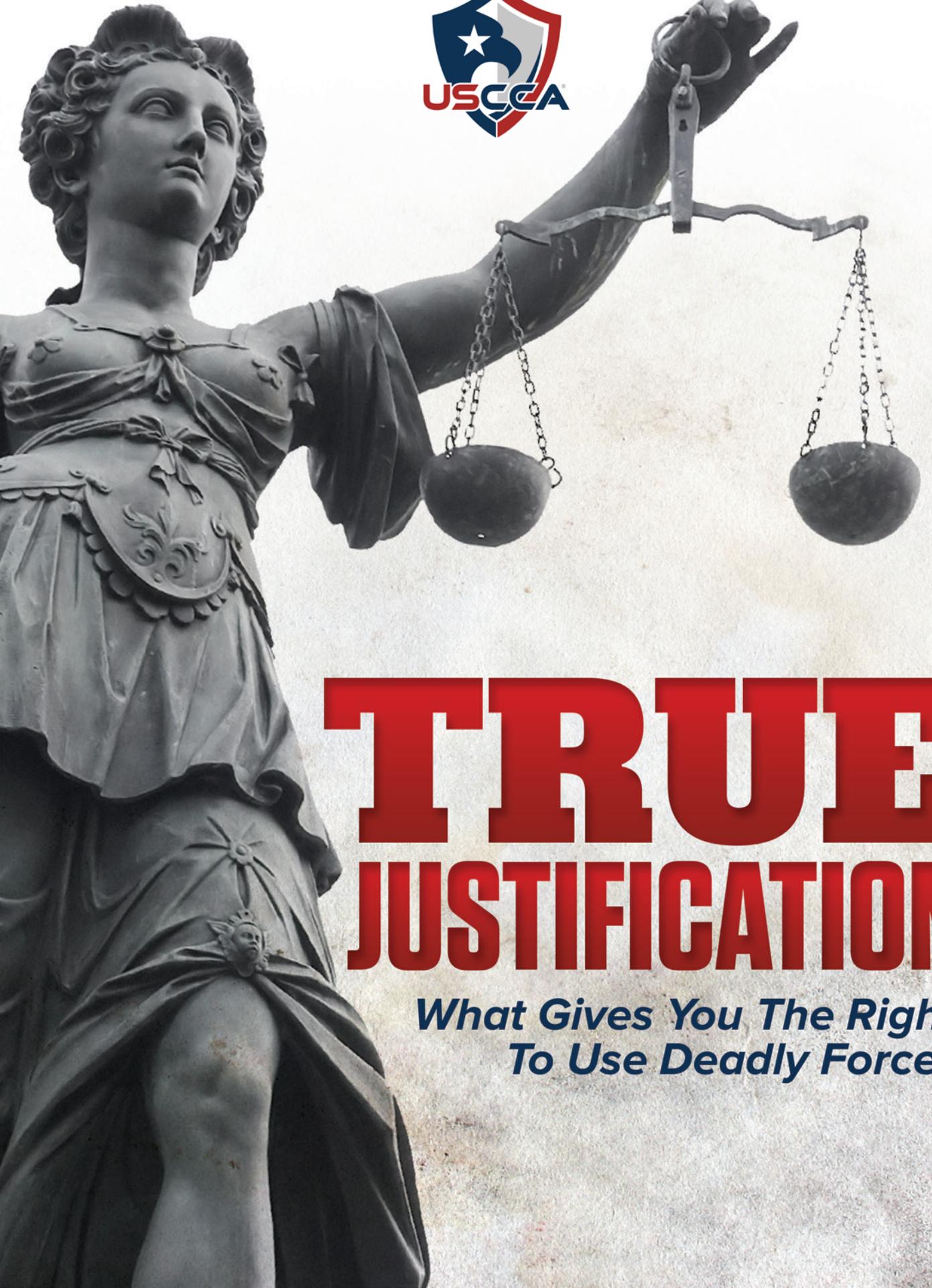
Protecting Yourself For What Comes “AFTER”

Here's something you must accept right now: in the aftermath of a self-defense shooting—even a justified one—you WILL encounter all six of these harsh realities. As unfair as it may seem, keep in mind that such realities are standard procedure following any shooting.

It is imperative that you spend time now thinking about and preparing for what comes *after* a deadly force encounter. After all, the difference between going to jail and going home to your family will likely be determined by your ability to navigate through the rough terrain that inevitably follows a self-defense incident. And the truth is, **proving your innocence without a plan will be costly**—both mentally and financially.

The good news is that you won't have to bear that weight alone. The USCCA exists to guide and support responsibly armed Americans just like you through the scary and overwhelming aftermath of a self-defense incident so you can get back home to your family where you belong. From 24/7 emergency assistance via the Self-Defense SHIELD Critical Response Team to an immediate attorney retainer to post-incident psychological support, the USCCA will get the ball rolling in your favor...and will stick with you every step of the way.

If you'd like to learn more, visit: www.ProtectYourselfAfter.com



TRUE JUSTIFICATION

*What Gives You The Right
To Use Deadly Force?*



More often than not, the first question someone new to the world of concealed carry will ask is, "When can I shoot?" It's a good question. It is perhaps the best question a gun owner can ask because it shows true concern over the legal use of deadly force. That one question separates law-abiding gun owners from criminals.

The answer to the question is, sadly, mired in confusion and misinformation thanks in part to a patchwork of laws across the country. The single most important thing you can do as someone who carries a

concealed weapon is to understand the laws surrounding the use of force in your state. There will be subtle nuances which could mean huge differences in how court proceedings are handled if you are ever involved in a deadly force incident.

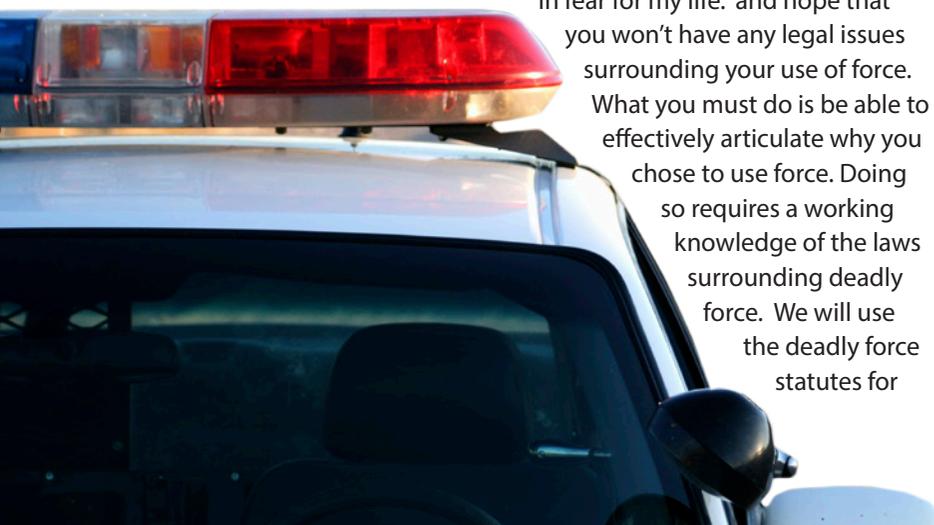
The information presented here is general and should not be used as legal advice, but it will give you a solid foundation and show you just how specific some elements of self-defense law can be.

Let's begin by pointing out that in most cases you can't simply say to responding police officers, "I was in fear for my life." and hope that you won't have any legal issues surrounding your use of force. What you must do is be able to effectively articulate why you chose to use force. Doing so requires a working knowledge of the laws surrounding deadly force. We will use the deadly force statutes for

Wisconsin, the home state of the United States Concealed Carry Association. First up, We must define deadly force. Wisconsin State Statute 939.48 covers the use of deadly force and defines it as: ***The intentional use of a firearm or other instrument the use of which would cause a high probability of death.***

As far as legal wording goes, this section is pretty straightforward, but there are some very important words included. The first thing you must note is that deadly force must be intentional. Next up is the word "firearm." In Wisconsin, and most other places, the use of a firearm is always considered deadly force.

But what we are looking for is the legal use of deadly force. In order for an honest, law-abiding citizen to legally use deadly force it must be justified. In Wisconsin, deadly force can be used against, ***Any action which has caused or imminently threatens to cause death or great bodily harm to you or another person or persons.***



NOW BRING IN THE LAWYERS!

You may use deadly force, but the threat you face must be imminent. What makes a threat imminent? For a threat to be imminent, the aggressor must have three things: A weapon, intent, a delivery system. And the definitions get even more in-depth.



Weapon:

Your attacker does not need to have a gun; nor does he need have a knife or a club. A disparity of force can be enough of a weapon to prompt the use of deadly force by the victim of an assault or threatened assault. If a 250-pound MMA fighter decides he is going to attack a 105-pound fashion model, the fighter's actions could reasonably be expected to cause death or great bodily harm to the smaller person. The use of deadly force may be justified if the other elements are also present.

Intent:

Intent may be implied or stated. Act accordingly if an attacker says, "I'm going to kill you!" At that point, the attacker's intent is pretty well established. But intent can also be shown without words. If the same MMA fighter from the previous scenario approached and continued to approach even after being directed to stay back, one can reasonably believe the intent is to cause harm, if the other elements are also present.

Delivery System:

If your attacker has a weapon and intent, but no means to make good on the threat, he therefore has no delivery system and the threat is not imminent. A hypothetical example of the lack of a delivery system would be a man on the far side of a street, confined to a wheelchair, waving a machete, threatening to kill anyone who comes near him. He has a weapon. He has intent. But he has no means to make good on the threat. Using deadly force against this threat would be illegal. If the same man is armed with a firearm he presents a deadly threat because the range of a firearm is "line of sight unbroken by cover."

There are, of course, other considerations to that final scenario. Could you get away from the threat? Do you really want to fire in that situation? Are you required to retreat in your state? Remember, deadly force should only be used as a last resort. Even if you can use deadly force legally, you must consider the consequences that will follow.

The legal ramifications surrounding the use of deadly force do not stop with just the use of force, but also include the level or amount of force you use. The legal system prefers that you use the least amount of force possible. Your goal in using force is not to kill your attacker but to simply stop the threat. In order to stop the

threat effectively the level of force you use may cause death, but again that is not the goal. The goal is simply make the attacker stop is violent attack.

To that end, once the threat is stopped, your use of deadly force must also stop. You are not allowed to use deadly force once you have stopped the deadly threat. In short, once the threat stops, you must stop shooting.

We cannot stress strongly enough that all three elements must be present for a threat to be considered imminent. In most cases if the threat is missing even one of these elements, you may not use deadly force to face that threat. There may

be other requirements put in place by your state. Some states require that you make a reasonable attempt to retreat. Some states utilize "Castle Doctrine" laws which direct the court to consider any attacker in your home as an automatic deadly threat.

It is your responsibility as a gun owner to know the laws of your jurisdiction. The legal ramifications of using a firearm in self-defense can be overwhelming. You must remember that if your attacker dies as a result of the force you used, you will become the target of a homicide investigation. If you act within the laws of your jurisdiction the results of that investigation will show your actions to be legally justified.

THE DEFINITION OF DEADLY FORCE:

The intentional use of a firearm or other instrument the use of which would cause a high probability of death.

THE JUSTIFICATION FOR THE USE OF DEADLY FORCE:

Any action which has caused or imminently threatens to cause death or great bodily harm to you or another person or persons.

The 3 Things That Make a Threat Imminent:



1. Weapon



2. Intent



3. Delivery System

\$19.95



I WANT YOU IN PRISON

5 SCARY REASONS GUN OWNERS
SHOULD FEAR THE LEGAL SYSTEM



LEGAL DEFENSE
FOR
SELF DEFENSE



Law-abiding gun owners should never have to fear arrest and prosecution. Unfortunately, in today's America, even the most upstanding armed citizens can and do find themselves at the mercy of a hostile system.

If you own a gun, here are five reasons that you should be worried.

#1

GUN CONTROL POLITICS INFEST THE CRIMINAL JUSTICE SYSTEM.

All you have to do is read the news, fake or not, to realize Second Amendment rights and the fundamental right of self-defense are under political fire. Your ride through the justice system often depends on the political and personal views of the police officer, prosecutor, and judge who may be assigned your case. Your fate could lie with people who fundamentally disagree with your pro-2A politics. Sadly, a lot of Americans have been victims of this infested

criminal justice system. Our Founding Fathers would never have believed how easy it is for a present-day American patriot to lose his or her gun rights.

These days, an accusation alone can strip you of your right to purchase a firearm AND suspend your license or permit to carry a handgun. In 2015 alone, 289,223 firearms were recovered by the police and traced by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).¹ Simply being indicted makes it unlawful for a federal firearms licensee to sell you a gun under 18 USC § 922(d).² You might even have to kiss your gun collection goodbye.³ In some situations, police can get a warrant to seize ALL of your firearms! To make things worse, the legal system can take your guns even if you've never had to use them. Most gun owners don't realize that a divorce, civil commitment, guardianship, or protective order can destroy their gun rights. It doesn't matter whether you're a collector or gang member, the system will treat your firearms the same!



“I knew a lot of cops that were anti-gun.”

- Cris Andersen
Police Captain

¹ <https://www.atf.gov>

² <https://www.gpo.gov>

³ <https://www.washingtonpost.com>

#2

THE SYSTEM CAN BE RIGGED AGAINST YOU! GUILTY UNTIL PROVEN INNOCENT?

The criminal justice system is designed for just that—criminals! We have all heard the phrase “innocent until proven guilty.” It is a lofty ideal of our legal system but in practical application this concept is of little help as you are getting chewed up and spit out by this conviction machine. This happens every day to people who did nothing legally wrong; we have seen this

firsthand in defending thousands of law-abiding gun owners. Don't believe us? The U.S. Attorney's Office reported that 99.8% of criminal cases where guilt or innocence was decided brought by the federal government result in conviction. Therefore, you've only got a .2% chance of escaping the white-hot “guilty” brand; and the states aren't much better!

This is because the government has unlimited resources. Your attorney, on the other hand, is only one person and will be up against an army seeking to label you a criminal for the rest of your life! This army includes police, prosecutors, and yes, even judges who almost always rule in favor of the government! Specifically, when it comes to self-defense, it will be YOU against this army to prove your

actions were justified. Even though you are innocent until proven guilty... you may have to go to trial to walk free... and the system can be rigged against you. This is the very reason why you need immediate legal help from experienced attorneys.



99.9%

BAD COMPANY

The conviction rate in China is 99.9%, nearly the same as the U.S. federal rate.

A RIGGED GAME

The U.S. Attorney's Office reported that 99.8% of criminal cases where guilt or innocence was decided result in conviction.⁴



⁴ <https://www.justice.gov>

#3

BAD GUYS LIE AND GOOD GUYS MAKE MISTAKES. EVEN FLIMSY EVIDENCE WILL GET YOU ARRESTED!

“As a criminal prosecutor, thousands of cases came across my desk. Over and over, I saw eyewitnesses lie or make mistakes... with potentially devastating consequences to the criminal defendant.”

- Emily Taylor

INNOCENTS BEHIND BARS

There are an untold number of men and women in prison who have been wrongfully convicted. Many people are exonerated by DNA evidence in our country, but others may not be so lucky.

The Innocence Project reports⁵:

70%

of cases involved mis-identification by witnesses

32%

of cases involved mis-identification by multiple witnesses

45%

of cases involved mis-application of forensic science

We all know that bad guys always tell the truth, right? Wrong! Imagine you have just defended yourself from a violent attacker, but the perpetrator told the police it was the other way around! Who do the police believe? The truth is, you can be arrested and charged based on nothing more than the word of the liar who just attacked you. In a self-defense, use of force case, perps often lie and ordinary people go to jail. All a police officer needs to start an investigation is reasonable suspicion; and then, to make an arrest, probable cause. Basically, we're talking about police having a little more than a hunch! And the probable cause legal standard is met when a police officer gets enough information to reasonably believe that a crime PROBABLY happened. It doesn't stop there, the government can take you all the way to trial with nothing more than the bad guy's word against yours... then it's up to a jury to decide which one of you is the liar!

The sad truth is that a "he said/she said" case can land a gun owner in prison. The perpetrator is only half of the equation. Even good police officers, juries, judges, and prosecutors make mistakes. Just ask Richard Phillips from Detroit, who spent 45 years in a Michigan prison, because the real criminal lied, and the court got it wrong.⁶ Or Michael Morton, who spent 25 years in a Texas prison before previously withheld evidence was discovered and he was exonerated.⁷ On just the federal level alone, of the tens of thousands of convictions each year, the number of exonerations can be counted in the dozens.⁸ Michael Morton is now a highly regarded advocate for criminal justice reform and warns us all to "get legal representation right away because the vast majority of us have never had, probably will never have, a serious interaction with the police."⁹

⁵ <https://www.innocenceproject.org> ⁶ <https://www.detroitnews.com>

⁷ <https://www.chron.com> ⁸ <http://forejustice.org/idb1989us.html>

⁹ <https://www.texastribune.org>

#4

AN ACCUSATION ALONE CAN RUIN YEARS OF YOUR LIFE!

Real-life criminal justice is nothing like last night's episode of Law & Order—the justice system is painfully slow and procedurally complicated. TV and movies would have you believe that if you are innocent your case will be over in a matter of days or weeks, when in reality, if you have been falsely accused of a crime, you'll be lucky to see your case go to trial in under a year. According to the United States Courts Statistics, the average criminal case can last as long as two years in many jurisdictions.

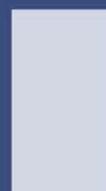
“In the criminal realm, you may eventually assert your right to a “speedy trial.” No such luck if you’re sued civilly. I’ve seen trials still pending ten years later.”

- David Katz

Think getting to your trial was slow? How about if injustices were served upon you? An appeal of a criminal court's decision, even if you are absolutely correct, can take additional years. Then you can look forward to possibly being put through the wringer again in a new trial! Even worse, if you lose your appeal, you are a convicted criminal forever! And keep in mind, appellate courts, including the Supreme Court, don't give you a new trial; they're only looking for mistakes made by the jury, lawyers, or the judge. The real fact is that if you are forced to pull the trigger in self-defense, right or wrong, you'll be fighting for your freedom, and it could turn into a nightmare of years in court.



A SPEEDY TRIAL?



Master's Degree

730 Days



Pretrial Delay

513 Days



Full-Term Pregnancy

280 Days

#5

EVEN IF YOU WIN, YOU'VE STILL LOST.

Congratulations—a jury found you “Not Guilty” in your criminal trial! Unfortunately for you, lawyers are expensive—competent legal defense can rack up hundreds of thousands of dollars. The government has zero obligation to pay your attorneys fees, lost wages, or medical bills even if you win your criminal case!



Just when you feel like your troubles are over... you get SERVED! A jury saying you're not guilty of a crime won't stop you from being pulled into the civil justice system. You've fought for your liberty and won, but now you have to fight for everything else you worked your whole life to get. Civil lawsuits are expensive, so even if you win the case and don't have to pay the bad guy, between court costs, depositions, and expert witnesses (not to mention your time off work for repeated court appearances), it will feel like you've still lost. To make matters worse, if not provided for by law, civil courts generally follow the “American Rule” for attorneys fees;¹⁰ that means YOU will be on the hook for paying your own attorney if you are forced to defend yourself in a civil case! Once the dust has settled, you will learn the answer to the question asked by Ronald Reagan's exonerated Labor Secretary, Raymond J. Donovan, "Which office do I go to to get my reputation back?"¹¹

**THIS IS WHY WE
DEVELOPED OUR
PROGRAM TO SHIFT
THE BURDEN...**

¹⁰ *Alyeska Pipeline Service Company v. Wilderness Society*, 421 U.S. 240 (1975).

¹¹ <https://www.nytimes.com>



LEGAL DEFENSE
FOR
SELF DEFENSE

FOR SELF-DEFENSE,
**WE'VE GOT
YOUR BACK**



LEGAL DEFENSE FOR SELF-DEFENSE

If you must act in self-defense, you shouldn't have to worry about paying for an attorney.



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What Every Gun Owner Needs to Know About Self-Defense Law



by Marty Hayes, J.D.

This booklet is provided by

Armed Citizens'
LEGAL DEFENSE NETWORK, LLC



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Introduction

With firearms ownership comes serious responsibilities. These responsibilities take several forms, including—

1. Responsibility to ensure that your firearms do not fall into criminal hands, due to carelessness or neglect.
2. Responsibility to ensure that a child does not get a hold of your firearm, resulting in a tragedy.
3. Responsibility to ensure that when you are handling your guns, your actions are safe and responsible.
4. And finally, it is your responsibility to understand the laws regarding use of deadly force in self defense and to be aware of what happens within the legal system when a citizen uses deadly force in self defense.

Let's briefly address the first three areas of responsibility before going on to the fourth, which is the main topic of this booklet. The first two responsibilities require safe, secure storage of your firearms any time they are not in your immediate possession.

Next, the National Rifle Association and hundreds of private trainers and firearms schools all across the nation teach gun safety and firearms responsibility to hundreds of thousands of people every year. Obtaining training from these folks is how you fulfill the responsibilities in the third concern listed. The Armed Citizens' Legal Defense Network, LLC urges you, the gun owner, to seek out and attend competent training, both to assure that you understand how to meet your responsibilities, and to document your training and knowledge about gun safety and responsibility. Documented training is part of the antidote to post-shooting accusations that you acted without regard for your responsibilities to society.

