



COMPLETE CONCEALED CARRY & FAMILY DEFENSE GUIDE





CHAPTER 1

23 PROVEN STRATEGIES

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

LIKE IT OR NOT, YOU ARE YOUR FAMILY'S FIRST RESPONDER.

There are really two kinds of people in this world. The first is the person who is always looking for someone else to take care of him or her. 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. (Some call these people "sheep.")

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: **ME!**

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

WOULD THIS FRUSTRATE YOU?

You know, every person has certain defining moments in his or her life — times when normal, everyday events end up having a lifelong impact. I'll never forget those first few 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. 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 from the evil that exists — and 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 scouring the library, subscribing to magazines and buying books about guns.

I didn't grow up in a hunting family, but my dad did like guns (I'll never forget the first time he let me shoot his 5-inch-barreled Smith & Wesson .357 Magnum revolver!), and there were always guns in our house for protection. So my desire to learn how guns could help me protect my own family actually felt pretty natural to me.

And that's when it happened: I read an article that changed my whole outlook. 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 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 carrying a firearm as a social obligation.

I was hooked. I needed to learn exactly how to do this as quickly as possible.

And what about you? Are you the type of person who accepts responsibility for your own safety and the protection of those you love?

Tim Schmidt
President & Founder, USCCA



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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 that when seconds count, the police are minutes away — at best. These people take responsibility for their own safety and choose to carry concealed weapons 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 also 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 victims were 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 a decreasing trend in violent crimes nationwide. 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 that the responsibly armed citizen has the gun



**1,197,704
VIOLENT
CRIMES
REPORTED
NATIONWIDE**

he or she carries immediately at hand when danger strikes and need not wait minutes or even hours for help to arrive. Most honest cops 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. Statistics from the FBI (2015) show there were 1,197,704 violent crimes reported nationwide and an overall increase of 5.3 percent in that number for the first six months of 2016. 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 sheepdogs that have to help protect our loved ones, our friends and even complete strangers from the wolves out there.

Facing the prospect of criminal attack, many citizens choose to arm themselves with handguns for the same reason police do: to protect themselves and others from deadly danger. Handguns are more convenient for full-time carry than rifles or shotguns and, especially considering modern ammunition, those handguns can be effective for defensive purposes. There are other options for personal protection, such as martial arts, knives or less-lethal devices like 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 from a safer distance than a knife or pepper spray can. In the face of a potentially lethal attack, the No. 1 goal is the protection and survival of the innocent. That’s *you*, someone you love or another innocent person.



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CHOOSE YOUR WEAPON

FEW DECISIONS ARE AS PERSONAL AS SELECTING YOUR SIDEARM. WHETHER YOU GO REVOLVER OR SEMI-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 law-abiding 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 starts at .380 ACP and goes up to .45 ACP.

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, gives 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 or .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 owner, 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 hands when you shoot it. For this reason, if possible, get to a shop that allows you to rent firearms and try them out on its range before you buy. Your choice for a self-defense sidearm should be one you can shoot comfortably and accurately and that you will carry every time you walk out your door.

Given careful shopping and the 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 powerful and concealable. After you choose one, practice with it until you can quickly and consistently hit the center of a man-sized target at ranges from 3 feet to 25 yards.



4 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 component 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 ammunition 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 which 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.





5 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 might 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 1 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 it.

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 ammunition. 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 your owner's manual 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 flat-nosed 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.*



6 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-sized 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, and off-body carry in a purse, briefcase or fanny pack to just about anything in-between you can think of. For example, one person might carry the Ruger LC9 in his strong-side front trouser pocket with an extra magazine of ammo in his weak-side pocket. Yet another might prefer strong-side hip carry for a full-sized 1911 Government Model .45 under a jacket or shirt. Still another might prefer a weak-side shoulder holster for a short-barreled five-shot Smith & Wesson Chiefs Special in .38 Special. 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 to pistol most of the time. Perhaps a small-frame semi-auto in .380 ACP or 9mm in a strong-side front pocket holster will 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; 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.





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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 a 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 sports jacket.

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

INSIDE THE WAISTBAND (IWB) - Inside-the-waistband 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 a gun in a purse, briefcase, backpack or other manner 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.

OUTSIDE THE WAISTBAND (OWB) - An outside-the-waistband holster, such as a belt-slide or Yaqui model, mounts to a belt and carries the gun on the outside of the pants.