This booklet is designed to introduce you to the fourth area of concern so you can begin to understand your legal rights and responsibilities when using deadly force in self defense. The information in this booklet should not be considered the sum total of your legal education, but instead, you should think of it as a starting point.

In closing, thank you for taking the time to read this booklet and for being a responsible gun owner.

Marty Hayes, President

The Armed Citizens' Legal Defense Network, LLC

Chapter 1

The High Cost of Self Defense

Deciding to carry a gun or to arm yourself for home defense is a choice that should be made only after thorough consideration. Many people buy guns with little thought of getting training and without investigating what the legal aftermath may be if they use a gun for self defense.

While a clear-cut case of self defense normally results in no arrest, no prosecution, and no lawsuit, please understand that many, many cases of self defense simply are not clear cut. For example, what if someone a little larger and stronger than you picks a fight with you? Can you shoot him? At what point in the altercation would you have a right to shoot?

What if three people, perhaps pan handlers obviously involved in aggressively begging, surround you and demand money? When you feel threatened by their insistence, can you draw your gun to stop their aggression?

What if someone threatens your life, so you shoot him, but at the instant you determined you had no other choice but to shoot, he twisted or turned away, so one or two of your shots hit him in the back? What if one of the shots in the back is the fatal shot? Do you think you might be prosecuted?

The history of armed self defense is chock-full of incidents in which law abiding citizens legitimately used a gun for self defense and ended up in prison or were bankrupted because they were wrongfully prosecuted or sued. Let me explain how the aftermath of a legitimate act can go so wrong.

First, if you are arrested after an act of self defense, you will be provided a public defender or you will have to foot the bill yourself for your legal defense. Most people scoff at the idea of a public defender, but I have met and worked for some very good public defenders. It is very likely that a public defender will be well-respected and well-liked by the courts. That's the good news. The bad news is that in the typical case, there is not much of a budget with which to hire expert witnesses, crime scene reconstructionists and investigators who may be able to track down that one witness who might tell your side of the story. In addition, it is also unlikely that your public defender, or for that matter, a private criminal defense attorney, will have much experience handling legitimate cases of self defense. This is true because most acts of self defense are not prosecuted.

When a legitimate case of self defense (as opposed to a claim of self defense that is offered purely as a legal strategy) comes before the court, it can become

pretty expensive, not only in dollars, but also in time and psychological and socio-logical impacts. For example, if you become the subject of your local newspaper's headline news, your neighbors, your kids' friends and even your professional contacts will likely pass judgment long before a jury does. Your kids may have to face accusations from their playmates that their father or mother is a killer, business associates may avoid working with you, and your neighbors may voice hurtful, ignorant opinions about the actions you took to survive. You might even lose your job because it is pretty hard to work if you are locked up in jail for murder if you cannot raise bail money. Do you think that losing your job and facing mounting legal bills might disrupt your family life, too?

These are only some of the reasons gun owners must understand when it is justifiable to use deadly force in self defense, as well as learning what to expect from the legal system if they are left with no viable alternatives and must shoot an attacker.



Sitting in the witness' chair and at the defendant's table in a courtroom is one of the possible outcomes of being involved in a self-defense shooting.

Chapter 2

When is Deadly Force Justified?

Internationally-recognized self-defense expert Massad Ayoob states it best when he explains, “Deadly force is justified only when undertaken to prevent imminent and otherwise unavoidable danger of death or grave bodily harm to the innocent.”¹

If you memorize and live that one sentence, you should never be found guilty of a crime involving use of deadly force. While nuances of self-defense law differ from one state to another, all states allow the armed citizen to use deadly force against another human being when their life or the life of a loved one or another innocent person is in imminent danger. It is not that simple, however, and several aspects of using deadly force can still land you in court. While one concern entails understanding when circumstances merit using deadly force, the second is making sure law enforcement, the prosecutor’s office, and if necessary, a judge and jury understand that you reasonably believed your actions were necessary to protect innocent life.

The Reasonable Man Doctrine

The standard against which your use of deadly force in self defense will be measured is called the standard of the reasonable person. This criterion asks, “Would a reasonable person under the same circumstances, knowing what you knew at the time, likely have used deadly force in self defense?” If you can convince the jury that they would have done the same thing, then you will walk free. On the other hand, if the members of the jury say to themselves, “No, I wouldn’t have pulled the trigger under those circumstances,” then the verdict will probably not be in your favor.

How do we convince a jury that we acted as a reasonable person would have acted?

The Elements of Ability, Opportunity and Jeopardy

For decades, police officers have been taught that they can employ deadly force only under circumstances in which the elements of “ability,” “opportunity” and “jeopardy” are present. The same method of teaching justifiable use of deadly force has been employed in the civilian sector for at least three decades. You won’t see any of these terms in the law books and court decisions, however. Instead, you will see something like the following, which is taken from Revised Code of Washington:

RCW 9A.16.050 Homicide—By other person—When justifiable. Homicide is also justifiable when committed either: (1) In the lawful defense of the slayer, or his

or her husband, wife, parent, child, brother, or sister, or of any other person in his presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or (2) In the actual resistance of an attempt to commit a felony upon the slayer, in his presence, or upon or in a dwelling, or other place of abode, in which he is.

The laws of your own state probably have similarly complicated language, requiring several readings to really understand what the law requires. Still, a careful reading will show the parallels between the complex language of most state statutes and the more easily understood terms of “ability,” “opportunity” and “jeopardy” that give us clearly understood language with which to discuss and articulate **why** we had a reasonable belief that our life was in danger.

For example, in explaining a decision to use deadly force in self defense, you might say, “Well, because he had a gun in his hand, which I know is a deadly weapon, I knew he had the ABILITY to cause my death. I also knew from my training that a person within close proximity was near enough to shoot me with that gun, in other words he had the OPPORTUNITY to shoot me if he so desired. Because he said he was going to kill me, I also believed that he meant to place my life in JEOPARDY.”

Would a reasonable person, hearing that statement, conclude that your actions were those of a reasonable person? Likely so.

Now, let’s do a better job of putting into context the three elements of “ability,” “opportunity” and “jeopardy,” as used to justify using deadly force in self defense.

Ability

Ability means that the attacker possessed a weapon capable of causing death or grievous bodily harm. The object in question could be a make-shift weapon, like a beer bottle, a baseball bat, pool cue or even folding chair, if used to inflict a blow. Generally speaking, charges brought against someone for defending themselves or another innocent person rarely center on whether or not the attacker possessed the ability to cause death or serious injury, with a couple of glaring exceptions.

The first exception is when the attacker you shoot does not have a weapon or an object capable of being used to inflict serious bodily injury, but you thought he did. For example, in my home state of Washington a few years ago, a police friend of mine shot and killed an assailant who was armed with a couple of spoons. That’s right: spoons. The prosecutor did not press charges against my friend because under the circumstances of the shooting he reasonably believed the spoons were a knife. The critical issue is the reasonable perception that the attacker possesses a weapon.

A related exception is found in the furtive movement shooting, in which an individual is shot when he reaches for something that the defender honestly and reasonably believes is a weapon. Under most circumstances, if the perception is found to be a reasonable one, the defender's response will be ruled justifiable.

The second exception, and the one that lands people in jail time and time again, crops up when the defender uses deadly force against an unarmed attacker, or even to fend off multiple unarmed attackers. This happens with surprising frequency, and more often than not, the defender ends up paying a high price legally. The issue involved is called "disparity of force," and it is a critical one.

When a legitimate self-defense shooting ends up in court, many times the civil litigation or criminal prosecution hinges on the question of disparity of force. After all, if a prosecutor knows the attacker had a deadly weapon and was in fact attacking, he is likely not going to prosecute the self-defense shooter. But, what happens when the defender is being stomped to death, choked to death, or otherwise believes a deadly force attack is imminent or underway? And, what if that defender shoots one or more of his assailants, but they claim that they were only beating him up, not trying to severely injure or kill him?

Legally speaking, likely it was lawful for the defender to use force in self defense, but in court the claim is made that he or she used excessive force. Under these circumstances, the defendant will need to show the jury, or a judge if the case is



An argument that disparity of force existed may be used when multiple assailants attack.

heard at a bench trial, that they had a reasonable belief that the attackers possessed the ability to cause death or serious physical injury. For the exact parameters of laws of your local jurisdiction, consult the criminal statutes and the self-defense case law of your own state or consult a local attorney who is knowledgeable about self-defense law.

Opportunity

In addition to showing that the attacker or attackers had the ability to cause your death or inflict serious physical injury, you must also show that they had the opportunity to carry out a deadly force attack. This usually entails showing that they were close enough to use their ability against you.

For example, if the attackers simply have their hands and feet with which to attack, they would have to be very close: close enough to control you and hit and kick—typically within arm’s reach. But does that hold true for what is called a “contact weapon,” a knife, or another object make-shifted as a weapon, like a beer bottle or a baseball bat?

In the 1970s Dennis Tueller, a Salt Lake City police sergeant, did a study comparing how long it took an officer to draw and fire a handgun with how long it took an average person to run at them from a distance of seven yards and inflict a fatal wound. The times for both drawing and firing and running 21 feet averaged out to about 1.5 seconds. In law enforcement training, that meant the officers should draw their weapons much sooner than had been commonly thought when faced with a person armed with a contact weapon. Knowing that a person can close a distance of 15 to 30 feet in one to three seconds should be part of your mindset, too, and before you decide the person possesses the opportunity to use their ability against you, you need to work out how distance and proximity play into the “opportunity” factor, combined with the unique circumstances of the incident.

Jeopardy

If the elements of ability and opportunity are both present in an altercation, you must still convince a judge or jury that it was reasonable for you to believe that your life was in jeopardy. The element of “jeopardy” is also sometimes identified as the element of “intent.” Was the attacker or were the attackers intending to carry out an attack? Was your life in jeopardy?

Usually, this issue comes up in cases of unlawful display of a weapon or “brandishing.” To successfully defend against a charge of brandishing, you will need to give sufficient detail about the actions of the attacker or attackers to show how their behavior would lead a reasonable person to believe that they were preparing to attack.

Chapter 3

The Affirmative Defense of Self Defense

The Section 210.1 of the Model Penal Code, which is the basis for the majority of murder and manslaughter statutes in America, states:

“Criminal Homicide. (1) A person is guilty of criminal homicide if he purposely, knowingly, recklessly or negligently causes the death of another human being. (2) Criminal homicide is murder, manslaughter or negligent homicide.”

What is glaringly absent in the above definition is any mention of self defense. Thus, if you intentionally use a gun against another person and that person dies, you have fulfilled the elements of the crime of murder or manslaughter and can be arrested and tried. Only at trial, do you have the opportunity to claim and proffer a defense of self defense.

However, if you have a legitimate claim of self defense, many prosecutors or district attorneys won't prosecute because they know that it is a waste of taxpayers' money. Unfortunately, some will and do prosecute clear-cut cases of self defense for political reasons. If their community leans towards an anti-gun, anti-self defense bias, then a politically-savvy district attorney or prosecutor is likely to pursue any gun case in their jurisdiction. As gun owners, this is the reality we face, especially in self-defense cases that are not black and white, but like life in general, have a lot of shades of grey.

Whatever the motivation, if you are prosecuted or sued after a legitimate act of self defense, you and your attorneys will need to prove to the jury, by a preponderance of the evidence, that you were justified in your act of self defense.

In a typical criminal prosecution, a prosecutor must prove guilt beyond a reasonable doubt, and the burden is on the prosecution to bring forth evidence to prove the charges. That means they must prove the elements of the crime. If you are tried in a state that follows the model penal code, it isn't too tough to show that your actions were the same as those spelled out in the crime of murder or manslaughter, because the evidence will easily show that you purposely used a firearm to shoot and kill the deceased.

If you plead self defense, the burden of proof shifts to you and you are required to prove by a preponderance of the evidence (51% or greater) that your self-defense act was reasonable under the circumstances because you legitimately feared death or crippling injury and that the force you used was not greater than what was reasonable and necessary.

Because this small booklet only addresses deadly force issues common to all 50 states, we cannot advise you on specifics of your state's law. In addition, statutory law and case law are subject to change, so again, it is incumbent upon you, the reader, to look up and study the laws of your area or consult with a local attorney who is well-versed in self-defense law, to make sure you fully understand the laws in effect where you live.

Proving Your Claim of Self Defense

The armed citizen who has been forced to shoot in self defense faces a conundrum. You see, after a shooting, the police will be called (either by you or another person) and when they question you, anything you say can be used in a court of law against you. If what you say or don't say raises suspicions that you were not justified in shooting, you will probably be jailed until you can get a preliminary hearing in front of a judge. Conversely, if the officers believe you legitimately shot the attacker in self defense, you will more likely than not sleep in your own bed that night. Thus, the question is, how do you explain to responding officers what happened, but still invoke your right to remain silent? The answer is, you cannot. You must make a decision whether to keep silent or to explain what happened. Let's evaluate the pros and cons of both so you can make an informed decision.



There is no simple answer to the question of how much you should tell officers responding to a shooting scene, but that choice has serious implications, so must be considered in advance.

If you refuse to talk to the responding officers, it is extremely likely that you will be arrested—maybe not 100% of the time, but often enough that you should plan on spending the next several days, or perhaps weeks or months in jail. While that's pretty bad, at least you didn't incriminate yourself by your own words. That is about the only upside to keeping silent, but please understand that if you live in a jurisdiction that is rabidly anti-gun and anti-self defense, you may likely be arrested anyway, so sometimes a decision to remain silent might make sense. It is your choice.

On the other side of the coin, though, discussing the incident with law enforcement might keep you out of jail and out of the courts, if you explain to the police officers why you felt shooting in self defense was necessary. This requires that you be a good witness and clearly explain the attacker's actions, telling the responding officers what the attacker or attackers were doing that convinced you that your life was in danger. It means identifying for law enforcement anyone else in the area that saw the incident. It also means pointing out any evidence that the officers might overlook in their investigation. For example, if you knew that the attacker's buddy grabbed his weapon and threw it in the bushes, it is probably a good idea to tell officers that the weapon is in the bushes, and how it got there.

If you are going to claim self defense at trial, this approach is necessary because the police need to know what happened that caused you to shoot.

However, being a good witness doesn't require explaining every minute detail about your act of shooting. When you were attacked, you were likely under extreme stress in survival mode and the fight or flight instinct kicked in. Physio-psychological effects known to occur during stressful incidents make you a poor witness about the facts and specifics of the attack. These physio-psychological effects include distorted perceptions of time and distance, plus tunnel vision and auditory exclusion, any one of which can result in an inaccurate report of the event if you try to report specific details.

Instead of going into detail when speaking with responding officers on the scene, I recommend briefly explaining what the attacker did to precipitate your self-defense actions plus pointing out evidence that could be lost or overlooked and identifying witnesses to the event. Next, state that you would like the counsel of an attorney before you give a formal statement, a written statement or even a tape-recorded statement. Once you've said that, keeping your mouth shut is likely the best approach. You have been a good witness and cooperated with the police. You have reported the crime committed against you, and frankly that is as far as you need to go at that time.

Chapter 4

The Initial Aggressor Rule

Even if ability, opportunity and jeopardy were present in the altercation and it was reasonable to believe your life was in danger, if you use deadly force in self defense you could still be convicted of a serious crime. This could occur if you were the one who originally started the altercation. Even if the altercation was not a deadly force situation at the beginning, if it escalates to the point where you actually need to use deadly force to prevent serious bodily injury or death, you will still likely be arrested, prosecuted and probably convicted of the crime of manslaughter.

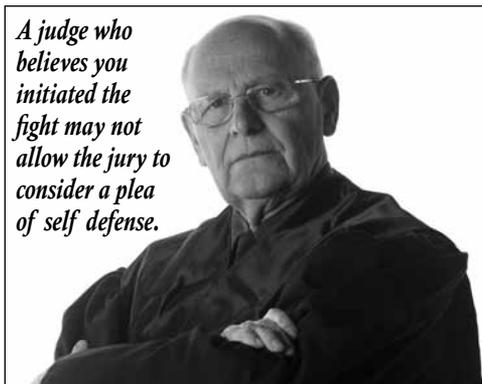
The initial aggressor principle is not likely to be mentioned in statutory law, but it is contained in most if not all of the common law² of the individual states. It is seen as a public policy issue, and the Justices of the state appellate courts are pretty much in agreement that the one who starts a fight should not get off scot-free if they kill someone, even if at the end, that killing constituted legitimate self defense.

Issues about the initial aggressor come up in prosecutions for assault if the person survives or in murder or manslaughter cases if the person dies. If the judge trying the case believes that you started the altercation, he or she is allowed by law to withhold a self-defense instruction to the jury. The jury then does not get to decide if you were justified in

using deadly force. If you are claiming self defense and the judge refuses to give a self-defense jury instruction, you are pretty much sunk, at least for that trial and subsequent conviction. You might win a new trial upon appeal, but that will likely take several years, during which you will be in prison.

There is one thing that will restore your right to self defense even if you were the initial aggressor, and that is withdrawing from the altercation. Your claim to self defense can be restored if you can show evidence that you reasonably withdrew from the altercation, and then the person you shot came after you and started a new altercation.

A judge who believes you initiated the fight may not allow the jury to consider a plea of self defense.



Chapter 5

Defending Others

Up until now, this booklet has only addressed the use of deadly force in self defense. Now, we are going to discuss defending others. The right to use deadly force in defense of other people comes from the common law of England, where it primarily addressed a man's defense of his family. Of course, times have changed, and now the logical need to defend other innocent people out in public in addition to family members, is certainly a distinct possibility. There are two legal issues at work here, one based on the common law, and the other based on statutory law, including the model penal code.

The Common Law Approach

In most states, this bit of common law developed over the first two centuries of America's history and came into existence when judges decided whether or not a third person was justified in using deadly force in the defense of others, under the legal concept of "standing in the shoes" of the person you are defending. This means if the people who you were defending were legally allowed to use deadly force to defend themselves, then it is legal for you, as well, to intervene with deadly force on their behalf, to save them from suffering great bodily injury or death.

In a real world scenario, the armed citizen needs to know enough about the situation in which they intend to intervene to understand whether the person they propose to protect has a legal right to use deadly force in self defense. In other words, if the intended victims had been armed and able to use deadly force to defend themselves, would their actions have been legally justifiable? For example, if you are shopping at the local suburban mall, and someone pulls out an AK-47 rifle from underneath his overcoat and starts shooting innocent people, you would be legally justified in shooting him to stop his murderous attack on the other shoppers.³ That response would be legal because it is never justifiable to shoot innocent people in a shopping mall, and so a decision to intervene is easily justified.

Let's change the scenario and suppose that you are walking down the street in an urban setting and you come across two people beating up a third person. All three are strangers to you. If you immediately intervene, perhaps by pointing your gun at the people you believe are assaulting the third individual, you might be found guilty of assault yourself, because you didn't really know enough about the situation to stand in the third person's shoes. Do you know if he started the fight? What if a knife is now hidden beneath his body, and moments before you stumbled upon the scene he had threatened the others—the people you are now

holding at gunpoint? Depending on locale, this would likely be prosecuted as a case of second degree assault or assault with a deadly weapon, because the guy



You could be arrested for assault with a deadly weapon after defending the wrong person.

on the ground who you thought was an innocent victim is actually the one who started the altercation. He does not have a right to use force in self defense under the initial aggressor rule, which we covered a bit earlier.

Under the Model Penal Code

Alternatively, many states have adopted the Model Penal Code as their guide to statutory law, and in these states, the right to defend others is simply predicated on what a reasonable person believed the situation to be, and what amount of force a reasonable person would employ. There, it is unlikely that you would be prosecuted for pointing your gun at the two, because you reasonably believed you were stopping an aggravated assault.

Intervening in situations containing unknown factors is complicated. When defending others, the best strategy is one that combines requirements from both common law and statutory law into a workable plan in which you intervene

only if it is legal for you to use deadly force if you stand in the shoes of the person you are defending and at the same time reasonably believe that the other person's life is in grave danger. Realistically, this means defending only your loved ones or other people about whom you know enough to be sure they are innocent, unless the situation entails an obviously heinous act, like a shopping mall mass murder.

As we close out this topic, let me emphasize that it behooves you to learn about the system of law under which your state operates. Knowledge is power, and when you decide to use a gun in defense of others, the more knowledge you have, the more likely you are to avoid mistakes.

Chapter 6

The Castle Doctrine and the Duty to Retreat

During the late 1990s and into the 21st century, a dramatic shift in U.S. self-defense law has occurred. Many states have passed laws permitting citizens to carry concealed handguns, as well as strengthening laws allowing use of deadly force in self defense. These include what are sometimes called “Castle Doctrine” laws and

“No Duty to Retreat” laws. In general, these laws state that a citizen has no duty to retreat from an altercation and if self-defense actions are warranted, citizens can stand their ground and defend themselves. Before this trend, common law in many states required retreat if it was possible without incurring further risk. Additionally, many states have and others are strengthening the right to defend against criminal attack inside one’s home. For example, in 2007, Texas passed what some call a “Castle Law,” which in part indicates that the homeowner may presume the use of deadly force is allowed in defense against anyone committing a burglary to an occupied dwelling.



Legislation about carrying guns for self defense, about shooting if threatened in your own home, and new laws clarifying issues about requirements to retreat if endangered in public are all positive changes for citizens who keep guns for self defense.