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. This type of holster is 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 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 a carrier use a pocket holster rather than simply drop a loaded gun into his or her pocket 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 - A shoulder holster is a harness that carries a handgun on one side of the body and possibly spare magazines on the other. It is a traditional style of holster, 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.



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EVERYDAY 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 cellphone, 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 around \$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, 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.



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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. The equivalent of \$200 in 1934 is 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 (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 laws 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 concealed carry regulations, visit USCCA.com/laws.

With Illinois being the final state in the nation to approve and enact concealed carry legislation, all 50 states now allow some form of concealed carry. Several states allow "constitutional carry" (concealed carry without a state-issued permit); some of these states still allow citizens to voluntarily apply for a carry permit.

Most of the states in our nation 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 you the permit. Your right to carry in these states cannot be thwarted by a lone bureaucrat.

Unfortunately, several states practice "may-issue" permitting when it comes to concealed carry. May-issue states also have a list of requirements laid down by law, but when you meet these requirements, the state may issue your permit — or it may not, if the pertinent authorities decide not to.

Some states are shall-issue in practice but may-issue by law. That being said, legal wrangling in certain districts continues to make it very difficult for law-abiding citizens to acquire the proper permits.

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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 and 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 concealed carry permit 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

CARRY HERE, CARRY THERE, CARRY EVERYWHERE?

*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 areas 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 reciprocity 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.

If you're interested in the subject of traveling with a firearm, check out "Seeing the USA While Legally Armed" (USCCA.com/seeing-the-usa-while-legally-armed) from a past issue of *Concealed Carry Magazine* or "Best Practices for Traveling with Firearms" (USCCA.com/traveling-flying-with-firearms) from the USCCA blog.

Another great resource that includes thorough coverage of state laws governing concealed carry for all 50 states, the District of Columbia and New York City can be found at USCCA.com/laws.

Thanks to the dramatic increase in the number of concealed carry permits and rising public demand, many states have, as mentioned earlier, established reciprocity procedures that allow carry permits issued by one state to be honored in some other states.

The list of those states which honor permits from other states (and which permits they will honor) is constantly changing. Therefore, before you travel outside your own state, you should always check to see if your carry permit is valid in any states through which you plan to travel and if it's valid at your final destination. It's also a good idea to brush up on the rules of carry in any jurisdiction in which you plan to spend time.

The USCCA maintains up-to-date reciprocity information in a handy map found at USCCA.com/travel. The Reciprocity Map is a powerful tool for you to use and is always available to reference prior to traveling across any state lines.

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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.*



OK, 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 (TSA.gov), "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
Senior Editor
Concealed Carry Magazine

SOCIAL LIFE

IS THE ARMED LIFESTYLE FOR YOU?

Who do you tell about your defensive handgun? While some people might be understanding and supportive, others might not share your enthusiasm for carrying a firearm for personal defense; 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 might 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 and any subsequent confrontation with the criminal justice system. 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 aftermath 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 and evaluate your options.

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 budget.

It's a harsh reality to face, but there will likely be legal expenses associated with even a righteous shooting. Are you prepared for that inevitability? Are you willing to risk everything — including your freedom and your family's financial future — simply for doing what's right? You shouldn't have to.

The USCCA helps responsible Americans like you prepare for what happens before, during and after an act of lawful self-defense. Find out more at USCCA.com.





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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 violent, 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.



15 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, as 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 cellphones, as 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.



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 reason 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

Senior Editor

Concealed Carry Magazine

- ✓ Proof of registration for the class you are attending and required class materials as designated by the 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 a 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, rain gear, 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.

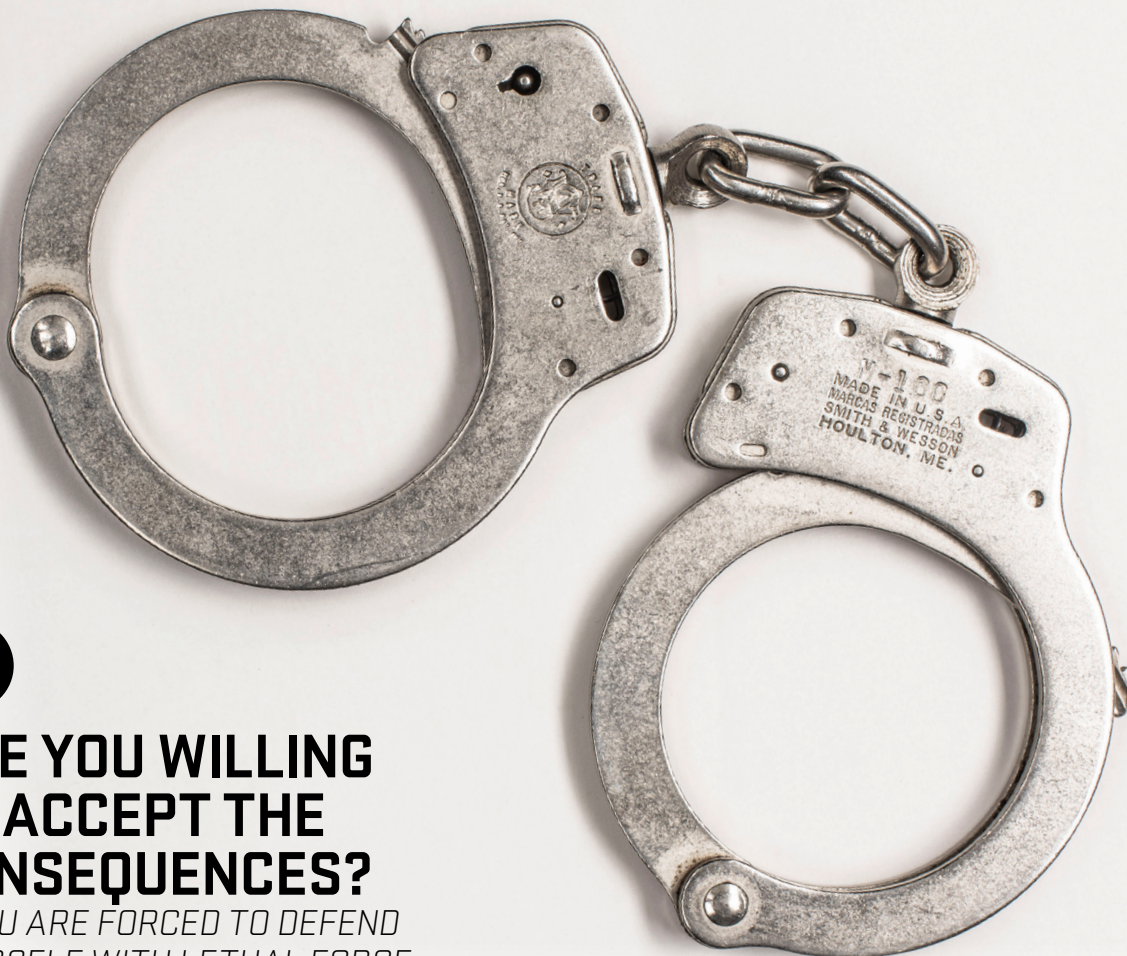
The time to think about your ability and willingness to take a life is before you take up a gun for self-defense, when you can consider it in the quiet of your home, with ample time to ponder it and ask questions of yourself and others. All those things will be time and effort well spent as you contemplate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



18

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 or death. Nothing less justifies using deadly force. But no one really wins a gunfight. 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 wellbeing and the lives and wellbeings 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 gunfight**
2. **Surviving the criminal justice system**
3. **Surviving the civil justice system**

Surviving the gunfight 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. That makes surviving the gunfight **Problem No. 1**. You do that by being a responsible gun owner, being a responsible gun carrier and working diligently to achieve a level of skill with your gun so that you are in the best possible position to prevail if ever you must defend your life with a firearm.



19 SURVIVING THE CRIMINAL JUSTICE SYSTEM

You will almost certainly deal with the police after a defensive gun use. They will, in all likelihood, respond to the location of the shooting and 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 shooting 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 belts 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 the 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.

C O U R T · H O U S E ·

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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 or her 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. That means that even if you survive the criminal trial unscathed, you could still lose the civil 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 one of the reasons why the USCCA helps responsible Americans prepare for what happens before, during and after an act of self-defense. 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.



ARE YOU A RESPONSIBLY ARMED CITIZEN?

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 or to 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 your gun only when you genuinely need to 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 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.





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.