Additionally, some states have even written a provision into their statutory law that releases citizens from civil liability for acts committed in lawful self defense.

Of course, there are practical limits within each different law, so it is imperative that you, the gun owner, research and understand statutory law and case law as it pertains to your individual state. If you cannot do this by yourself, I recommend contacting an attorney who is knowledgeable on this subject and paying for an hour of his or her time to discuss these issues and their specific application within your own city and state.

Conclusion

Gun Owner Rights and Responsibilities

We live in interesting times! As I write this booklet, examples of the good and the bad trends affecting self-defense gun owners come to mind, and while both are from the state of Arizona, these are not the only ones I could mention.

In the spring of 2010, the governor of the State of Arizona signed a bill allowing law-abiding citizens to carry a concealed handgun for self defense without state licensure, unlike most other states which require a state-issued license to carry. Gun owners all across the U.S. applauded Arizona's enlightened stance toward guns for self defense.

This occurred not so long after the Coconino County Prosecutor's office prosecuted a retired school teacher, Harold Fish, for shooting an attacker, and a jury found Mr. Fish guilty of murder for what most people believe was a justifiable homicide. It was only after spending three years in prison, winning an appeal for a new trial, arguing prosecutorial misconduct among other things, that Mr. Fish was released from prison. A second trial was avoided when the prosecutor agreed not to pursue the matter. Mr. Fish incurred over a half a million dollars in legal fees for his defense, according to the website dedicated to this incident.⁴

In many jurisdictions, predicting whether a shooting will be considered self defense or a criminal act entails judging the political winds, and this is true not just in Arizona, but across the country.

If any aspect of an act of self defense brings into question whether or not the attackers possessed the elements of ability, opportunity and jeopardy, or if a shadow of a question about the reasonability of choosing to shoot exists, it opens the door to an unmeritorious prosecution. Though you were justified to shoot to prevent losing your life, you will now face a legal fire storm as the prosecution, judge and jury analyze your self-defense actions from the safety of the courtroom. As gun owners, if only for our own best interests in avoiding prosecution after legitimately defending ourselves, we owe it to ourselves to have a clear and complete understanding of the laws about self defense and the legal system that will enforce those laws.

With these facts in mind, the Armed Citizens' Legal Defense Network, LLC makes this booklet available free of charge to armed citizens across the country, hoping that the information contained herein will help them take the correct action when faced with a possible criminal attack. We invite the reader to join the Armed Citizens' Legal Defense Network, LLC to further protect their rights after a legitimate act of self defense.

Endnotes:

¹ *In The Gravest Extreme*, by Massad Ayoob, ISBN 978-0936279008

² Common law, also called case law, is created by judges when deciding individual disputes or cases. Thus, it is written into the judicial findings and is not published as is statutory law when a state's legislative body passes a law.

³ Tacoma (WA) Mall Shooting, Nov. 20, 2005

See http://en.wikipedia.org/wiki/Tacoma_Mall_shooting

⁴ <http://www.haroldfishdefense.org/>

A few words about the Armed Citizens' Legal Defense Network, LLC

This booklet is provided free of charge by the Armed Citizens' Legal Defense Network, LLC to increase knowledge among gun-owning Americans about the laws with which they will likely interact if they ever have to shoot in self defense.

Founded in 2008, the Network is a membership organization comprised of gun owners, firearms instructors and attorneys who are also gun owners. Awareness of cases in which citizens who legitimately used guns in self defense were prosecuted raises concerns among Network members that they, too, could be caught up by a relentless legal system so bent upon prosecuting any gun use that it cannot recognize victims who, with no remaining options, used a gun to prevent death or irreparable injury at the hands of a violent criminal.

Too often the gun owner lacks the financial resources for a vigorous legal defense, or may lack a clear understanding of their laws and legal system. These gun owners may make mistakes or fail to take actions to protect their legal rights during the aftermath of a self-defense shooting. Too often, they are bankrupted or even incarcerated during or following protracted litigation.

The Network takes steps to prevent such errors with educational initiatives like this booklet, as well as a series of educational DVDs sent to all Network members. A portion of membership dues funds a non-profit foundation in which monies are set aside for the defense of Network members. For further details, we invite you to read the information on the back cover of this booklet or visit the Network website at www.armedcitizensnetwork.org.

Do You Worry About the Aftermath of a Self-Defense Shooting?

The information in this booklet, provided by the Armed Citizens' Legal Defense Network, LLC introduces gun owners to legal realities of which they should be aware before trouble strikes.

The Network's mission is to prevent miscarriages of justice through—

- Educating members about the legalities of using deadly force for self defense and how to interact with the criminal justice system after a shooting.
- Providing an initial \$5,000 fee deposit to the member's attorney if the member has been involved in a self-defense incident—paid to get the legal defense immediately underway, with representation during questioning, and arranging for an independent investigation of the incident.
- Funding from a separate non-profit foundation to provide grants of financial assistance for members facing unmeritorious prosecution or civil action after a self-defense shooting.
- Publishing a monthly journal online with columns and features focused on topics of interest to armed citizens.
- Creating a nationwide network of attorneys and legal experts which the member can draw upon in the event of a self-defense shooting.

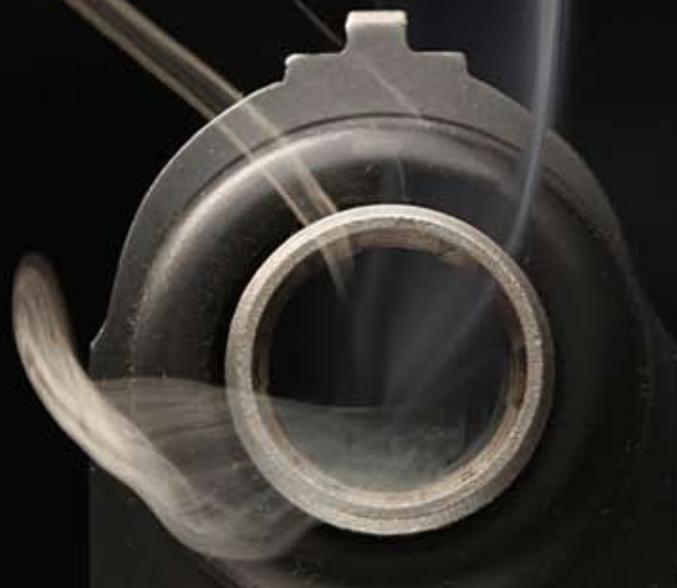
**If you possess a gun for defense of self and family,
we urge you to join the Network.**

For more information, visit www.armedcitizensnetwork.org, call 360-978-5200 or write to P. O. Box 400, Onalaska, WA 98570

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7 Proven Strategies to
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Because of the varying laws from state to state, the information in this publication is for general educational purposes only and should not be considered legal advice. Second Call Defense does not assume any responsibility for the use or misuse of information presented here. As a responsible gun owner, it is your responsibility to pursue additional study of the laws of your state related to firearms and self defense and seek the advice of a knowledgeable attorney for specific questions about the law.

**For more information about self defense and the law
and how to protect yourself legally and financially,
visit www.SecondCallDefense.org.**

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Which kind of gun owner are you? Are you prepared ... or in denial?

Introduction:

The Brutal Reality of Armed Self Defense in the Real World

If you think you're prepared for armed self defense just because you've seen it on TV and in the movies, you may be in for a horrible surprise.

It is almost NEVER like the movies. In the real world when your life is on the line, or your family is seconds from being killed, self defense is fast, brutal, and terrifying!

Imagine this ...

It's 3 a.m. You and your wife are asleep. Your children are down the hall. Suddenly, a loud crash wakes you up. You can't be sure, but it sounds like a window being broken downstairs.

Then you hear voices. Have a group of intruders entered your house? It sounds like they're moving through your home and coming closer.

Is this real? Can this really be happening?

You're still half asleep. And as the panic explodes in your brain, you fumble to open the drawer in the nightstand and grab a gun with shaking hands.

You want to wake your wife and secure your children. But seconds later, a dark figure appears at your bedroom door.

You can't breathe. It feels like your heart is leaping out of your chest.

There's no time to think. Your vision narrows. Your ears pound with the sound of your rapid heartbeat. The figure moves toward you.

It's like you're watching it all happen from across the room as you hear BANG BANG BANG!

Now your wife is screaming in terror. Your children run out of their room crying. The figure starts swinging his arms battering your face. There's something in his hand. A knife? Are you being stabbed? You can't see it. It's too dark. Everything is happening too fast.

You hear it again, seemingly from far away. BANG! BANG! BANG! BANG!
Now you can't see the figure. Where did he go?

You knock over a lamp trying to turn it on. The adrenaline is racing through your veins. You stumble out into the hallway and almost trip over the figure lying on the blood-stained floor.

How did he get out here? You didn't see him run. You were desperately trying to protect yourself and your family from a home invasion, right?

As your wife grabs the sobbing children, you pick up the phone. You don't know if the person you shot is dead or if others are still in your house.

That's when you begin to feel sick to your stomach.

You don't even remember dialing 911 when the operator suddenly says, "911. What is your emergency?"

Your mind is racing and you can barely hear yourself talk, so you scream into the phone, "I killed him! I think. I don't know. The man had no right to be here and he tried to stab me and I pulled the trigger when I saw him and he got just what he deserved because we were all asleep and it's not like I wanted to shoot him but it just happened so fast and I don't even remember ..."

The 911 operator tells you to calm down and tell her what happened. You're upset and don't know what you're saying. You also don't realize that every word you say in your alarmed state is being recorded when you look down at the still body at your feet and gasp, "Oh my God!"

The "man" who attacked you is actually a young boy. And he doesn't have a knife in his hand ... he's holding a broken cell phone. And while your vision begins to clear, you can see gun shot wounds in his back. You realize you shot him as he turned to run away!

You keep rambling on the 911 call, "I didn't mean to do that. That was an accident. I swear he had a knife. I saw it. Or something. I don't know. Oh my God what have I done. This was a mistake. The gun just went off."

Now what? You know you were attacked. You know you had no choice. But will the police see it that way? What will a grand jury think when they hear you say on the 911 call that you shot a boy by mistake. What will a prosecutor say in court when he presents evidence showing you shot an "innocent" young man armed only with a harmless cell phone, then chased him down and shot him in the back as he ran away?

He may even argue that the boy is the victim because he didn't even see you and he was just waving his arms to defend himself against an "unprovoked" attack.

You find out later, the boy is part of a gang of young criminals who rob homes for cash and guns, sometimes severely beating the homeowners. But the jury never hears that. Perhaps all they hear is that no one else was in the house and the voices you heard came from the boy's phone with the speaker turned up.

The red and blue lights of several police cars flicker through your windows.

What will you say? What should you NOT say? Will you be arrested? Is there an aggressive prosecutor in your area who doesn't like people owning guns? Can you afford a lawyer if charges are brought against you? What will happen to your family? Will the boy's family sue you for everything you own?

You feel completely alone and helpless. You survived the physical attack and protected yourself and your family, but how will you survive the aftermath? You're not even sure you did the right thing. You start to doubt yourself. Another wave of panic washes over you.

You're alive. But it's starting to feel like your life just ended.

Being “In the Right” Won't Always Keep You Out of Jail

If you're reading this, you're probably a gun owner. And you probably feel as we do that self defense is a natural right. Actually, few people would debate this general concept. It's been part of our culture and our laws for a long time.

However, there's a big difference between the general idea of defending yourself and the specific circumstances surrounding an act of self defense. In other words, while the law has always allowed for you to defend yourself, even with deadly force, determining whether you actually defended yourself legally or whether you acted inappropriately is where trouble awaits.

A lot can go wrong when you use a gun to defend yourself. Unlike Hollywood depictions of bad guys getting what they deserve and survivors living happily ever after, real life can get confusing. An attack happens fast. Your mind and body will go haywire. You have to make instant decisions based on limited information. And in your excited state, you can say and do things afterward that make you appear guilty of a crime even when you have acted legally.

It's not about what you do as much as what you can “prove” to authorities when they show up to investigate why there's a dead body on the ground. Evidence can appear to be contradictory or incomplete. And since it's unlikely that those evaluating your actions have ever experienced the terror or confusion of a life-or-death situation, they may have a hard time separating movie myth from real-world reality.

Bottom line, any time you use a gun to defend yourself, you run the risk of legal trouble. Self defense with a baseball bat seldom causes a problem. But self defense with a firearm presents a legal minefield because of the public's ignorance about firearms and the reality of violence and survival.

Is this the way it should be? No. But that's the reality and you need to be prepared for it.

5 Basic Ideas to Keep in Mind

Before we begin looking at the *7 Proven Strategies to Survive the Legal Aftermath of Armed Self Defense*, let's review some basic, but vital, concepts.

Death from self defense is still considered HOMICIDE!

It is illegal to shoot people. Whether you're in the right or not, this is the default position the law takes when considering the use of deadly force. And this is where the investigation begins when authorities show up at the scene. Even when the evidence is overwhelmingly clear and there can be no doubt whatsoever that you acted reasonably, it is up to you to prove an "affirmative" defense.

What is an affirmative defense?

In most legal cases, the burden of proof is on the state. A prosecutor must prove you are guilty of the crime of which you are accused. You don't have to prove anything.

To quote from Wikipedia:

In an affirmative defense, the defendant may concede that he committed the alleged acts, but he proves other facts which, under the law, either justify or excuse his otherwise wrongful actions, or otherwise overcome the plaintiff's claim. In criminal law, an affirmative defense is sometimes called a justification or excuse defense. Consequently, affirmative defenses limit or excuse a defendant's criminal culpability or civil liability.

A clear illustration of an affirmative defense is self defense. In its simplest form, a criminal defendant may be exonerated if he can demonstrate that he had an honest and reasonable belief that another's use of force was unlawful and that the defendant's conduct was necessary to protect himself.

In short, this means that when you defend yourself with a firearm, the burden of proof is on YOU. You admit that you committed homicide, but you must prove that the homicide was justifiable under the law.

There are many serious crimes you can be charged with.

Every situation is different, and if you are unable to mount an effective defense, the

resulting legal charge depends on the facts of your case. Potential charges and the punishment for each can include:

- Capital Murder – Life in prison without parole or death
- Murder – Life or up to 99 years in prison
- Manslaughter – Up to 20 years in prison
- Aggravated Assault with a Deadly Weapon – Up to 20 years in prison
- Deadly Conduct: Discharge of a Firearm – Up to 10 years in prison
- Criminally Negligent Homicide – Up to 2 years in state jail
- Deadly Conduct – Up to 1 year in county jail

You may have to defend yourself TWICE for the same crime.

There's one thing TV crime shows teach everyone about the law: you can be prosecuted only once for the same crime. Right? Wrong. There are TWO legal systems in the U.S. There's the Criminal System (the State vs. You) and the Civil System (Another vs. You).

So even if you survive a criminal trial, you can still be charged in a civil trial where, to put it bluntly, the purpose is to punish you financially. The burden of proof is much lower in a civil trial, so it's easier to get a judgment against you than in a criminal trial.

You must be prepared for both. Spending your life in prison is a terrible fate. But spending your life paying off a massive financial bill may not be much better, and it's a burden that can not only ruin your life, but the lives of your entire family for years or decades.

Answer honestly: Can you REALLY shoot someone?

That may sound like a ridiculous question. After all, that's the whole reason you bought a gun, or carry a gun, in the first place. You know the world can be a dangerous place and you want to be ready to defend yourself effectively.

However, mentally planning to shoot someone and actually shooting someone standing in front of you are two different things. There are many people who are simply not able to pull the trigger when that life-or-death moment arrives. Human beings are programmed to feel aversion to taking other human lives. And there are many documented cases where people have been armed but unable to shoot.

While we strongly believe that you have a right to use deadly force when someone is threatening your life, we also believe you should be willing to think about self defense realistically. If you just can't imagine pulling the trigger and watching someone's life fade away, read no further. Most of the information in this publication will not apply to you.

On the other hand, if in your heart, you know you have the will, perhaps even the

moral duty, to pull the trigger in order to protect yourself or your loved ones, even if that act may result in the death of another human being, read every page that follows. Because shooting someone could be the most grave decision you ever make and it carries with it heavy responsibilities and sometimes overwhelming consequences.

Strategy #1:

Be Sure You Understand Deadly Force & The Law

If you own or carry a firearm, you need to know what the law says about using deadly force. You don't have to be a lawyer, but you must at the very least understand the basics. The better you understand how the law views deadly force, the better you are able to act within the law and avoid legal complications.

Here is the accepted legal standard for justifiable deadly force:

Deadly force is justified only to prevent the imminent danger of death or great bodily harm.

This is a simple and direct definition, but to be sure you understand it, let's take a closer look.

What is Deadly Force?

According to the Merriam Webster dictionary, the word "deadly" means "causing or able to cause death." Synonyms include lethal, fatal, and mortal. However, in legal terms, the definition is more inclusive.

According to *Black's Law Dictionary*, deadly force is the force likely or intended to cause death or great harm.

In other words, deadly force doesn't exist only when a death actually occurs, it also exists when death or great bodily harm is likely or intended. Therefore, deadly weapons can include guns, knives, cars, rocks, hammers, fists, or nearly any object that can cause death or great bodily harm.

For gun owners, the important thing to understand is that a gun is always considered a deadly weapon. And any use of a gun in a self defense situation can be considered deadly force, whether you pull the trigger and shoot someone center mass, fire a warning shot into the ground, or merely brandish the weapon. Once a gun is involved, deadly force is involved.

In addition, deadly force can only be used when you are faced with deadly force, meaning force which can put you in danger of death or great bodily harm.

What is Great Bodily Harm?

Notice that our definition of justifiable use of deadly force refers not just to a situation where you are in danger of dying, but also a situation where you are in danger

of suffering “great bodily harm.” Some states define this in the law more clearly than others.

In layman’s terms, “great bodily harm” is a type of injury that is life-threatening or which causes permanent disfigurement or results in permanent disability. This may include being shot with a gun, stabbed with a knife, beaten with a baseball bat, or run over by a car.

It is impossible to list every possible object or force that could result in death or great bodily harm. And even if you provide examples, such as a hammer, which can clearly be used to beat someone to the point of disfigurement, disability, or death, this doesn’t mean a hammer is always considered deadly. Obviously, the specific circumstances must be considered.

What is “Imminent” Danger?

Let’s take another look at our definition for the justifiable use of deadly force:

Deadly force is justified only to prevent the imminent danger of death or great bodily harm.

We’ve defined deadly force and great bodily harm. But the tricky part of this sentence is the word “imminent.” Again, from *Black’s Law Dictionary*, imminent danger means, “immediate danger, such as must be instantly met, such as cannot be guarded against by calling for assistance from others or the protection of law.”

So at its simplest, this means that the danger is happening now. You have to deal with it immediately and you can’t avoid it. Of course, this can raise additional questions.

What if a man is waving a knife? Is the danger imminent? If the man is across the street, maybe no. If the man is young and you are old, maybe yes. Self defense in the real world can be confusing in the details.

To help clarify this, many legal experts rely on a test that includes 3 elements: Ability, Opportunity, and Jeopardy.

Ability – Did your attacker have the ability to cause death or great bodily harm? This usually means, did the attacker have a deadly weapon, such as a gun or knife. Use of deadly force against an unarmed attacker may also be justified, such as when you are faced with multiple attackers or a single attacker who is capable of causing you serious harm because of size, strength, or some other factor. However, as in the famous Trayvon Martin case, this can lead to a claim of “disparity of force” and make your defense more difficult.

Opportunity – Was your attacker close enough to carry out the attack? If the

attacker was unarmed, he would have to be within arm's length. If he had a weapon, he would have to be close enough to use the weapon against you. How close is close enough? It depends on the weapon, the circumstances, and what the jury or judge thinks about it. Opportunity also means the attack must be here and now. Thinking that someone may harm you at a future date or at another place is not a legally acceptable justification for using deadly force.

Jeopardy – Did the attacker intend to cause you harm? Was your life in jeopardy? Someone can have a gun and be standing right in front of you, such as a concealed weapons license holder, but have no intention of causing harm. On the other hand, someone can have a golf club 20 feet away from you and demonstrate the intent to cause harm through verbal threats or by moving toward you swinging the club. In the first, there is probably no jeopardy. In the second, there probably is. What it boils down to is this: Do you genuinely believe you are in immediate danger and is using deadly force the only means of ending the threat? Assuming you don't initiate the conflict, you don't have a duty to retreat, and you honestly believe you are in danger, your use of deadly force may be justified.

As you can see, even though this is more specific than "imminent," it still leaves room for differing opinions. This leads us to another simpler but related concept.

The "Reasonable Man" Standard

If someone comes at you firing a gun and screaming, "I'm going to kill you," it's clear that you're faced with the threat of death or great bodily harm and are almost certainly justified in using deadly force to stop the threat. However, if someone is walking toward you with a hammer, are you justified in using deadly force? While we could apply the Ability-Opportunity-Jeopardy test, ultimately the answer is, it depends on whether your actions are considered "reasonable."

While specific laws vary, it is generally accepted in every state in the U.S. that you have a right to defend yourself with deadly force. Whether you exercise this right legally is based on the "reasonable man" standard – would a reasonable person in the same situation be likely to use deadly force?

What is reasonable may depend on who you ask. One jury may think it's reasonable to shoot a guy swinging a baseball bat and another may not. So to some extent, you're at the mercy of the norms of your community. If they think they would act the same way you did, your actions are reasonable. If they think you went too far, your actions are not reasonable.

This is ultimately an unsatisfying state of affairs, but this is why using a firearm for self defense carries legal risk.

Castle Doctrine and Stand Your Ground

The George Zimmerman trial brought considerable attention to “Stand Your Ground” laws in many states, even though Zimmerman did not use this in his defense. It also revealed the widespread misunderstanding about these laws.

On the anti-gun side of the issue, people seem to think that Stand Your Ground means you can pretty much shoot anyone and get away with it. On the pro-gun side of the issue, people seem to think that while it’s not exactly a get-out-of-jail-free card, it radically changes self defense laws to favor the use of deadly force. Neither of these interpretations is accurate.

Stand Your Ground is really about eliminating the “duty to retreat,” which is a provision of the law in various states.

In its most literal form, the duty to retreat means that a person who is under an imminent threat of death or great bodily harm must retreat from the threat as much as possible before responding with force in self defense, if it can be done safely.

Stand Your Ground laws are a revocation of the duty to retreat. These laws generally state that, under certain circumstances, individuals can use force, including deadly force, to defend themselves without first considering whether they can retreat from the danger.

The purpose behind these laws is to remove any confusion about when individuals can defend themselves and to eliminate prosecutions of people who legitimately use self defense even though they do not attempt to retreat from the threat.

There’s another legal concept that adds to the confusion people have about Stand Your Ground and that is Castle Doctrine. Castle Doctrine laws are similar to Stand Your Ground laws, but differ in that they usually apply only to certain locations, such as your home, car, or office.

The political controversy over Stand Your Ground laws are blown out of proportion. Despite what many people claim, they do not encourage a shoot-first-ask-questions-later attitude, nor are they proven to result in more injuries and deaths. Once a victim believes he faces imminent threat of death or great bodily harm, Stand Your Ground laws do no more than allow people to protect themselves without worrying about whether they have retreated sufficiently before using force.

Keep in mind that the laws on self defense vary from state to state. “Stand Your Ground” is a loose descriptive term and not a specific law. In fact, the words “Stand Your Ground” may not be found in the law at all.

Exceptions to Justifiable Self Defense

When gun owners run afoul of the law, it's often because they don't know the rules or say or do something stupid because they're still suffering from the physical and psychological effects of a deadly force encounter.

However, there are also some specific exceptions to justifiable self defense.

Initial Aggressor – Once again, laws vary from state to state. However, in most cases, if you are the one who initiates violence, you risk losing the ability to argue self defense. If you throw the first punch, then later start losing the fight and pull a gun to defend yourself, you may be considered the bad guy. On the other hand, if you are the initial aggressor, retreat, make it known that you are ending your participation in the encounter, and then you are attacked, your right to self-defense once again exists.

Provocation – The law recognizes that people have emotions and one of those emotions is anger. So if you provoke someone to the point where they attack you, you might be justified in using deadly force, or you might not. In simple terms, when you poke the bear, no one is surprised when you get mauled. It's harder to argue that you're the innocent victim when you're insulting someone's mother.

Escalation – Anything you do that causes a bad situation to get worse can be held against you. For example, if someone is verbally threatening you and you respond with counter threats, you are escalating the situation. Escalation means you may be playing a part in creating a deadly force encounter.

Committing a Felony or Unlawful Act – The affirmative defense of self defense does not apply during the commission of a crime or illegal act. So if you are robbing a gas station, physically assaulting someone, or otherwise committing a crime, and in the process you are faced with a deadly threat, you will have a very difficult time arguing self defense. It depends on the facts of the case, but in general the law is not designed to protect criminals.

Mutual Combat – This is a legal term that refers to a fight both parties enter into willingly. Old-fashioned schoolyard fights or even duels would be considered mutual combat because the combatants would set a time and place to meet and settle the score. This also applies to boxing matches, mixed martial arts, wrestling, or any other type of combat.

Reengagements and Pursuit – Given the premise that justifiable use of deadly force must be something that is thrust upon you and not something you cause or seek out willingly, you can hurt your self defense argument if your attacker runs away and you then chase him in order to continue the conflict. Example: You shoot someone who breaks into your house, the invader runs out the front door, and you

chase him down the street, shooting at him as he runs.

There is a single idea that threads its way through all these exceptions. In legal terms, we would say that if one of these exceptions applies to you, you have lost the **“mantle of innocence.”** In any self defense situation, it is imperative that your actions are viewed as reasonable and necessary.

You want to wear the mantle of innocence like a halo so people look at you and think, “Poor guy. He had no choice but to pull the trigger.” Once you lose the mantle of innocence, your legal ordeal becomes an uphill battle.

Know the Self Defense Laws in Your State

They say that ignorance of the law is no excuse. And this applies to armed self defense in a big way. Whether your ignorance is voluntary (you just didn’t bother to learn laws readily available for study) or involuntary (you didn’t know because, for example, the law just passed and an ordinary person couldn’t be expected to know), it is your duty as a citizen to know the laws that apply to you.

You should know federal, state, and local laws. In general, it is state law that should most interest you since those are the criminal laws that would come into play in a self defense situation involving the use of a firearm.

Federal Laws:

Federal Firearms Regulations Reference Guide - downloadable pdf
<http://permanent.access.gpo.gov/lps41631/2005/p53004.pdf>

BATFE’s Answers To Frequently Asked Questions - downloadable pdf
<http://www.atf.gov/files/firearms/industry/0501-firearms-top-10-qas.pdf>

Guide to the Interstate Transportation of Firearms - interstate transportation laws
<http://www.nraila.org/gun-laws/articles/2010/guide-to-the-interstate-transportation.aspx>

State Laws:

State Gun Laws at a Glance - <http://www.nraila.org/gun-laws.aspx>

State-by-State Handgun Laws - <http://www.handgunlaw.us/>

The Traveler’s Guide to the Firearm Laws of the Fifty States - book available for purchase
<http://www.buckeyefirearms.org/2014-travelers-guide-firearm-laws-fifty-states>

BATFE’s State Laws and Published Ordinances (Firearms, 2010-2011) - details of state gun laws
<http://www.atf.gov/publications/firearms/state-laws/31st-edition/index.html>

Strategy #2:

Avoid Confrontation When Possible

In *The Art of War*, Sun Tzu observed, “The supreme art of war is to subdue the enemy without fighting.” That’s not only good advice for warfare, it’s good advice for self defense as well.

When it comes to justifiable use of deadly force, you should seek to avoid confrontation, unless you have no choice and your life is on the line. This is easier to say than to do because it requires that you be calm and peace-loving throughout your life, but ready to use with deadly force at any moment.

Here are some practical points that can help you avoid situations that can put you in both physical and legal peril.

Should you defend others?

There are some situations that can present ethical uncertainty. On one hand, it is our obligation to help our fellow citizens whenever they are in trouble. On the other hand, it can be difficult to assess a situation accurately in the heat of the moment.

If you see one man on top of another man throwing punches, should you intercede? How do you know who is the victim? Is the guy on top the bad guy? Or is he a victim turning the tables on his attacker? Is he a cop subduing a criminal? Or is this mutual combat where the two are both bad guys who got into a fight? Defending others takes you into very dangerous legal ground where an error in judgment can cost a life or rain down a legal nightmare on you.

Should you stop a crime in progress?

There is a thin line between being a good citizen and being a vigilante. The rule of thumb is to never get involved in any criminal activity unless you are threatened with death or great bodily harm. In most cases, you will do more good by reporting the crime to police and letting them handle it.

What about defense of property?

Is it legal to shoot someone who is attempting to take your car or big screen TV? In some places and in particular circumstances, it may be. But in most cases, it is not. Moreover, using deadly force and potentially taking a life just to protect an object is difficult to defend morally. Life should be taken only if life is being threatened. Objects can be replaced, lives cannot.

Are you aware of your surroundings?

Most people spend their lives in a perpetual state of distraction: daydreaming, fumbling with groceries, talking on the phone or texting, thinking about what they did

yesterday or plan to do tomorrow. This provides criminals a wide selection of potential victims, because bad guys almost always prefer surprise attacks.

Being aware isn't about living in fear or being paranoid 24-hours a day, eyes darting left to right, looking for attackers around every corner. It simply means maintaining a relaxed but active state of environmental perception. Who is around you? What is going on? What might happen? Where are your escape paths?

It's really just about paying attention and NOT being preoccupied. Attention is like a spotlight. When you shine it on one thing, that thing is easier to see while everything else is harder to see.

We might also say that situational awareness is about focus and what you choose to focus on at any given moment. Multi-tasking is a myth. While you might think you can focus on more than one thing at a time, your brain is really switching back and forth between the objects of your focus. So situational awareness is about making wise choices about where to focus your attention in different situations. The sooner you spot potential trouble, the more time and options you have to avoid a confrontation.

The 5 Stages of Violent Crime

Most people see violence as a random event. But actually, violent acts, and crimes in general, follow a fairly regular process. Since the ultimate form of self defense is avoiding a fight altogether, understanding the crime process and spotting the signs of potential violence can help you stay safe.

There are different ways to describe the process of violent crime, but one of the most popular was developed by Marc MacYoung. It is used by the police and military as well as firearm and self defense instructors.

This process is divided into 5 stages. The first 3 stages are where criminals "set up" the crime, which is where awareness can help you avoid a violent encounter. The last 2 stages involve the physical attack, which is where self defense techniques come into play.

- Stage 1: Intent
- Stage 2: Interview
- Stage 3: Positioning
- Stage 4: Attack
- Stage 5: Reaction

Let's take a brief look at each of these stages.

Stage 1: Intent

When a criminal commits a violent act, it is always a voluntary choice. Except for those who suffer from a severe mental illness, people don't just snap and suddenly start waving a knife at you. Even when a criminal appears to act on the spur of the moment, the act itself is always planned on some level, consciously or subconsciously.

In addition, there is always some level of mental and physical preparation. It may be putting on a loose sweatshirt to hide a weapon, a decision to take money from someone who appears an easy target, or just a wish to take out frustrations on someone because the criminal is having a bad day.

In most cases, this preparation creates "tells" that broadcast the intent. It could be obvious, such as keeping one or both hands hidden to grasp a weapon, or it could be very subtle, such as slightly more rapid breathing or eyes scanning people as they walk by.

It's important to be aware of your surroundings and listen to your gut when it tells you that something doesn't look or feel right about a person or situation.

Stage 2: Interview

The interview is a test to assess whether you're a good victim. It's called an "interview" because in many cases, it's actually verbal communication with you.

For example, the criminal might ask you a question, such as "Hey man, you got the time?" or "Can you spare a couple dollars?" How you respond provides a lot of information. How firm or weak is your voice? Do you make direct eye contact or do you look at the ground? Does your body language suggest assurance or fear? Do you look strong or weak?

The criminal is looking for someone who will provide little or no resistance and poses no threat. Even if there is no verbal communication, you could be telegraphing what sort of victim you might be just by how you're dressed, how you walk, your size and posture, and your level of awareness.

You don't have to be a 6' 5" Navy Seal with bulging muscles and a steely gaze to deter criminals and "fail" the interview. But you're less likely to be chosen if you appear to be in good health, self assured, and aware of your surroundings. To take it up a notch, see the 45-minute National Geographic video on our website about projecting an alpha male aura:

<http://www.secondcalldefense.org/self-defense-news/how-deter-criminals-projecting-alpha-male-aura>

Stage 3: Positioning

Assuming the criminal has the intent to commit a violent act and has identified one or more potential victims, the next stage is to get into a position to launch the attack.

While you might think of criminals as morons, and in most cases you'd be pretty close to the truth, never underestimate the "street smarts" of those who routinely commit violent acts. Tactical positioning is something they understand and you probably don't, which gives them a big advantage.

Positioning involves several elements, including how close the criminal can get to you before you realize what's happening, whether you have an escape route, how many people are nearby who might render aid or call the police, etc. What the criminal is aiming for is to get up close and surprise you at a moment when you can't easily escape or effectively resist. He doesn't want a fight. He wants to overwhelm you.

Stage 4: Attack

At this stage, the criminal has chosen you as a victim and has made the decision to get what he wants from you. This could be a verbal attack or a physical attack or a combination.

For example, the criminal may yell at you aggressively to hand over your wallet. Or the criminal may throw a sucker punch to disorient you and gain immediate compliance for surrendering your wallet. Or the criminal may draw a knife threatening to stab you unless you give him your wallet. You'll never know what kind of attack is coming until it happens.

In the first 3 stages, you have a chance to avoid the conflict. But once you are the victim of an attack, you must focus on self defense and make a fast decision about how you will respond. Your response options range from trying to run away to drawing a weapon to stop the attack. Since every situation is different, only you can make this decision.

Plus, if you're properly aware of what is going on, you should be assessing the criminal just as he is assessing you up to the point of the attack. How much of a threat is he? Do you have reason to believe he is armed? Is he alone or does he have help nearby? How committed is he to doing you harm?

Stage 5: Reaction

This stage is about how the criminal reacts to the attack and to your response. Does he get a thrill from the attack? Does he escalate his violence when you resist? Does he retreat when he gets what he wants or does he want to prolong the situation?

Just as you won't know what sort of attack is coming, you won't know how the criminal will react once the attack is launched. You can't know what is going on in someone else's head, so this is where a simple mugging could turn into a murder or rape. You need to be prepared to respond effectively to both the attack and to how the attack develops.

While there is much more to know about violent attacks, for now, just realize that

crime is a process and is almost never random. As a crime is developing, you have a chance to spot the signals and avoid the violence. This is always your goal: to win the fight by seeing it before it happens and avoiding it before it starts.

Strategy #3:

Beware the “Excited Utterance”

One of the most important concepts to understand in the laws of evidence is what legal experts refer to as the “excited utterance.”

An excited utterance is a statement made in response to a shocking event. It is an exception to the hearsay rule and is admissible as evidence against you. Why? The theory is that because it is spontaneous, unplanned, and made while still under the stress of excitement from the event, it is more reliable than a statement made at a later time when you’ve had a chance to think about what happened.

While there’s nothing wrong with this in theory, in practice, excited utterances can be big trouble. That’s because while you might be honest in a moment of extreme stress, you may also say things that you don’t mean to say.

No matter how prepared you think you might be to defend yourself, a life or death situation is like nothing you have ever experienced. It can cause extreme physical effects after a self defense shooting related to the “fight or flight” response hard-wired into your brain to aid in survival.

Your body will release a massive dose of adrenaline to give you the strength and willpower to fight and survive. But like any chemical, it also has negative side effects, including time distortion, tunnel vision, hearing loss, and emotional detachment. Even after you survive an attack, your body and mind will suffer from the effects of this dose of adrenaline for hours. You can experience nausea and vomiting, exhaustion, and the urge to pace, yell, or babble rapidly.

So in the minutes and hours after using your firearm to defend yourself, your body and mind will work against you. You will be unable to remember or describe what happened accurately. You will do things you would not ordinarily do and say things you do not mean to say.

And unfortunately, this is the same time you will deal with law enforcement. This is the time when you are likely to say or do something that can set the tone for the investigation that follows. For example, in the moments after you have survived a brutal attack where you thought you might die, you might say, “I can’t believe I just shot someone. I’m so sorry. I didn’t mean to shoot him.”

You may be simply expressing the shock that anyone might feel at having just shot someone. You could be honestly upset, wishing that you hadn’t been put in that difficult situation. Perhaps you are trying to convey the idea that you really didn’t want to shoot anyone, but you were forced to.

However, someone hearing your words might misinterpret what you're saying and think you're expressing regret for doing something wrong. They might hear you saying that you acted hastily and irresponsibly.

So the excited utterance is a two-edged sword. It may be an honest statement, but the meaning of the statement could be highly questionable. This is one reason why we recommend that you say as little as possible in the immediate aftermath of a self defense shooting.

Two points to keep in mind about excited utterances:

First, while the idea of keeping your mouth shut makes perfect sense to you as you sit calmly reading this, you need to remember that you won't be thinking so clearly at the moment when you need to understand this principle. In a high-stress, post-shooting situation, you may feel an overwhelming urge to talk. Your brain chemistry will be out-of-balance and you may not be able to make good decisions.

Second, law enforcement knows perfectly well that in a moment of stress you could say virtually anything. That's why when an officer is involved in a shooting, it is often department policy to shield the officer for several days. The officer is put on leave and not required to make any statements until he is in his right mind and has had a chance to speak with his attorney and carefully consider his statement. This is common sense, but it is a privilege not extended to the general public.

In summary, beware the excited utterance. No matter how badly you want to talk after a self defense shooting, the legal risk far outweighs any benefit.

Use 4-square Breathing to Calm Down

This technique goes by a variety of names, including square breathing, box breathing, 4-part breathing, and so on. And the details may vary depending on who is teaching you. However, the idea is always the same: slow your breathing to combat the effects of the body's fight-or-flight response.

Here's how it works:

- Breathe in slowly through your nose for a count of 4.
- Hold your breath for a count of 4.
- Breathe out through your mouth for a count of 4.
- Hold for a count of 4.

When you breathe in, relax your chest and breathe with your diaphragm. Your belly should move, not your chest. This will help you take air deeply into your lungs. It may also help to close your eyes, but do this only if you are sure the immediate danger is over.

This technique is not magic. Don't expect it to completely reverse the effects you'll feel after a shooting. It can, however, help you relax enough to think more clearly, make better decisions, and remember your training before you call 911 and while you talk to authorities.

Most importantly, it can help you to avoid "diarrhea of the mouth," and do what most competent attorneys would advise in a situation like this: SHUT UP.

If you've had the foresight to become a member of Second Call Defense before a life-or-death encounter, you'll be able to call our Emergency Legal Hotline, and a staff attorney will remind you about how to do this breathing technique. But it's wise to practice in advance. Try it anytime you're stressed.

Strategy #4:

Call 911 with a Singular Purpose

As we just discussed in Strategy #3, the authorities can use an “excited utterance” as evidence against you. And that applies not just to when you’re talking to police on the scene, but also to when you’re speaking to a 911 operator. This is likely to be your first contact with authorities, and may be just minutes, even seconds, after you have survived a life-or-death encounter with a bad guy.

In your adrenaline-charged mental state, you might say or do things that give police the wrong impression or create unnecessary legal problems. Chances are that if you’re going to say something stupid, it’s going to be on that phone call.

You have no legal obligation to call 911. However, as a law-abiding citizen, it’s your duty to notify law enforcement if you’re forced to defend yourself with a firearm. So we DO recommend that you make the call. NOT making the call, or delaying it too long, could be seen as an attempt to evade authorities or a means to give you time to tamper with evidence.

And not only do you want to call 911 when a shooting occurs, you want to be the *first* person to call. While it’s not part of any official rule book, there’s a standing assumption that the first call is usually from the “victim” not the perpetrator. So you are enhancing your “mantle of innocence” when you report the incident first.

If the person you shot, one of his friends, or a bystander makes the first call, the initial report may work against you. “Some guy just pulled out a gun and shot me!” If this happens, police will be responding to a shooting with the shooter at large, armed, and dangerous. This is never a situation you want to be in.

Here are some things you need to know about dealing wisely with the most important phone call you will ever make.

911 calls are recorded – even when you’re on hold.

If you remember nothing else, remember this. Every word you say, every sound you make, every noise in the background, anything said by others near your phone, all of it will be recorded. The recording starts the moment the operator picks up the phone and does not end until the connection is broken.

And one big secret that most people don’t realize is that even if the operator puts you on “hold,” you are STILL BEING RECORDED! Any private remark you make to your spouse, friend, the person you shot, or anyone will end up on that recording.

Moreover, these are not old-fashioned reel-to-reel “tapes,” these are digital record-

ings that are part of an emergency response system that will capture the phone conversation plus display the caller's name and address and log the exact time and duration of the call. Depending on the technology available, other information may also be available to the operator or dispatcher, including GPS coordinates. Recordings are archived for reference and evidence.

All of this is a good thing if you need help. But it can work against you if you say the wrong thing. Also, recorded calls give an incomplete picture of what is happening. People can listen to the recording and try to visualize the events they're hearing, but every person's imagination will fill in the blanks differently.

911 operators are trained to keep you talking.

The modern 911 system is not part of a plot to trick you into legal blunders. It's designed to dispatch emergency personnel to assist you in a moment of dire need. But there are two sides to every coin. The good things about 911 come with potentially bad consequences.

In particular, the operators are trained to keep you on the phone and keep you talking. They do this because they want to gather as much information as possible in an effort to help responders deal quickly and effectively with the situation. But the system does not take into account your mental state or your legal rights. It's a system set up to help you, but can end up doing you great harm.

This is the beginning of the case against you.

Because a 911 call may be the earliest report of a shooting and because of the "excited utterance" legal exception to the hearsay rule, you can expect authorities to carefully examine every bit of information from your call. All of it can be used against you. The operator can even be compelled to testify against you.

This means that when your finger touches those three numbers, 9-1-1, on your phone's keypad, you are initiating the investigation into your self defense shooting. And when you hear the operator say, "911. What is your emergency?" the words you say in response can set the tone for how the rest of your life will play out.

So when you pick up the phone to dial 911, don't think of it as reporting an event. For your own legal protection, think of it as *a request for authorities to investigate a homicide for which you are responsible!*

911 operators have no legal authority.

Let's clear up a major myth about 911 operators. They are NOT law enforcement. They are employees trained to take calls and dispatch police, fire, and medical first responders. They cannot order you to do anything. You have no legal obligation to answer their questions or obey their instructions.

In the George Zimmerman case, the mainstream media gave people the impres-

sion that Zimmerman “disobeyed” a direct order from police when the 911 operator suggested he should stay in his truck. While it’s true that he would have avoided the entire incident if he had never gotten out of the truck, he didn’t break a law or violate any regulation. The operator simply had no authority to order Zimmerman to do or not do anything.

We mean no insult to 911 operators, many of whom do a great job and bring help to countless citizens every year. However, the fact remains that 911 operators are NOT police, have NO legal authority, and you are NOT obligated to do anything they say.

STOP. Breath. Collect your thoughts.

We’ve talked about the physical and psychological effects adrenaline can have on you. We’ve discussed how this can cause you to say and do things that lead to legal trouble. And we’ve pointed out how the 911 call is actually the beginning of a police investigation. So this is a good time to remind you that it’s wise to take a moment to calm yourself before making the most important call of your life.

Use 4-square breathing or any other relaxation technique you prefer. You can’t spend a lot of time on this, especially if you want to bring medical help as soon as possible for the person you’ve shot or perhaps even for you or your family. However, calling in a panic won’t necessarily speed up response. You need to come down off the adrenaline rush at least enough to think clearly and speak carefully.

Call 911 with a specific and limited agenda.

Your call has one purpose and one purpose only: to summon help. You’re calling to report an incident and bring responders to the scene. That’s it. You have no other objectives.

You should not make a statement, offer a reason for the shooting, plead your case, express your sorrow, or seek assurance that you did the right thing. The more you talk, the more likely you are to say something you shouldn’t say. And since you’re being recorded, every extra word increases your odds of incriminating yourself.

You should speak as calmly and clearly as you can and not allow yourself to get pulled into a drawn-out conversation about details. It’s possible the operator may need you to repeat your name, address, or other facts. So you should be cooperative in clarifying this information.

However, once you have accomplished your objectives, hang up. Don’t ask to hang up, just hang up. Your next call should be to your lawyer or to Second Call Defense if you’re a member.

The Essentials of Your 911 Call

Let's now get down to brass tacks. Here is the specific information you should share with the 911 operator:

- Your full name
- Street address you are calling from
- Very brief description of what happened
- Request for ambulance and police
- Your location at the address
- Description of yourself

So your phone call would go like this:

Operator: 911. What is your emergency?

You: Operator, my name is <your name>. I'm at <street address>. I was attacked and feared for my life. There has been a shooting. Send an ambulance and the police. I'll be <your location at the address>. I'm <physical description> and I'm wearing <description of your clothing>.

Let's say you're a white man with a wife and two kids. The call would sound like this:

Operator, my name is Sam Smith. I'm at my home at 123 Main Street. I was attacked and feared for my life. There has been a shooting. Send an ambulance and police. I'll be standing at the front door with my wife. My children have gone next door to our neighbor's home. I'm a white male, 6 feet tall with glasses and brown hair. I'm wearing blue jeans and a green t-shirt.

End the call. As we discussed previously, the operator may need you to repeat the address or ask for your phone number, but you should avoid providing any details about the incident. If you need to, explain that you are upset, feel sick, and need to hang up.

Strategy #5:

Don't Make a Stupid "Heat of the Moment" Mistake

By now you should know that when it comes to armed self defense, it's usually not the shooting itself that trips you up legally. More often than not, it's what you do afterward that gets you in hot water.

Assuming you have made your 911 call, kept it brief, and limited your information to the essentials we gave you, your second call should be to arrange legal representation. While you may be absolutely certain that you have done nothing wrong, you need representation anyway. This isn't about being right or wrong, it's about avoiding mistakes and protecting your rights.

Ideally, you will be able to call a competent attorney nearby who has experience dealing with criminal cases and knows the laws related to firearms and self defense. Assuming you don't get voice mail (few attorneys answer outside of business hours) and you have money for a retainer, your attorney will advise you to say nothing and assert your 5th Amendment rights until he or she can meet with you personally and take on your case.

Note for Second Call Defense Members Only:

As a member of Second Call Defense, you don't have to worry about arranging legal representation at a moment when you're upset, confused, and scared. Your membership benefits operate as a ready-to-go plan that you can activate with one phone call.

The Second Call Defense Emergency Legal Hotline is a private number printed on your membership card. This hotline is manned by an experienced criminal defense attorney 24-hours-a-day, 7-days-a-week, including all holidays. You can call from any location in the United States plus U.S. Territories for immediate assistance.

Explain what happened. The Second Call Defense Attorney will help you interact with police. If necessary, you can hand the phone to police and the attorney can speak with them directly. This means you do not have to deal with police alone. We will be there with you to guide and advise.

In addition, we will immediately notify your emergency contacts, arrange for legal representation in the jurisdiction of the shooting, wire an attorney retainer, set up a bail bond if necessary, and take care of any other details.

Apart from calling the emergency number, there is nothing for you to remember, do, or worry about. Everything will be done for you immediately the moment you call us and we will continue to assist throughout the entire process until you are released, found not guilty, or charges are dropped.

How to deal with police on the scene

Just as calling 911 takes a certain amount of emotional control and discipline in order to avoid saying too much or saying the wrong thing, such is the case when speaking to responding police. The rule of thumb is be courteous and cooperative, but limit your comments to the bare minimum.

Here's what you should say when speaking to police:

- Officer, this person attacked me.
- I will sign the complaint.
- Here is the evidence (whatever tool the assailant used to attack you).
- These are the witnesses (if there are any).
- You will have my full cooperation within 24 hours after I meet with my attorney. Until then, I wish to assert my 5th Amendment right and remain silent.

Every self defense situation is different. It is impossible to predict how local authorities will react to your particular situation. However, you should mentally and emotionally prepare to be arrested and taken to jail. In some jurisdictions, the police will arrest anyone who shoots another person regardless of the circumstances. So don't be surprised or alarmed if this happens.

Once a police officer makes the decision to arrest you, there is nothing you can say to avoid going to jail. Don't argue. Don't try to plead your case. Just SHUT UP! Cooperate fully with all police commands, but say nothing more about the attack.

10 Stupid Mistakes to Avoid

NEVER do anything in a panic. This is easy to say, but hard to do when you're jazzed up on adrenaline and you're not thinking clearly. You may assume that only other people panic, but that's your ego talking. When your body chemistry is messed up, even the toughest tough guys can do foolish things. Just as you go through your day assuming an attack might happen at any time, you should also assume that you'll experience some level of panic immediately after a shooting. Expect it. Prepare for it. Deal with it. Don't say or do anything while you're "out of your mind." Breath. Calm down. Regain control.

NEVER leave the scene. Unless you're in danger, stay put. You may feel an over-

whelming need to seek out friends or family or run away, but don't. That could be misinterpreted as fleeing the scene which could give the appearance of guilt.

NEVER move or tamper with evidence. It's natural to want to "tidy up," especially if you're in your home. In fact, this is one of the many psychological reactions you can have in a high-stress situation. Fight this urge. Touch nothing. If there are others nearby, make sure they do the same. Any unnecessary touching or moving of things in or around the scene will be viewed by authorities as tampering with evidence and could make them assume you're trying to hide something or interfere with their investigation.

NEVER have your gun in your hand when the police arrive. Police may be responding to a "man with a gun" or "shots fired" call and won't know who's the good guy and who's the bad guy. They will view anyone holding a gun as a threat and will deal with you as such. In short, re-holster your gun or set it down if you don't want to get shot.

NEVER make a statement to police before you talk to your lawyer. We've said it before, but it's so important we want to keep repeating it. Police have a job to do and you need to be cooperative, but in the moments after a shooting a cop's job and your job are not the same. Apart from following the tips we shared with you earlier, you don't want to say anything else. Just assert your 5th Amendment rights and shut up. You don't want to say too much because anything you say will be used against you.

NEVER fall for good cop / bad cop. You think you're too smart to fall for this technique, but you're not. Police have been using it for a long time and it works! You'll be upset and you'll want to talk, especially to anyone who appears sympathetic. Law enforcement officers are not necessarily your enemy, but they're not your friend either. Shut up. Talk to your lawyer before you make any official statement to police.

NEVER try your case on the spot. Police have more than one way to get you to talk. Aside from good cop / bad cop, they might challenge your use of deadly force. You'll want to argue your case, but don't. Again, shut up. You're not a lawyer and you're not in a courtroom, not yet anyway. There is nothing you can say to a police officer that will "get you off the hook." There is no hurry to make a statement. It can wait.

NEVER lecture police on the law or your rights. One of the worst things you can do is get belligerent or act superior. Police are human beings and will react like anyone else if you challenge their authority, belittle their intelligence, or talk down to them. No matter what police say, even if they say or do something you believe to be incorrect, this isn't the time to get into a debate.

NEVER fail to say "sir" or "ma'am." Most police are good, decent people who have a difficult job. Treat them with respect. Phrases such as "yes sir" and "no sir"

will go a long way toward showing responding officers that you are the respectable, upstanding citizen you know yourself to be.

NEVER be surprised if you're treated like a criminal. It's best to assume that you will be handcuffed, placed prone on the ground, locked in the back of a cruiser, or even jailed. It takes time to sort out the truth of any shooting, and police are likely to do any or all of these things. Don't take it personally. Don't resist or argue. Cooperate fully and just let it all happen.

Strategy #6:

VERBALLY Assert Your 5th Amendment Rights

By now, you should have a pretty good idea about how to interact with police immediately after a self defense shooting. You need to inform police you have been the victim of a crime, avoid making a statement to anyone, invoke your rights, and get legal representation immediately.

However, let's dig just a little deeper into how the 5th Amendment comes into play during a police investigation. You need to understand the Miranda warning police read to you and why "taking the fifth" is more than refusing to speak.

What the Miranda warning means to you

The Miranda warning, sometimes referred to as your "Miranda Rights," is a warning police give to criminal suspects after they are taken into custody.

The purpose of the Miranda warning depends on whether you are the law enforcement officer or the suspect. From a suspect's point of view, it is to remind you that you have a 5th Amendment right to remain silent and not incriminate yourself. From an officer's point of view, it is to help preserve the admissibility of your statements in a criminal proceeding.

As we repeatedly tell our members, the police are not necessarily your enemy. But after a self defense shooting, they are not your friend either. So what you say can have serious consequences.

The exact wording of the Miranda warning differs from place to place. Every jurisdiction has its own rules on what an officer must say to you when you have been arrested or taken into custody. However, here are the typical elements:

- You have the right to remain silent.
- Anything you say or do may be used against you in a court of law.
- You have the right to consult an attorney before speaking to the police and to have an attorney present during questioning now or in the future.
- If you cannot afford an attorney, one will be appointed for you before any questioning, if you wish.
- If you decide to answer any questions now, without an attorney present, you will still have the right to stop answering at any time until you talk to an attorney.
- Knowing and understanding your rights as I have explained them to you, are you willing to answer my questions without an attorney present?

This seems pretty straightforward, but like most legal issues, it is not. There are plenty of variations and exceptions depending on the situation. While we could try to explain this in detail, we think it's best to keep things simple. After all, you're not a lawyer. And in the minutes and hours after a self defense shooting, you're likely to be confused and unable to make sound decisions.

In layman's terms, you should assume that if an officer is reading you a Miranda warning, it's likely that you are suspected of doing something illegal and that police will be paying very close attention to what you say and do from that point forward. Your words and actions could become part of the evidence used to convict you of whatever you are suspected of doing.

You don't have to talk if you choose not to. And you can hold off speaking to police until after you've spoken to a lawyer. This doesn't mean you just stand there in total silence, but you should avoid saying anything more than the bare minimum. Remember the "script" we suggested in Strategy #5:

- Officer, this person attacked me.
- I will sign the complaint.
- Here is the evidence (whatever tool the assailant used to attack you).
- These are the witnesses (if there are any).
- You will have my full cooperation within 24 hours after I meet with my attorney. Until then, I wish to assert my 5th Amendment right and remain silent.

However, considering the amount of adrenaline pumping through your veins at this moment, even saying this could backfire if you start babbling about being attacked and pointing out evidence.

In short, the Miranda warning is just that, a WARNING. You could be in trouble so don't start talking and make it worse. When in doubt, shut up. Even if you're desperately wanting to talk, shut up anyway. There is very little, if anything, you can say that will help you. Most of what you say could hurt you.

So, what does the Miranda warning mean to you? SHUT UP!

Avoiding the New 5th Amendment Trap

We've been telling you over and over that you need to shut up. But something happened not long ago that makes shutting up a little more risky from a legal point of view.

The Supreme Court ruled in *Salinas v. Texas* (2013) that your silence can be used against you.

As we have just seen, once you are arrested, the police are required to read you the Miranda warning which advises you of your 5th Amendment rights: You have the right to remain silent, anything you say or do may be used against you in a court of law, and so on.

This case asked the question, what about remaining silent before you are arrested? The defendant, Salinas, had not been under arrest when police started questioning him. At some point in the questioning, he just stopped talking.

The Supreme Court said that since Salinas had not invoked his 5th Amendment protections, the police could use his silence against him.

In his dissenting opinion, Justice Stephen Breyer says this:

I would hold that Salinas need not have expressly invoked the Fifth Amendment. The context was that of a criminal investigation. Police told Salinas that and made clear that he was a suspect. His interrogation took place at the police station. Salinas was not represented by counsel. The relevant question—about whether the shotgun from Salinas' home would incriminate him—amounted to a switch in subject matter. And it was obvious that the new question sought to ferret out whether Salinas was guilty of murder.

We agree. As citizens, we should not be required to invoke a right in order to enjoy its protection. But regardless of what we think, the ruling is what it is. And it's just one more reason to know your rights and exercise them intelligently.

You can invoke the 5th Amendment at any time and should do so, even before arrested. And you must do so VERBALLY. You have to say the words outloud to police: "Officer, I invoke my 5th Amendment right to remain silent."

Strategy #7:

Be Prepared for Law Enforcement to Do Their Job

When we talk about protecting yourself legally in a criminal investigation, it's easy to get the wrong idea about our attitude toward law enforcement.

For the record, we are 100% pro police. We count police officers as some of our very best friends, and quite a few of our members are current or retired officers. In fact, our membership protects law enforcement, military members, and security personnel while off-duty. Serving in law enforcement is a calling. It's a high-stress, high-risk job that asks too much and pays too little.

Our advice isn't meant to make you think cops are the enemy, but just to make sure you understand that they are not your friend either. They have a tough job to do and it is imperative that you are realistic about what will happen when police arrive at the scene. All they know is that someone has been shot and you are the shooter. It's their job to figure out what happened and take the appropriate action.

The Reid Interrogation Technique

If you've ever been involved in a traffic accident with another driver, you know that responding police have one primary task: to assign blame. One way or another, either you or the other driver is going to get nailed for the accident.

Shooting investigations are similar. Once police show up, their task is to find someone who is most likely to be guilty of a crime and gather evidence to prove it.

This is fine as long as the police investigate someone who has done something wrong. But when you have justifiably used a firearm to defend yourself, and the police suspect you of wrongdoing, you're in for a terrible experience.

One thing investigators are trained to do is ask questions, and one of the most popular ways to do this is with the "Reid Technique." This is a multi-part method to gather facts, including a 9-step interrogation designed to pressure you into revealing information that could be used against you in a court of law.

The investigating officer first performs a "factual analysis" to eliminate improbable suspects and determine who is most likely to be guilty of a crime.

Next comes the "behavior analysis interview" which includes a question and answer session. In addition to simple questions, the officer also asks questions intended to

provoke reactions that can be interpreted as truth or deception.

Finally, there's the "interrogation." This is referred to as an "accusatory process" because the investigator tells you there is no doubt about your guilt and tries to make you believe he or she understands why you did what you're accused of doing. It's not so much a series of questions as it is a monologue by the investigator.

Here's how this process is summarized on Wikipedia:

The actual demeanor of the investigator during the course of an interrogation is ideally understanding, patient, and non-demeaning. His or her goal is to make the suspect progressively more and more comfortable with acknowledging the presumed truth about what they are alleged to have done. This is accomplished by the investigators' first imagining and then offering the subject various psychological constructs as justification for their behavior.

The first admission of guilt is usually obtained by asking the alternative question "Did you plan this out or did it just happen on the spur of the moment?" This technique uses language that contains the unspoken, implicit assumption of guilt. A famous version of this trick is, "Ma'am, have you stopped embezzling money from the bank yet?" The person under interrogation must catch the hidden assumption and contest it to avoid the trap. Otherwise, once the subject confesses to the proposed scenario, then active persuasion stops and the interrogator attempts to develop from the subject corroborating information that can be used to shore up the credibility of the confession. Critics regard this strategy as hazardous, arguing that it is subject to confirmation bias (likely to reinforce inaccurate beliefs or assumptions) and may lead to prematurely narrowing an investigation.

Nine steps of interrogation

The Reid technique's nine steps of interrogation are:

Step 1 - Direct Confrontation. Lead the suspect to understand that the evidence has led the police to the individual as a suspect. Offer the person an early opportunity to explain why the offense took place.

Step 2 - Try to shift the blame away from the suspect to some other person or set of circumstances that prompted the suspect to commit the crime. That is, develop themes containing reasons that will justify or excuse the crime. Themes may be developed or changed to find one to which the accused is most responsive.

Step 3 - Try to discourage the suspect from denying his guilt. Reid training video: "If you've let him talk and say the words 'I didn't do it'[...]the more dif-

difficult it is to get a confession.”

Step 4 - At this point, the accused will often give a reason why he or she did not or could not commit the crime. Try to use this to move towards the confession.

Step 5 - Reinforce sincerity to ensure that the suspect is receptive.

Step 6 - The suspect will become quieter and listen. Move the theme discussion towards offering alternatives. If the suspect cries at this point, infer guilt.

Step 7 - Pose the “alternative question,” giving two choices for what happened; one more socially acceptable than the other. The suspect is expected to choose the easier option but whichever alternative the suspect chooses, guilt is admitted. There is always a third option which is to maintain that they did not commit the crime.

Step 8 - Lead the suspect to repeat the admission of guilt in front of witnesses and develop corroborating information to establish the validity of the confession.

Step 9 - Document the suspect’s admission or confession and have him or her prepare a recorded statement (audio, video or written).

As you can see, this is less about finding truth than it is about using psychological manipulation to get a confession. As with good cop / bad cop, it may look obvious as you read this in the relative calm of your home or workplace, remember that after a shooting you will be in a state of shock. You will experience a swirl of intense emotions and physical effects that will prevent you from thinking clearly for hours, even days.

Police use the Reid Technique because they know how vulnerable you are and will take full advantage of this to assign blame and “get their man.”

Again, this is what the police are supposed to do. Their motives are good. However, in self defense shootings, innocent people often fall victim to aggressive investigative techniques like this. Even if you don’t give a confession, you could be manipulated into saying enough to give a prosecutor evidence to convict you.

Knowing what the police are doing can help you avoid this trap. But, as always, our advice remains the same. Don’t try to outsmart the police, just shut up. Assert your 5th Amendment right of remaining silent and talk to legal counsel before talking to the police.

5 Self Defense Myths That Can Land You in Jail

They say that ignorance of the law is no defense. But it's usually not what you don't know that gets gun owners in trouble, it's what you *think* you know that can get you cuffed and thrown behind bars. Unfortunately, many gun owners are seriously misinformed or even in complete denial when it comes to the realities of using a firearm for self defense and how police will deal with them.

We talk to thousands of gun owners each year. While many understand the legal risks of self defense, the misinformation some people assume to be fact is both sad and astonishing.

Myth #1: Police arrest only bad guys.

Sounds good. But that's idealism, not realism. Good guys get in trouble all the time. You can see someone fall down choking, render aid, then get sued because the guy died or lived and sustained injuries. "Good Guy" is not a sound defense.

Gun owners are in denial in many ways, but this is probably the most common. It seems so commonsense to think that if you honestly believe your life is in danger and you abide by the law to defend yourself, you won't end up being treated as the bad guy. But that's not the way the world works. You know you're the good guy, but authorities don't. Witnesses don't. Prosecutors don't.

It boils down to this: if you're realistic enough to understand that sometimes bad things happen to good people in one situation (like being physically attacked), then you should be able to understand that sometimes bad things happen to good people in another situation (like being legally attacked).

And just as it's wise to prepare to defend yourself against the first, it's equally wise to prepare to defend yourself against the second. A physical threat is usually over in a few seconds. A legal threat can dog you and your entire family for years, even for a lifetime.

Myth #2: The police are your friend.

We've said it before. Law enforcement officers are not your enemy, but they're not your friend either. Their job is to respond to the scene of a possible crime, assign blame, and present evidence to a prosecutor.

You must try to see your situation from their point of view. They deal with crime every day. They see people do bad things then lie about their actions. There comes a time when law enforcement officers have seen so much crime and have been lied to so much, they start doubting everybody, especially when guns are involved.

Use a baseball bat to defend yourself and you face almost no legal peril. Use a gun in the exact same situation, and you're in the middle of a homicide investigation.

Myth #3: Stand Your Ground is a “get-out-of-jail-free card.”

The press has done a terrible job explaining what Castle Doctrine, Stand Your Ground, and similar laws really do for you. If all you do is read your local newspaper, you'd think once Castle Doctrine becomes law in your state, you're free to shoot bad guys at your leisure and have nothing to worry about when law enforcement shows up.

In reality, Castle Doctrine is little more than a traditional concept in common law that says you have a right to defend your home and yourself. The actual legal details differ from state to state. And the “fact pattern” in every case is different.

While it may be true that Castle Doctrine laws give authorities a way to think about armed self defense, it's not a get-out-of-jail-free card nor will it prevent police from arresting you, subjecting you to an intense interrogation, or recommending charges be brought against you. In some areas of the country, every gun-related case is automatically brought before a grand jury as part of a routine investigation.

Myth #4: Brandishing, shooting to wound, and warning shots help you avoid trouble with police.

This is another example of how TV and movies warp reality. In the la-la land of fiction, good guys avoid killing people with make-my-day threats, trick shots to hit a hand or knee, and shots into the air or ground to scare off bad guys. And the police react by patting the good guys on the back for their quick thinkin' and fine shootin'.

Of course, real life is not like the movies. And police don't pat anyone on the back for pulling a trigger. Brandishing can escalate a situation and can be considered a threat of deadly force. Shooting to wound and warning shots can be considered attempted murder. A good rule of thumb to avoid legal trouble is this: a gun should only be used when there's no other choice, and it should come out of the holster only when your life is in danger and you are ready to shoot center mass.

Myth #5: Insurance will pay off while police investigate a “legal” shooting.

Have you actually read your insurance policy? Have you asked your insurance agent specifically if it covers you if you shoot someone on purpose? Police investigations and insurance policies mix about as well as oil and water.

Most homeowner liability policies contain a provision that excludes coverage for injury or damage intentionally caused by the insured. This is sometimes called the “intentional injury exclusion.” A few policies include language for a “reasonable force” exception for “bodily injury resulting from the use of reasonable force to protect persons or property.” But this protects you only for “liability” claims in a civil case after you're acquitted or charges are dismissed.

The truth is, when police investigate a potential crime, insurance agents scurry. The money you were counting on for legal bills won't appear. And you're all alone.

Case Study:

The Sad Story of Jay Rodney Lewis

In the preceding pages, we've shared a lot of information with you to help you understand the risks you face when you use a gun to defend yourself. And we've tried to impress on you the importance of knowing the law and having legal help readily available to protect your rights.

To help this sink in, let's look at a real-life case involving a gun owner who found himself in a bad situation, did what he thought was necessary to survive, but ended up being crushed by the legal system.

His name is Jay Rodney Lewis.

Lewis is a Kansas native who moved to West Des Moines, Iowa for a new job. A former security guard and law enforcement officer, Lewis is also a hunter and gun collector with a permit to carry a concealed weapon.

His troubles began one night as he was driving home and had a traffic accident with another man and a car full of his buddies. As Lewis was checking his car for damage, the angry driver and one of his friends came at him.

Lewis called 911. You could hear him telling the two "just stay where you are. Get back! Get back! I'm going to start shooting!" Then, "Get away from me. Get away from me!" Bang.

The evidence seemed overwhelming that it was self defense. The other driver was a felon with multiple convictions and had a blood-alcohol level of 0.189 when tested at the hospital that night. But Des Moines police arrested Lewis for failing to back off and avoid the gunplay. He was charged with two counts of intimidation with a dangerous weapon and one of going armed with intent.

Lewis was asked to post \$225,000 cash for bail. Unfortunately, Lewis earned only \$32,359 a year and just didn't have the money. Plus because he couldn't afford a good lawyer, he relied on a busy public defender. So he sat in jail.

Meanwhile, his apartment complex evicted him because of the arrest and posted a notice on Lewis' door, which he never saw because he was in jail. And since his relatives were in Kansas, there was no one to help him or inform him or his lawyer what was about to happen next.

When the eviction date arrived, the evicting deputy entered Lewis' home and seized four handguns, three rifles, and a shotgun that had been left in the apartment. And

all his clothing and furniture were removed from the apartment and dumped on the curb. Not surprisingly, everything he owned disappeared, stolen by neighbors or hauled away by the sanitation department. This included a laptop containing the only copy of his fourth novel (a western).

“That was several decades of my life that got flushed down the toilet,” Lewis said. “I had a beautiful flat-screen TV. It’s now in somebody else’s living room. ... For a while there, every time I turned around it was like, can it possibly get any worse?”

Prosecutors eventually dropped most of the charges. His trial on the sole remaining count, reckless use of a firearm causing injury, resulted in jurors finding that Lewis acted appropriately in defending himself.

So Lewis was found not-guilty. But that wasn’t much comfort because his life had already been turned upside down. He spent 112 days in jail, lost his job and all his possessions, and found himself literally homeless and penniless. All because someone *thought* he committed a crime and he didn’t have the resources to afford a lawyer or bail.

It’s a sad story, but not an unusual one. It happens all the time to decent men and women who use a firearm in self defense.

Which kind of gun owner are you? Are you prepared ... or in denial?

As a gun owner or someone who carries open or concealed, you've probably talked to people who were in denial about the realities of self defense.

Think about some of the things they say when the topic of violence and using a gun to defend yourself comes up in the conversation ...

"That can't happen to me. That's the sort of thing that only happens in bad neighborhoods. If you don't go looking for trouble, everything will be okay. And even if someone did attack me, I'd just call the police."

That's pretty serious denial, isn't it? These are the same sort of people you see on TV after a shooting or violent event who cry, "This was a complete surprise. Who would have thought it could happen here?"

Denial kills. It renders people helpless in the face of evil. Why? Because, to paraphrase a famous movie, "They can't handle the truth."

But you're not like them, are you? You look at the world around you and clearly see things for what they are. And you act like a mature, responsible adult when it comes to protecting yourself and your loved ones. You don't want to hurt anyone, but you've prepared yourself to do whatever it takes to react swiftly and aggressively if you are ever in fear of death or great bodily harm.

So as a mature, responsible adult, shouldn't you also be willing to clearly see the legal dangers that accompany a self defense shooting? Shouldn't you be prepared to do whatever it takes to react swiftly and aggressively if you are ever in fear of legal or financial danger?

In today's world, you MUST be prepared to defend yourself TWICE! First against the physical threat and second against the legal threat. If you own or carry a firearm, you're prepared for the first ... but are you prepared for the second?

Earlier in this publication, we suggested that you should ask yourself whether you could really shoot someone. What was your answer? Are you prepared to take a life to defend your life? If your answer is yes, then you're the kind of person who sees the world clearly and is prepared to survive a physical attack.

And that means you're also the kind of person who should be prepared to survive a legal or financial attack.

What is Second Call Defense all about?

We started Second Call Defense for one very simple reason: we are all gun owners and concealed carry license holders and we wanted protection for ourselves.

We were familiar with the horror stories of innocent gun owners subjected to devastating legal consequences after using a firearm in self defense. And we didn't want to become one of those stories. So we started looking at our options. Frankly, there wasn't anything available that met our needs.

Insurance?

We looked at homeowner and umbrella liability policies from many insurance companies. Most flatly refuse to cover a shooting. Some claim to offer liability coverage, but the policy language is sketchy and it's hard to get any clear answers to specific questions about guns and self defense. Insurance companies just aren't comfortable with firearms, and most agents can't promise what is or is not covered.

The only credible insurance policy out there is the NRA Endorsed Insurance Program administered by Lockton Affinity, LLC. It is specifically written for self defense with a firearm. It's a top-notch insurance product underwritten by Lloyds of London, which is why it became one of the many benefits we include in our membership program. However, like all insurance policies, it cannot provide any financial support upfront for criminal matters.

Pre-paid legal?

There are law firms all over the country that have been hopping on the bandwagon to offer protection for gun owners. You send them a monthly or annual fee and they promise to defend you after a defensive gun usage.

Most claim that there are no limits on their defense, but we've seen the confidential contracts some of these firms ask their "network lawyers" to sign which do, in fact, put strict limits on how much time and money can be spent on defense. And many of these firms won't cover bail, civil damages, accidents, expert witnesses, wage compensation, and other expenses.

Illegal "risk pooling"?

Some organizations promising to protect gun owners may be breaking the law. When there's no insurance backing, and when it's not a law firm selling their services as a "subscription," the organization may be hoping to pay for financial aid to members based on fees collected. That's called "risk pooling," and unless they are an insurance company, it could be illegal. Be cautious and check the details to be sure.

Bottom line, we found no options that offered us the sort of comprehensive and realistic legal and financial protection we wanted. So ... we decided to create it ourselves. And that was the beginning of Second Call Defense.

Immediate Trigger to Trial Protection

It took us several years to work out all the details, but in the end, we created what amounts to a complete and ready-to-go plan, including legal and financial benefits that spring into action immediately.

We wanted to be realistic. We knew that if we were ever involved in a shooting, we would be upset and it would be difficult to think straight. There would be great risk for saying or doing something stupid that could get us in big trouble. So we wanted the process to be simple.

As simple as making a phone call. And that call would be all that was needed to start a process to get an attorney to defend our rights, immediate cash to pay for bail, notification for our friends and family, and everything else that we might need. And it would all happen automatically without having to remember anything except to make that call.

We settled on the name **Second Call Defense** because you really need to make two calls: the first to 911 and the next to an Emergency Legal Hotline that would be manned 24-hours-a-day, 365-days-a-year, including holidays ... not just manned by an operator but by a real lawyer.

And we wanted even more. We demanded that Second Call Defense offer ...

- Immediate, real-time protection after you pull the trigger. No delays. No red tape. Protection that starts RIGHT NOW when you call the Emergency Legal Hotline.
- No out-of-pocket costs. No hidden expenses. No charging up a credit card or borrowing money from savings or family. IMMEDIATE up-front money for attorney retainer, bond, and more right when you need it.
- Protection in all 50 states and U.S. Territories anywhere and everywhere it's legal to have a gun even when traveling or on vacation. Because who knows where you'll be when you have to defend yourself?
- Coverage for all legal firearms, including handguns, rifles, and shotguns. We carry, but why have protection for just one kind of gun? If you're attacked, you have to use whatever gun is available.
- Coverage for off-duty law enforcement and non-deployed military. They are generally protected when they're on the job, but too many of our finest men and women are legally naked when the uniform comes off.
- No membership requirements other than residence in the U.S. No CCW permit. No NRA membership. No hoops to jump through. If you're a United States resident, you qualify. Period.

Member Benefits

So what benefits do we include when you join Second Call Defense? Everything we wanted for ourselves ...

Insurance Protection – *backed by the NRA Endorsed Insurance Program, administered by Lockton Affinity, LLC*

- UNLIMITED Civil Suit Defense Protection for all membership levels above “Basic”
- Up to \$250,000 Civil Suit Damages Protection
- Up to \$250,000 Accidental Shooting Protection
- Up to \$100,000 Criminal Defense Protection

Financial Support – *up-front money, no out-of-pocket costs, nothing to repay*

- Up to \$25,000 Immediate Cash for a Bond up to \$250,000
- Up to \$10,000 Immediate Attorney Retainer
- Up to \$2,000 Aftermath Cleanup
- Up to \$500/day Compensation While in Court

Rapid Response Team – *immediate real-time assistance by legal defense experts*

- 24/7 Emergency Legal Hotline
- Personal Crisis Manager
- Nationwide Attorney Network Access
- Local Attorney Referral within 24 Hours
- Emergency Contact Notification
- Expert Witness Coordination
- Gun Retrieval or Replacement
- Up to 40 Sessions of Psychological Support
- On-Site Assistance

Training & Education – *expert information on legally exercising your Second Amendment rights*

- Member Newsletter
- Self Defense News
- Online Training

Who is behind Second Call Defense?

The people behind Second Call Defense include Second Amendment advocates who have been fighting for gun owner rights for decades, including leaders from Buckeye Firearms Association in Ohio, NRA Board members, attorneys who specialize in guns and self defense, and hundreds of firearm instructors in nearly every state.



Sean Maloney - Sean is a Defense Attorney and member of the National Association of Criminal Defense Lawyers who practices exclusively in all areas of firearm-related law, including 2nd Amendment Rights, criminal firearm-related defense, Federal NICS Appeals, and Federal and State restoration of Gun Rights, and has appeared as an expert witness in civil lawsuits related to firearms. He is a multi-discipline Certified NRA Instructor, NRA Golden Eagle Benefactor Life Member, NRA-ILA EVC, NRA Board of Directors Member, and Leader with Buckeye Firearms Association.



George Lang - George is the grandson of a Cuban immigrant, a lifelong conservative and political activist, and a philanthropist and business owner. He's also an NRA Lifetime Endowment Member, Special Deputy for the Butler County Sheriff's Office, Concealed Handgun License Holder, and West Chester Township Trustee.



Bill Marquet - Bill is a successful entrepreneur with over 35 years experience in business and marketing. He's a staunch Second Amendment supporter, has been a gun enthusiast and collector for over 50 years, and is a long-standing member of the NRA and Ohio Gun Collectors Association.



Dean Rieck - Dean is a veteran direct marketing consultant who has worked with over 300 clients in the U.S., Canada, and Australia, including many in the Fortune 500. He is also an NRA Life Member, Top Ten NRA Recruiter, award-winning competitive shooter, and the Executive Director Buckeye Firearms Association.

*As a responsible gun owner, you need to be **TOTALLY PREPARED** with ...*

The most comprehensive protection for armed self defense in America!

We hope this guide has helped you understand the risks and responsibilities of using a gun for self defense. If you remember nothing else, remember this ...

As an American citizen, you have the God-given right to defend yourself and your loved ones. But in today's mixed-up world, the moment you pull the trigger, you're at risk for devastating legal consequences. You can be arrested, jailed, sued, fired, and bankrupted, even when you have legally and justifiably used a gun in self defense.

If you own or carry a firearm, you've already taken the first step to defend yourself. Now it's time to take the second step and JOIN SECOND CALL DEFENSE.

Join today and you'll enjoy peace of mind knowing that fellow Second Amendment advocates stand by 24-hours-a-day, ready to defend you. You will have immediate legal and financial protection at your fingertips the very moment you pull the trigger.

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To get your First Month Free use this Special Offer Code:

SURVIVE

*Enter this code on the enrollment form online or tell the phone operator.
You will receive a check to reimburse you for your first month's membership fee.*

JOIN OUR TEAM! If you are a firearm instructor, gun store owner, range safety officer, or anyone who regularly comes into contact with gun owners, you may be qualified to become a Second Call Defense Recruiter. Visit our website and ask us how: www.SecondCallDefense.org.

**In the Circuit Court of the State of Oregon
For Multnomah County**

Court Nbr 16-CR-41718 DA 2343964-1
Crime Report PP 16-218154

MCJRP ELIGIBLE

Indictment for Violation of

ORS 166.220 (1,3,5,7,9,11,13,15,17,19)
ORS 163.190 (2,4,6,8,10,12,14,16,18,20)
ORS 166.025 (21)

FILED

AUG 04 2016

Circuit Courts
Multnomah County, Oregon

Verified Correct Copy of Original 8/4/2016

STATE OF OREGON

Plaintiff,

v.

MICHAEL AARON STRICKLAND
DOB: [REDACTED]

Defendant(s).

The above-named defendant(s) are accused by the Grand Jury of Multnomah County, State of Oregon, by this indictment of crime(s) of COUNT 1,3,5,7,9,11,13,15,17,19 - UNLAWFUL USE OF A WEAPON WITH A FIREARM, COUNT 2,4,6,8,10,12,14,16,18,20 - MENACING, COUNT 21 - DISORDERLY CONDUCT IN THE SECOND DEGREE, committed as follows:

COUNT 1

UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), MICHAEL AARON STRICKLAND, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a balding male wearing a black shirt and dark pants, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 2

MENACING

The said Defendant(s), MICHAEL AARON STRICKLAND, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a balding male wearing a black shirt and dark pants, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 3

UNLAWFUL USE OF A WEAPON WITH A FIREARM

16CR41718
IN
Indictment
6436304



Verified Correct Copy of Original 8/4/2016. The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a male wearing a black hooded top and dark pants with a blue backpack, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 4
MENACING

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a male wearing a black hooded top and dark pants with a blue backpack, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 5
UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a male with dark hair, black shirt, and tan pants wearing a scarf around his neck, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 6
MENACING

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a male with dark hair, black shirt, and tan pants wearing a scarf around his neck, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 7
UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a male with a large video camera and backpack with the words LiveU on the back, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 8
MENACING

Verified Correct Copy of Original 8/4/2016.

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a male with a large video camera and backpack with the words LiveU on the back, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 9

UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a female with a black top, black skirt, and black cloth over her mouth, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 10

MENACING

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a female with a black top, black skirt, and black cloth over her mouth, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 11

UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a male with a green top, dark backpack, and white mask on his face, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 12

MENACING

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a male with a green top, dark backpack, and white mask on his face, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 13

UNLAWFUL USE OF A WEAPON WITH A FIREARM

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The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a male wearing jeans, a dark top, a backpack, a green cloth on his face, and a multicolor mask on top of his head, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 14
MENACING

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a male wearing jeans, a dark top, a backpack, a green cloth on his face, and a multicolor mask on top of his head, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 15
UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a male wearing tan pants, a blue jacket, and a red shirt, holding an orange bottle, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 16
MENACING

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a male wearing tan pants, a blue jacket, and a red shirt, holding an orange bottle, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 17
UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a female with dark hair, black top, and black pants, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 18
MENACING

Verified Correct Copy of Original 8/4/2016.

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a female with dark hair, black top, and black pants, in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 19

UNLAWFUL USE OF A WEAPON WITH A FIREARM

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully attempt to use, carry with intent to use and possess with intent to use unlawfully against another person, to wit: a male wearing a blue hooded top, dark pants, and a black messenger bag, a firearm, a dangerous and deadly weapon, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

The state further alleges that during the commission of this felony, the defendant(s) used and threatened the use of a firearm.

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 20
MENACING

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to place another person, to wit: a male wearing a blue hooded top, dark pants, and a black messenger bag in fear of imminent serious physical injury, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

COUNT 21
DISORDERLY CONDUCT IN THE SECOND DEGREE

Verified Correct Copy of Original 8/4/2016.

The said Defendant(s), **MICHAEL AARON STRICKLAND**, on or about July 07, 2016, in the County of Multnomah, State of Oregon, did unlawfully and recklessly create a risk of public inconvenience, annoyance and alarm, by engaging in fighting and violent, tumultuous and threatening behavior, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

This count is a part of the same act or transaction as the conduct alleged in the other counts of this charging instrument. This count is of the same and similar character as the conduct alleged in the other counts of this charging instrument.

Dated at Portland, Oregon, in the county aforesaid, on AUGUST 03, 2016.



A TRUE BILL

Stephen Kent

/S/ Stephen Kent
Foreperson of the Grand Jury

ROD UNDERHILL (883246)
District Attorney
Multnomah County, Oregon

By *[Signature]* Deputy

Security Amount (Def - STRICKLAND) **Bail increased to \$250,000 by Judge Bottomly on July 08, 2016.**

AFFIRMATIVE DECLARATION

The District Attorney hereby affirmatively declares for the record, as required by ORS 161 566, upon the date scheduled for the first appearance of the defendant, and before the court asks under ORS 135 020 how the defendant pleads to the charge(s), the State's intention that any misdemeanor charged herein proceed as a misdemeanor KATHARINE MOLINA OSB 123989 //klw

Pursuant to 2005 Or Laws ch 463 sections 1 to 7, 20(1) and 21 to 23, the State hereby provides written notice of the State's intention to rely at sentencing on enhancement facts for any statutory ground for the imposition of consecutive sentences codified under ORS 137.123 on these counts or to any other sentence which has been previously imposed or is simultaneously imposed upon this defendant

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
	Plaintiff,)
v.	)	No. 17-C-02989-7 SEA
)	
ELIZABETH JOY HOKOANA,)	
	Defendant.)
	)	MOTION, FINDING OF PROBABLE
	)	CAUSE AND ORDER DIRECTING
	)	ISSUANCE OF SUMMONS OR
	)	WARRANT AND FIXING BAIL

The plaintiff, having informed the court that it is filing herein an Information charging the defendant with the crime(s) of **Assault In The First Degree**, now moves the court pursuant to CrR 2.2(a) for a determination of probable cause and an order directing the issuance of a summons or warrant for the arrest of the defendant, and

fixing the bail of the defendant in the amount of \$50,000.00, cash or approved surety bond.

directing the issuance of a summons.

In connection with this motion, the plaintiff offers the following incorporated materials: The University of Washington Police Department certification or affidavit for determination of probable cause; the University of Washington Police Department suspect identification data; and the prosecutor's summary in support of order directing issuance of summons or order fixing bail and/or conditions of release.

If the defendant is not in custody, the plaintiff has attempted to ascertain the defendant's current address by searching the District Court Information System database, the driver's license

MOTION, FINDING OF PROBABLE CAUSE AND ORDER DIRECTING ISSUANCE OF SUMMONS OR WARRANT AND FIXING BAIL - 1

Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
W554 King County Courthouse
516 Third Avenue
Seattle, WA 98104-2385
(206) 296-9000 FAX (206) 296-0955

1 and identicard database maintained by the Department of Licenses, and the database maintained
2 by the Department of Corrections listing persons incarcerated and under supervision.

3 DANIEL T. SATTERBERG, Prosecuting Attorney

4 By:

5 

6 Mary H. Barbosa, WSBA #28187
Senior Deputy Prosecuting Attorney

7 FINDING OF PROBABLE CAUSE AND ORDER FOR ARREST WARRANT

8 The court finds that probable cause exists to believe that the above-named defendant
9 committed an offense or offenses charged in the information herein based upon the police agency
certification/affidavit of probable cause incorporated and pursuant to CrR 2.2(a).

10 IT IS ORDERED that the Clerk of this Court issue a summons or warrant of arrest for the
11 above-named defendant; and

12 IT IS FURTHER ORDERED that

13 the bail of the defendant be fixed in the amount of \$50,000.00,
cash or approved surety bond.

14 a summons shall be issued; if the defendant is incarcerated on
15 the investigation charge herein the defendant shall be released from
custody.

16 Additional Conditions: _____
17 _____
18 _____

19 IT IS FURTHER ORDERED that the defendant be advised of the amount of bail fixed by
20 the court and/or conditions of his or her release, and of his or her right to request a bail reduction.
Service of the warrant by telegraph or teletype is authorized.

21 SIGNED this _____ day of April, 2017.

22 _____
JUDGE

23 MOTION, FINDING OF PROBABLE CAUSE AND
ORDER DIRECTING ISSUANCE OF SUMMONS OR
WARRANT AND FIXING BAIL - 2

Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
W554 King County Courthouse
516 Third Avenue
Seattle, WA 98104-2385
(206) 296-9000 FAX (206) 296-0955

1 Presented by:

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3

4 Mary H. Barbosa, WSBA #28187
5 Senior Deputy Prosecuting Attorney
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MOTION, FINDING OF PROBABLE CAUSE AND
ORDER DIRECTING ISSUANCE OF SUMMONS OR
WARRANT AND FIXING BAIL - 3

Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
)	
)	Plaintiff,
)	
v.	)	No. 17-C-02990-1 SEA
)	
MARC K HOKOANA,)	
)	
	)	MOTION, FINDING OF PROBABLE
	)	CAUSE AND ORDER DIRECTING
	)	ISSUANCE OF SUMMONS OR
	)	WARRANT AND FIXING BAIL
)	

The plaintiff, having informed the court that it is filing herein an Information charging the defendant with the crime(s) of **Assault In The Third Degree**, now moves the court pursuant to CrR 2.2(a) for a determination of probable cause and an order directing the issuance of a summons or warrant for the arrest of the defendant, and

- fixing the bail of the defendant in the amount of \$50,000.00, cash or approved surety bond.
- directing the issuance of a summons.

In connection with this motion, the plaintiff offers the following incorporated materials: The University of Washington Police Department certification or affidavit for determination of probable cause; the University of Washington Police Department suspect identification data; and the prosecutor's summary in support of order directing issuance of summons or order fixing bail and/or conditions of release.

If the defendant is not in custody, the plaintiff has attempted to ascertain the defendant's current address by searching the District Court Information System database, the driver's license

MOTION, FINDING OF PROBABLE CAUSE AND ORDER DIRECTING ISSUANCE OF SUMMONS OR WARRANT AND FIXING BAIL - 1

Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
W554 King County Courthouse
516 Third Avenue
Seattle, WA 98104-2385
(206) 296-9000 FAX (206) 296-0955

1 and identicard database maintained by the Department of Licenses, and the database maintained
2 by the Department of Corrections listing persons incarcerated and under supervision.

3 DANIEL T. SATTERBERG, Prosecuting Attorney

4 By:

5 

6 Mary H. Barbosa, WSBA #28187
Senior Deputy Prosecuting Attorney

7 FINDING OF PROBABLE CAUSE AND ORDER FOR ARREST WARRANT

8 The court finds that probable cause exists to believe that the above-named defendant
9 committed an offense or offenses charged in the information herein based upon the police agency
certification/affidavit of probable cause incorporated and pursuant to CrR 2.2(a).

10 IT IS ORDERED that the Clerk of this Court issue a summons or warrant of arrest for the
11 above-named defendant; and

12 IT IS FURTHER ORDERED that

13 the bail of the defendant be fixed in the amount of \$50,000.00,
cash or approved surety bond.

14 a summons shall be issued; if the defendant is incarcerated on
15 the investigation charge herein the defendant shall be released from
custody.

16 Additional Conditions: _____
17 _____
18 _____

19 IT IS FURTHER ORDERED that the defendant be advised of the amount of bail fixed by
20 the court and/or conditions of his or her release, and of his or her right to request a bail reduction.
Service of the warrant by telegraph or teletype is authorized.

21 SIGNED this _____ day of April, 2017.

22 _____
JUDGE

23 MOTION, FINDING OF PROBABLE CAUSE AND
ORDER DIRECTING ISSUANCE OF SUMMONS OR
WARRANT AND FIXING BAIL - 2

Daniel T. Satterberg, Prosecuting Attorney
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1 Presented by:

2 
3

4 Mary H. Barbosa, WSBA #28187
5 Senior Deputy Prosecuting Attorney
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MOTION, FINDING OF PROBABLE CAUSE AND
ORDER DIRECTING ISSUANCE OF SUMMONS OR
WARRANT AND FIXING BAIL - 3

Daniel T. Satterberg, Prosecuting Attorney
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(206) 296-9000 FAX (206) 296-0955

1 by means of a weapon or other instrument or thing likely to produce bodily harm, to-wit: OC
2 Pepper Spray;

3 Contrary to RCW 9A.36.031(1)(d), and against the peace and dignity of the State of
4 Washington.

5 DANIEL T. SATTERBERG
6 Prosecuting Attorney

7 
8 By: Mary H. Barbosa, WSBA #28187
9 Senior Deputy Prosecuting Attorney
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2 CAUSE NO. 17-C-02989-7 SEA
3 17-C-02990-1 SEA

4 PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
5 CONDITIONS OF RELEASE

6 The State incorporates by reference the Certification for Determination of Probable
7 Cause prepared by Lieutenant Douglas Schulz of the University of Washington Police
8 Department for case number 2017-00002186.

9 The State requests bail set in the amount of \$50,000.00 for each defendant, pursuant to
10 CrR 2.2 because they are likely to commit a violent offense. The defendants have no criminal
11 history and are employed. However, this shooting was not an impulsive act done in a moment of
12 fear. The evidence presented in the Certification for Determination of Probable Cause
13 demonstrates that the defendants went to the event at the UW campus with the intent to provoke
14 altercations with protesters who they knew would also be at this controversial event. The
15 defendants created a situation designed to allow Elizabeth Hokoana to shoot the victim in the
16 middle of an extremely crowded event under the guise of defending herself or her husband. The
17 degree of planning involved in this crime demonstrates the danger that these defendants present
18 to the community and justifies the State's request for bail.

19 Additionally, the State requests that both defendants be prohibited from having any
20 contact with the victim in this case.

21 Finally, RCW 9.41.040 provides that it is a crime to possess or have in one's control a
22 firearm while on bond or personal recognizance pending trial or sentencing for a serious offense.
23 Elizabeth Hokoana is charged with a serious offense as defined in RCW 9.41.010. The State
24 requests that both defendants be prohibited from possessing firearms as a condition of release.

Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 1

Daniel T. Satterberg, Prosecuting Attorney
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Seattle, WA 98104-2385
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Signed and dated by me this 24th day of April, 2017.



Mary H. Barbosa, WSBA #28187
Senior Deputy Prosecuting Attorney

University of Washington Police Department

CAUSE NO. _____

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

That D. Schulz is a(n) Lieutenant with the University of Washington Police Department and has reviewed the investigation conducted in University of Washington Police Department Case Number 17-002186.

There is probable cause to believe that HOKOANA, Elizabeth Joy DOB:102087 committed the crime(s) of Assault 1, RCW 9A.36.011.

This belief is predicated on the following facts and circumstances:

The following incident occurred within the City of Seattle, County of King and State of Washington.

On January 20, 2017, the inauguration day for President Trump, Milo Yiannopoulos was scheduled to talk in Kane Hall on the University of Washington campus. Mr. Yiannopoulos was a controversial speaker and protests were anticipated. The talk was scheduled to start at 1930 hours. Prior to the event, a line of individuals attending the event was established in Red Square. Numerous individuals were also present in Red Square to protest the talk. A large number of police officers from the University of Washington Police Department, Seattle Police Department and a King County Sheriff's Deputy were providing security for the event. During the interaction between the attendees and protestors several disturbances and fights occurred that evening separate from this incident.

At approximately 2025 hours' officers were alerted to a shooting victim within the crowd. Bicycle officers from the Seattle Police Department were able to find and circle the victim in the crowd and using a motorized cart they were able to remove the victim from Red Square. The victim was identified as Joshua P. Dukes DOB: 110882. The victim had been shot in the abdomen. When asked by officer about what happened, Mr. Dukes stated that he did not know. He heard an explosion and felt a pain in his stomach. Mr. Dukes was stabilized and transported to Harborview Medical Center. Witness Joseph C. Wankelman stated that he had taken photos of the victim and the possible suspect. The photos showed a disturbance between the victim who was wearing a very identifiable black leather coat with metal studs and the possible suspect who was wearing a yellow hat. A description of the possible suspect based on video was obtained and broadcasted as an Asian male, 50's approximately 5'07", 190 pounds wearing a yellow Champion brand baseball cap, no facial hair, glasses, black leather jacket and a maroon shirt.

At approximately 2337 hours Marc K. HOKOANA DOB: 010588, came to the UWPD and stated to officers something similar to...I am here to report a shooting in self-defense, the gun is in the car. M. HOKOANA was accompanied by a woman who was later identified as Elizabeth J. HOKOANA DOB: 102087. M. HOKOANA was not wearing the leather jacket, maroon hoodie or yellow Champion baseball hat when he came to UWPD but otherwise generally matched the description of the possible suspect. Their vehicle was parked on the south side of the UWPD. M. HOKOANA stated that he may want to speak with a lawyer. M. HOKOANA was Mirandized and advised that he wanted to speak with a lawyer. M. HOKOANA complained of burning eyes from mace and a sore ankle. Seattle Fire was asked to come to the UWPD to evaluate the individual. The vehicle, a green 2002 Chevrolet Malibu 4 DR Washington License ABS3701 was registered to Elizabeth FREELAND aka Elizabeth HOKOANA and was impounded to UWPD. E. HOKOANA was questioned by UWPD Lt. Olson who asked E. HOKOANA if she provided a statement would she be incriminating herself. Elizabeth HOKOANA stated that she would. A check of Washington State DOL records showed that both Marc and Elizabeth HOKOANA had concealed weapons permits.

University of Washington Police Department
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(206) 543-9331

University of Washington Police Department

1 On January 21, 2017 Seattle Police Department Homicide/Assault Sergeant G. Nelson and
2 Detective Donna Stangeland were brought in to assist with the case. Sgt. Nelson and Det. Stangeland
3 were briefed on the case. They went to Harborview Medical Center to interview the Mr. Dukes. Dukes
4 was heavily medicated and in and out of consciousness during their brief interaction. Mr. Dukes told
5 Stangeland and Nelson that he believed it was a male that shot him. Mr. Dukes said he thought that it was
6 the male that had lost his hat earlier and had pepper sprayed the crowd. Mr. Dukes was not specifically
7 asked if he had seen the gun used during the shooting. Given Mr. Dukes' critical medical condition, a
8 more thorough statement was not taken at this point.

9 Mr. Dukes was interviewed again several days later by UWPD. He was in critical but stable
10 condition at the time of the interview. When asked about who shot him, Mr. Dukes said that he
11 remembered grabbing a man who had pepper sprayed the crowd and yelling at him that he had to stop
12 pepper-spraying people. He thought that he was holding the guy at the time that he felt the fire sensation
13 in his abdomen and that he probably just assumed that that person had shot him. He said that he didn't
14 actually see or know who shot him. Mr. Dukes was shot once in abdomen and the bullet traveled up into
15 his chest and lodged into his back. Mr. Dukes suffered considerable internal injuries as a result of the
16 shooting and underwent several surgeries.

17 A search warrant was obtained for the HOKOANA vehicle. The vehicle was photographed and
18 searched by police. A Glock 26 9mm semi auto pistol (item #14) serial number RTZ435 was found in a
19 black plastic pistol case (item #10) in the trunk of the vehicle. Also present in the gun case was a black
20 folding knife within a plastic Ziploc bag (item #11). Both the pistol and knife were inside of plastic
21 Ziploc bags. The pistol was also inside of a black leather paddle holster (item #13). The pistol had a
22 magazine inside of the magazine chamber and approximately 8 rounds remained in the 10 round
23 magazine. The slide action of the pistol was back and a spent round was seen lodged in the ejection port.
24 A Samsung Galaxy Note 7 cellphone (item #18) was found in the glove box along with several receipts for
25 firearms (item #20) and papers showing dominion and control of the vehicle (item #19). According to
Washington State DOL records the Glock pistol was registered to Marc HOKOANA. The plastic Ziploc
bag that held the Glock pistol was examined for fingerprints. SPD Latent Fingerprint Examiner Kelly
Anderson found ten identifiable prints on the bag all belonging to Elizabeth HOKOANA.

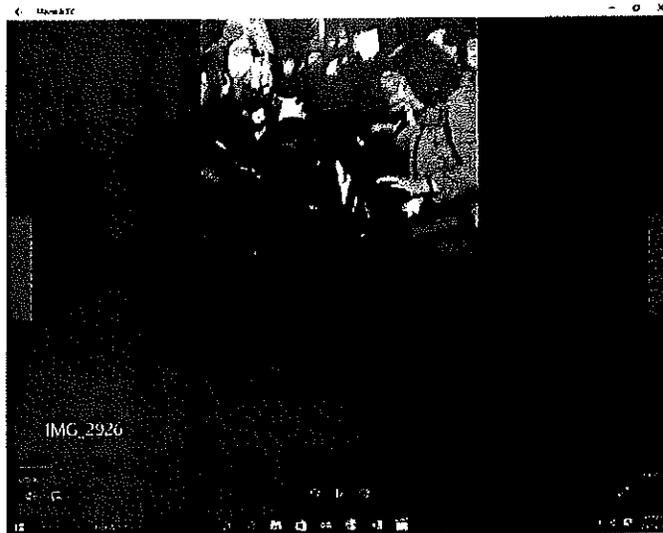
A search warrant was obtained for the Facebook page of Marc HOKOANA. The information
obtained from Facebook showed that on January 19, 2017 Marc HOKOANA and ██████ sent
messages back and forth thru their Facebook accounts. At approximately 11:31 am Marc HOKOANA sent
a message to ██████ stating "I can't wait for tomorrow, I'm going to the Milo event and if the
snowflakes get out off hand I'm just going to wade through their ranks and start cracking skulls". ██████
responded "██████ do it". At approximately 11:36 ██████ asked Marc HOKOANA over
Facebook "God you gonna carry?". Marc responded "Nah, I'm going full melee". Marc followed up with
the comment "Lily it's" and shortly stated "Is*". ██████ replied by saying "GET EM" and followed up
with "just don't end up in jail". It was later learned that Elizabeth HOKOANA goes by "Lily."

In the days following the shooting, numerous witnesses were identified by UWPD and SPD and
hours of video footage depicting the shooting and the events before and after the shooting were obtained
by police. All civilian witnesses identified in this document have been fully identified by name and date of
birth. Initials are be used in this document to protect their privacy. Witness D. T. provided three video
clips that he had taken in Red Square the day before that he believed showed the shooter. D.T. reported
that he was in Red Square with a friend at the protest when he was approached by an unidentified male
who he believed was the shooter. D.T. described the individual as a shorter, thick, middle aged individual
with a white face with Asian features wearing a yellow hat. D.T. reported that this individual asked them
to stand in front of him so he could use mace against an individual or the crowd. D.T. stated that they
refused and a female that was with the unidentified man stood in front of him while he used the mace.
D.T. described the female as middle aged wearing all black clothes. D.T. reported that the person who was
shot responded to the action of the individual who maced the crowd and a disturbance between the

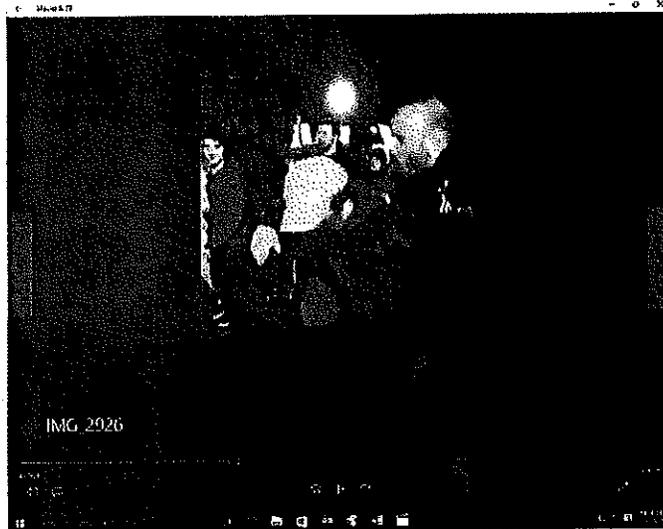
University of Washington Police Department

1 unidentified man and the victim broke out. Other than the pepper spray, D.T. did not see anybody with
2 any kind of weapon.

3 I reviewed the three video clips provided by D.T. All three video clips were ten seconds in
4 length. At the start of the video clip titled IMG_2926 provided by D.T. a woman is seen who appears to
5 be suffering from pepper spray. She turns and walks away from Marc HOKOANA.



15
16 Marc HOKOANA is then confronted by Mr. Duker and a scuffle occurs between them.



Police spoke with witness S.F. and he agreed to provide a recorded audio statement. S.F. stated that he was present in Red Square on January 20 during the protest. He observed an unidentified man in a yellow hat use what he thought was a Taser shooting projectiles into the crowd which caused a fight disturbance. S.F. stated that the unidentified man in the yellow hat was holding a black or dark gray rectangle shaped object in his hand. S.F. stated that he later heard from a reporter that it might have been pepper spray instead of Taser projectiles. He stated that he was trying to separate the victim from the

University of Washington Police Department

1 other man and was pulling him (victim) back when he heard what he thought was a firecracker go off. He
2 pulled the man to the ground and left before he realized that the man had been shot. S.F. stated that he had
3 removed the man wearing the leather jacket from the shorter male in the yellow hat and there was no
4 reason for the man to shoot the other individual. S.F. stated that the man in the yellow hat could have
5 turned and ran away rather than shoot the individual and he was not even looking when the shot was fired.

6 An anonymous video clip obtained from the Internet of the shooting was taken to the Seattle
7 Police Department Video Evidence Unit. The video clip was separated out image by image so it could be
8 examined. I was able to see the hands of Marc HOKOANA around the time of the shooting and it
9 appeared that at the time right before and immediately after the shooting he held a scarf or piece of fabric
10 in his left hand and his right hand appeared to be empty. Elizabeth HOKOANA was observed walking
11 towards Mr. Dukes just prior to the shooting. She reached out towards Mr. Dukes with her left hand just
12 prior to the shooting but her right hand cannot be seen at the time of the shooting. She appeared to be
13 within arms-reach of Mr. Dukes at the time of the shooting. No muzzle flash could be observed. After the
14 shooting Elizabeth HOKOANA was observed staring straight at Mr. DUKES as he fell towards the
15 ground and she remained watching him as the individuals immediately around the shooting disperse. Marc
16 HOKOANA turned and walked off at the time of the shooting after several frames of the video Elizabeth
17 HOKOANA is seen turning and walking off.

18 Witness D.N. was contacted and interviewed by police. D.N. was in Red Square filming the
19 crowd using his cell phone on a selfie stick. D.N. stated that an unknown person knocked his cell phone
20 off of his selfie stick as he was recording. The phone fell to the ground and as he went down to pick it up
21 the crowd kept kicking the phone. D.N. reported that within seconds he could smell pepper spray. After
22 he retrieved his phone D.N. observed Mr. Dukes laying on the ground with a wound in his side. D.N.
23 provided a flash drive with the video clips that he had made on January 20, 2017 in Red Square.

24 Police reviewed numerous videos and still photos that had been taken on Red Square on the night
25 of the shooting and either given to police directly or that had been put on the Internet. Several videos
were taken during the protest and captured the response of the crowd when a high school student had been
assaulted. I found a video clip from D.N. that showed Elizabeth HOKOANA with her right hand under
her coat as her husband, Marc HOKOANA, was directly in front of her in the video assisting a person as
he confronted the protestors. The time stamp on the video clip was approximately 1953 hours,
approximately 30 minutes before the shooting of Mr. Dukes.



University of Washington Police Department

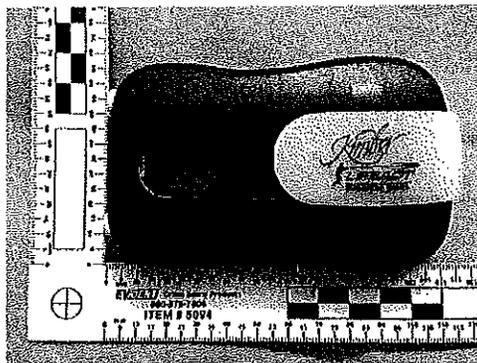
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2 Based on my training and experience her actions appeared to be consistent with a person who
3 was attempting to pull out a concealed pistol from a holster under her coat. The paddle holster that was
4 found in the search of Elizabeth HOKOANA's vehicle is typically worn in the small of the back for
5 comfort.

6 During review of the video provided by D.N., I found that in video clip titled IMG_0840.mov what
7 appeared to show the conversation when Marc HOKOANA asked witness D.T. to stand in front of him. I
8 made the following still image to document Marc HOKOANA standing next to witness D.T.



18 On January 27, 2017 Sgt. Bergin, Det. Coffin and I served a search warrant on the residence of
19 Elizabeth and Marc HOKOANA in the Ravenna neighborhood in Seattle, WA. Both Marc and Elizabeth
20 were advised we had a search warrant for the residence and we advised what we were authorized to seize
21 specific clothing that they had worn at the time of the Red Square shooting. Specifically, we were looking
22 for a green/olive colored jacket with a fur hood, a plaid scarf, a black leather jacket and a brown hooded
23 sweatshirt. Both advised that the clothes we were looking for were in a bag of clothes in the laundry area.
24 All of the items sought were recovered during the search. The leather jacket was actually dark brown in
25 color. On top of the clothes in the bag Sgt. Bergin found an object that appeared to be the Taser described
by witness Frites. The item was actually a Kimber Lifeact Guardian Angel pepper spray "gun". The digital
still photo on the left shows an object in Marc HOKOANA's hand when Mr. Duke's first confronts him in
the anonymous video posted on the Internet. The object is the same size shape and color as the OC Pepper
Spray "gun" found in the bag with the clothes worn by Marc HOKOANA and Elizabeth HOKOANA on
January 20, 2017 during the protest in Red Square.

University of Washington Police Department



From anonymous video

We asked Elizabeth and Marc for consent to seize the item. Both stated that they wanted to ask their lawyer. We took photographs of the item from different angles with and without a scale including the photo on the right above.

Witness K.P. was interviewed over the telephone. She gave consent for the statement to be audio recorded. K.P. stated that she was at Red Square on January 20, 2017 in order to attend the protest against Milo. She stated that she was at the protest at 6:30 PM and attended with an acquaintance. K.P. stated that after seeing the media coverage she believed that she witnessed the person identified as the shooter mingling among the protestors. She stated that he was aggressive and appeared to be instigating "stuff" and appeared to be intoxicated. She described the individual as an Asian or South Pacific Islander who appeared to be 5' 6" to 5' 8" and in his mid-twenties or early thirties. She remembered that he had on a brown jacket that could have been leather. She described the individual "egging" people on by going up to them and trying to engage with people. She stated that she never saw him assault anyone or get assaulted.

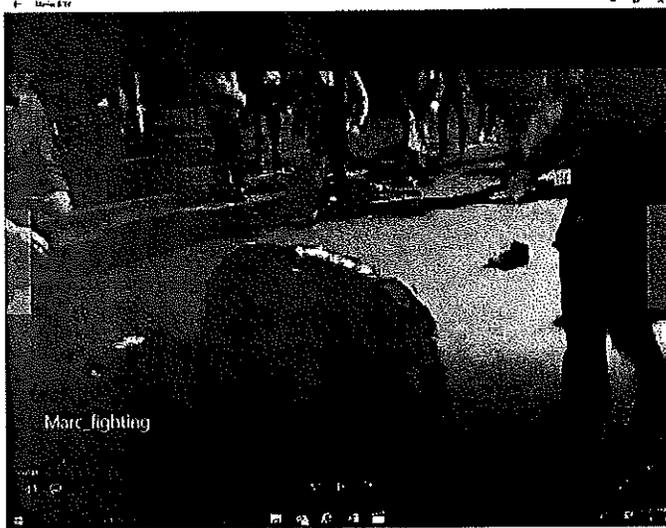
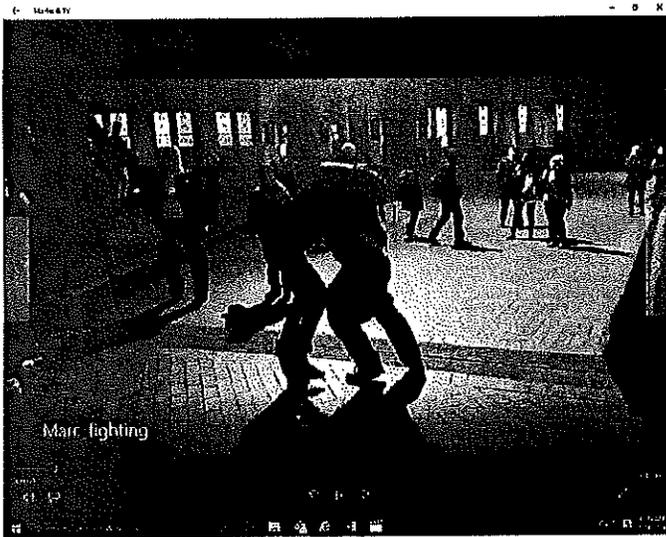
UWPD Sergeant Bergin interviewed witness B.F. B.F. stated that he was at the protest on Red Square on January 20, 2017. He met up with friends at approximately 1745 hours and was watching the protest. B.F. stated that he witnessed several fights that happened. He stated that one of the fights involved the person who he had seen identified in the media as the shooter. He described the individual as an Asian male approximately 5'06" tall, with black hair a chubby build and approximately 26 years old. B.F. stated that he was wearing blue jeans, a leather jacket and a maroon sweatshirt and had a red Make America Great Again hat that got lost in a fight. B.F. stated that he thought that the person was intoxicated. B.F. stated that the individual kept going over to the group of protestors and agitating the group by calling them Snowflakes, Libtards and saying that he (Trump) was their president. B.F. stated that the Asian male kept patting people on the back which caused reactions from people. B.F. stated that he saw the person get into a fight that involved punches being thrown and then ended up on the ground. B.F. stated that the man kept going over and asking for his hat. B.F. stated that he saw pepper spray get used but he was uncertain who was using it. At first he thought it was the police but he then thought it was the Trump supporters. B.F. stated that he was between 10 – 15 feet away when the person got shot. He stated that at the time of the shot he was helping some people that had just been pepper sprayed. B.F. stated that he thought the shot was actually a brick hitting the ground. He then heard people calling for medics. B.F. stated that he had talked to the person who was identified in the media as the shooter earlier in the evening and had told him to go home because he was drunk. B.F. stated that the man seemed to be there only to provoke the crowd.

Witness B.K. came to the UWPD and provided a recorded audio statement and four video clips that he had shot using a Samsung cell phone camera and a camera attached to his motorcycle helmet in Red Square on January 20, 2017. B.K. stated that he observed the buildup of the crowd over the evening. B.K. stated that throughout the night individuals began to get agitated. B.K. stated that he was video

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University of Washington Police Department

1 recording protestors that were on the stairs when his attention was drawn by individuals saying to
2 "Hey...Stop that". B.K. stated that he looked to the right and saw two individuals in a fight and that they
3 were holding each other in a head lock. B.K. stated that he then saw the two individuals wrestle to the
4 ground. The two individuals were broken up by bystanders. He thought one of the two individuals may
5 have been the person identified as the shooter based on the jacket and hoodie that he was wearing which
6 was similar to the photos published of the suspected shooter. B.K. stated that he has known Joshua Dukes
7 for approximately six years and they have worked together in the past. B.K. stated that he saw Mr. Dukes
8 that evening and described his interaction as talking with friends and getting in between people who were
9 starting to push and shove each other. B.K. provided the videos that he had made that night. The
10 following still photos were made from the video provided by B.K.



I viewed the video and can identify one of the individuals in the fight disturbance as the person identified by Washington DOL as Marc HOKOANA.

Certification For Determination
of Probable Cause 7

University of Washington Police Department
1117 NE Boal Street
Seattle, Washington 98105
(206) 543-9331

University of Washington Police Department

1 Witness E.K. was interviewed by UWPD Det. Coffin. E.K. stated that he was in Red Square on
2 January 20, 2017 to attend the Milo event with a friend and his friend's girlfriend. As the night went on,
3 he started noticing fights and saw the protestors throw paint balloons. E.K. stated that he witnessed a
4 person in a black leather jacket with a bald head charge through the crowd and grab the man in the yellow
5 hat by the shoulder. He did not see anything happen that provoked the man in the leather jacket. He
6 described the man in the black leather jacket as a "dedicated attacker" who appeared intent on causing
7 serious bodily harm. It appeared to B.K. that the man was trying to pull the man in the yellow hat into the
8 crowd. E.K. tried to pull the man in the yellow hat away but was unable to because the man in the leather
9 jacket had a "death grip" on the man in the yellow hat. E.K. stated that he was preparing to strike the man
10 in the leather jacket but he heard a bang and was able to pull the man with the yellow hat away. E.K.
11 stated that he did not see a gun.

12 Seattle Latent Print Examiner Kelli Anderson processed the Glock pistol (item #14) and the
13 plastic Ziploc bag (item #12) that had contained item #14. No latent prints of comparison value were
14 found on the Glock pistol. Sixteen (16) latent prints of comparison value were found on the plastic
15 Ziploc bag (item #12). Ten of those sixteen prints were matched to the prints of Elizabeth HOKOANA by
16 SPD Latent Print Examiner Kelli Anderson. Six of the lifted latent prints when compared to the prints of
17 E. HOKOANA and M. HOKOANA had incomplete results. I was advised that fully rolled palm prints
18 may assist with a more complete comparison.

19 Washington State Patrol Forensic Scientist Amy Jagmin provided a Crime Laboratory Report on
20 the search for blood on the Glock pistol (item #14) and also a report on the DNA found on the Glock
21 pistol. Ms. Jagmin reported that no blood was found on the pistol. A female DNA profile was present as
22 a major contributor to the DNA profile obtained from under the rear of the slide of the handgun (item #14)
23 and from the grip of the handgun and matches the DNA profile obtained for Elizabeth HOKOANA (item
24 #35). A major female profile was obtained from the magazine and matches the DNA profile of Elizabeth
25 HOKOANA. Trace DNA to which no comparisons can be made were detected on the grip, under the slide
and on the magazine. A partial, mixed DNA profile consistent with originating from at least three people
was obtained from the swab of the trigger of the pistol. A mixed DNA profile consistent with originating
from at least four people was obtained from the slide of the pistol.

 The videos obtained from witnesses along with anonymously posted Internet video of the events
in Red Square on January 20, 2017 were provided to Grant Fredericks of Forensic Video Solutions, Inc.
Mr. Fredericks was asked to track the movements and actions of Marc HOKOANA and Elizabeth
HOKOANA using the video clips. Mr. Fredericks was asked to create a timeline using the video clips.
Mr. Fredericks was also asked to forensically examine the video and clarify the video. After analysis of
the video Mr. Fredericks reported that:

Shooting Observations

*At the time of the shooting, the Internet Anonymous Posted Video provides the clearest images of the
events. These events were recorded at ~20:24:46. The attached 20_24_46_Movement During Shot
Fired.pdf provides an image-by-image examination of the events leading to the shooting.*

*Slide 2 identifies each of the individuals involved. Dukes is on the left and is tracked throughout with a
white arrow. M. Hokoana is tracked with a yellow arrow. E. Hokoana is tracked with a red arrow. M.
Hokoana is now wearing a yellow cap, which is located and identified in these slides.*

*Slides 4 and 5 show an orange spray traveling right to left from the location where M. Hokoana is
standing. Dukes is facing in the direction of M. Hokoana.*

University of Washington Police Department

1 *Slide 35 shows the moment when Dukes begins to move toward M. Hokoana.*

2 *Slide 83 shows that Dukes right hand makes contact with M. Hokoana's right arm just above his right*
3 *hand. M. Hokoana begins to turn away from Dukes.*

4 *Slide 89 shows that Dukes' right hand is fully wrapped about M. Hokoana's right wrist area. E.*
5 *Hokoana is seen moving backward a few steps. A small object is visible in M. Hokoana's right hand.*

6 *Slide 113 shows Dukes right hand moving away from M. Hokoana. Nothing is visible in his hand.*
7 *Confidential Page 25 4/10/2017*

8 *At slides 126 to 149, the video shows that E. Hokoana's right arm has moved to her back area, similar to*
9 *the images described earlier when her hand was near the rear right area of her back.*

10 *Slide 237 shows someone pulling Dukes, turning him backward and to his right.*

11 *Slides 247 to 251 show that Dukes' right hand is empty.*

12 *At slide 259, E. Hokoana begins to move toward Dukes.*

13 *Slides 300 to 345 shows that M. Hokoana is holding fabric in his left hand. The videos confirm that both*
14 *of M. Hokoana's hands are occupied with objects.*

15 *Slides 11, 12 and 13 of the Pepper Spray Comparison analysis of the video provided by D.T. show that*
16 *the object in M. Hokoana's right hand has small, light features at the end and demonstrates that the*
17 *known pepper spray weapon is consistent with the object in M. Hokoana's hand.*

18 *The shot is fired between image 324 and 325. M. Hokoana is facing away from Dukes at the time of the*
19 *shot. E. Hokoana is facing directly toward Dukes at the time of the shot.*

20 *Slide 325 shows the reaction to the shot being fired. A number of people in the images move downward*
21 *and away from the area of the shooting. Dukes reacts by moving backward and then falling to the*
22 *ground. E. Hokoana is facing Dukes. She then backs away from Dukes.*

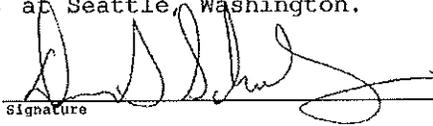
23 Grant Fredericks provided the video clip titled "Milo Supporter Punched at UW Milo
24 Yiannopoulos Event (RAW UNCUT)1080P-reformat-16842960" to David Hallimore of Recorded
25 Evidence Solutions, LLC. In this video clip from D.N., M. HOKOANA is seen facing off against a
number of masked protesters holding an anti-Trump sign. E. HOKOANA is seen walking behind M.
HOKOANA. Her right hand is placed under her coat at the rear side of her body. She holds her hand in
this position as she approaches and then watches the events with M. HOKOANA. M. HOKOANA then
turns back to E. HOKOANA and she removes her hand from the area of her back. M. Hokoana is seen
and heard talking to E. HOKOANA. Mr. Hallimore focused on enhancement of the speech in the audio
recording, specifically on M. HOKOANA's words. Mr. Hallimore reported that after the audio
clarification process he applied to the "Milo Punched Audio.m4a" recording, the words spoken by the
male talker, identified by police as M. HOKOANA, 19-seconds into the recording were more intelligible.
In Mr. Hallimore's opinion, the M. HOKOANA told E. HOKOANA, "calm down" (at 18 seconds) and

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"Don't shoot anyone." M. HOKOANA can then be heard telling E. HOKOANA and others in the crowd, "they have to start this. They have to start it."

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct. Signed and dated by me this 19th day of April 2017, at Seattle, Washington.


Signature

AGENCY: University of Washington	WA0172400	CASE NUMBER 17-00002186	FILE NUMBER	PCN NUMBER
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SUPERFORM

ARREST INFORMATION		ACCOMPLICES
DATE & TIME OF VIOLATION 1/20/2017 8:23 PM	CRIMINAL TRAFFIC CITATION ATTACHED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
DATE OF ARREST/TIME 4/11/2017 9:11 AM	ARREST LOCATION	

SUSPECT INFORMATION		DOB	ALIAS / NICKNAMES
NAME (LAST, FIRST, MIDDLE/JR, OR, 1st, 2nd) HOKOANA, Elizabeth Joy		10/20/1987	
ARMED/DANGEROUS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IDENTITY IN COURT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CITIZENSHIP US	
PHYSICAL DETAILS			
SEX F	HEIGHT 504	WEIGHT 145	SKIN TONE FAR
RACE W	EYE BRO	HAIR BRO	SCARS, MARKS, TATTOOS, DEFORMITIES
IDENTIFICATION DETAILS			
COH	PRIOR BA # 0	AFIS #	FBI #
STATE ID #	DRIVER'S LICENSE #	STATE	ISSN
RESIDENCE		EMPLOYMENT / SCHOOL	
LAST KNOWN ADDRESS 7017 35TH AV NE UNIT 102 SEATTLE, WA 98115		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)	
RESIDENCE PHONE 3607913962		BUSINESS PHONE	OCCUPATION
EMERGENCY CONTACT			
PERSON TO BE CONTACTED IN CASE OF EMERGENCY		RELATIONSHIP	PHONE

CHARGE INFORMATION			
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE	F - Assault 1	RCW / ORD# 9A.36.011	COURT / CAUSE # Superior Court /
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE		RCW / ORD#	COURT / CAUSE #
			CITATION #

WARRANT / OTHER				
WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL	WARRANT TYPE
ORIGINATING POLICE AGENCY		ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)	

PROPERTY INFORMATION	
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL	
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)	
LIST ITEMS ENTERED INTO SAFEKEEPING	
TOTAL CASH OF ARRESTEE \$0.00	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AMOUNT: \$0.00
SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #	

OFFICER INFORMATION		
ARRESTING OFFICER / SERIAL # Schulz, Douglas 197	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL # Wilson, Craig
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Schulz, Douglas		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL/PHONE) SCHULZ, DOUGLAS U197 2088852555

COURT FILE			
SUPERIOR COURT FILING INFO	<input type="checkbox"/> IN CUSTODY	<input type="checkbox"/> AT LARGE	<input type="checkbox"/> OUT ON BOND
COURT/DIST. CT.NO.	DIST. CT. BOND \$	COURT CAUSE (STAMP OR WRITE)	
		SUP. CT. DATE	

EXTRADITE			
PERSON APPROVING EXTRADITION	SEAKING LOCAL ONLY WACIO-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NY, VT, CO, AZ, IL, IN, IA, AK <input type="checkbox"/>
NCIC-WILL EXTRADITE FROM ALL 50 STATES <input type="checkbox"/>			
E N T R Y	COH _____ WAC _____ NORO _____	DOE _____ TOE _____ OP _____	C L E A R A N G E S DOE _____ TOE _____ OP _____

PROBABLE CAUSE INFORMATION	
STATEMENT OF PROBABLE CAUSE: NON-VUCSA	
CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)	

AGENCY: University of Washington	WA0172400	CASE NUMBER 17-00002186	FILE NUMBER	PCN NUMBER	SUPERFORM
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ARREST INFORMATION		ACCOMPLICES HOKOANA, Elizabeth Joy
DATE & TIME OF VIOLATION 1/20/2017 8:22 PM	CRIMINAL TRAFFIC CITATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
DATE OF ARREST/TIME 4/18/2017 8:18 AM	ARREST LOCATION	

SUSPECT INFORMATION		DOB 1/5/1988	ALIAS, NICKNAMES
NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd) HOKOANA, Marc K			
ARMED/DANGEROUS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IDENTITY IN DOUBT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CITIZENSHIP US	

SEX M	HEIGHT 507	WEIGHT 205	SKIN TONE LBR	RACE A	EYE BRO	HAIR BLK	SCARS, MARKS, TATTOOS, DEFORMITIES
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CCN	PRIOR SA # 0	AFIS #	FBI #	STATE ID #	DRIVER'S LICENSE #	STATE	SSN
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RESIDENCE		EMPLOYMENT / SCHOOL	
LAST KNOWN ADDRESS 7017 35TH AV NE UNIT: 102 SEATTLE, WA 98115		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)	
RESIDENCE PHONE 3608708523		BUSINESS PHONE	OCCUPATION

EMERGENCY CONTACT		RELATIONSHIP	Address	PHONE
PERSON TO BE CONTACTED IN CASE OF EMERGENCY				

CHARGE INFORMATION		RCW / ORD # 9A.36.031	COURT / CAUSE # Superior Court /	CITATION #
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE F - Assault 3				
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE		RCW / ORD #	COURT / CAUSE #	CITATION #

WARRANT / OTHER		AMOUNT OF BAIL	WARRANT TYPE
WARRANT DATE	WARRANT NUMBER	OFFENSE	
ORIGINATING POLICE AGENCY	ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)	

PROPERTY INFORMATION		
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL		
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)		
LIST ITEMS ENTERED INTO SAFEKEEPING		
TOTAL CASH OF ARRESTEE \$0.00	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #
	AMOUNT: \$0.00	

OFFICER INFORMATION		SUPERVISOR SIGNATURE / SERIAL # Wilson, Craig
ARRESTING OFFICER / SERIAL # Schulz, Douglas 197	TRANSPORTING OFFICER / SERIAL #	
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Schulz, Douglas		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE) Schulz, Douglas U197 2066852555

COURT FILE		COURT CAUSE (STAMP OR WRITE)
SUPERIOR COURT FILING INFO <input type="checkbox"/> IN CUSTODY <input type="checkbox"/> AT LARGE <input type="checkbox"/> OUT ON BOND		
COURT/DIST. CT. NO.	DIST. CT. BOND \$	SUP. CT. DATE

EXTRADITE		SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, GA, NV, UT, CO, AZ, NM, HI, AK <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES <input type="checkbox"/>
PERSON APPROVING EXTRADITION					
E N T R Y	CCN _____ WAC _____ NCIC _____	DOE _____ TOE _____ OP _____	C L E A R A N C E	DOC _____ TOC _____ OP _____	

PROBABLE CAUSE INFORMATION	
STATEMENT OF PROBABLE CAUSE: NON-VUCSA	
CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)	