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 your strong hand is injured)? 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 [USCCA.com/education](https://uscca.com/education).

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 or herself with a firearm? When could he or she have 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 quick web search will yield many in your area. Finding a good one is a little harder, though. Check the gun store where you bought your firearm to see if it offers 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 works closely with some of the top trainers in the country and even has its own Certified Instructor Program. Check out [USCCA.com/training](https://uscca.com/training) for more information.

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 the use of lethal force in your area.
3. Make adequate arrangements ahead of time for the criminal and civil aftermaths 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 concealed carry license holders and gun enthusiasts in general. The USCCA has a wealth of pertinent information available with membership, and much advice is also free for the taking from our website at [USCCA.com](https://uscca.com).





HELPFUL RESOURCES

A good starting point for your self-defense journey is the USCCA. The USCCA helps you avoid danger, save lives and keep your loved ones safe. 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 **USCCA.com**. You might also be interested in learning more about *Concealed Carry Magazine*, the ultimate resource for responsibly armed Americans. Become a subscriber at **ConcealedCarryMagazine.com**.



CHAPTER 2

6 THINGS YOU DIDN'T KNOW

WOULD HAPPEN WHEN THE POLICE ARRIVE



1

YOU WILL BE DETAINED AND POSSIBLY ARRESTED

*YOU WILL LIKELY BE PLACED IN
HANDCUFFS. THOUGH YOU WILL NOT
NECESSARILY BE UNDER ARREST, YOU
WILL BE TAKEN INTO POLICE CUSTODY.*

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, what kind of ammunition best fits your defensive needs and which holster will best fit your gun, body type and preferred method of carry. There's more to armed self-defense than just these things though.

After the threat to your life ends, the most difficult part of the process is often just beginning. There's a lot that happens following a self-defense shooting — things that most people don't realize are not just possibilities but rather hard realities. Read on to find out how the USCCA can help support and guide you through the often confusing aftermath of a self-defense incident.

If you are forced to defend yourself with a firearm, the police will have to get involved. You need to dial 911 immediately and tell the dispatcher your location, 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, but 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. They will order you to drop your firearm (if you haven't already done so), 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'll need to reholster 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 defense of said innocent life.



2 YOUR GUN WILL LIKELY BE SEIZED AND HELD AS EVIDENCE

THE POLICE WILL LIKELY TAKE YOUR GUN AS EVIDENCE IN THE INVESTIGATION OF THIS SHOOTING.

The officers will be responding to a “shots fired” call or a shooting that occurred during a homicide. Do not let the word “homicide” panic you; despite most individuals’ use of the word “homicide” to refer to a crime (the “deliberate and unlawful killing of one person by another”), it can also simply mean “the killing of one human being by another.” Either way, the police will likely take your gun as evidence in the investigation of this shooting. 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’ll likely be able to work with an attorney to vindicate your actions.

Your gun, however, will probably be in police custody 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 two 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 relinquish custody of that gun, the chances of ever getting it back will be very low; they will hang onto it as long as they can on the off-chance they will ever want to assess it again.



3

YOU WILL LIKELY BE INTERROGATED AT THE SCENE AND AT THE POLICE STATION

THOSE OFFICERS WILL BE INTERACTING WITH YOU THE SAME WAY THEY INTERACT WITH EVERYONE THEY PUT IN HANDCUFFS: AS A SUSPECT.

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, a little caution can go a long way here. 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 — to cut loose with what in the legal world are called “excited or spontaneous utterances” — before you invoke your right to remain silent without an attorney present. These statements are exceptions to both the hearsay rule and the Miranda rule. That means that even if you’ve invoked your right to remain silent or your right to counsel, any spontaneous or excited utterances you make are most likely admissible

in court. Furthermore, even non-spontaneous statements you make after you’ve invoked your rights can probably be used against you. As you will likely be extremely excited and upset in the wake of a shooting, it is probably best that you limit your statements of any kind until you have had time to calm down 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, he or she is immediately removed from the scene, assessed by EMS and kept from outside contact until he or she has had an opportunity to relax, collect his or her thoughts and avoid saying or doing anything that could further complicate an already complex situation. You should request the same treatment. 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.

IF YOU DON'T ALREADY HAVE ONE, YOU WILL NEED TO HIRE AN ATTORNEY – AND FAST

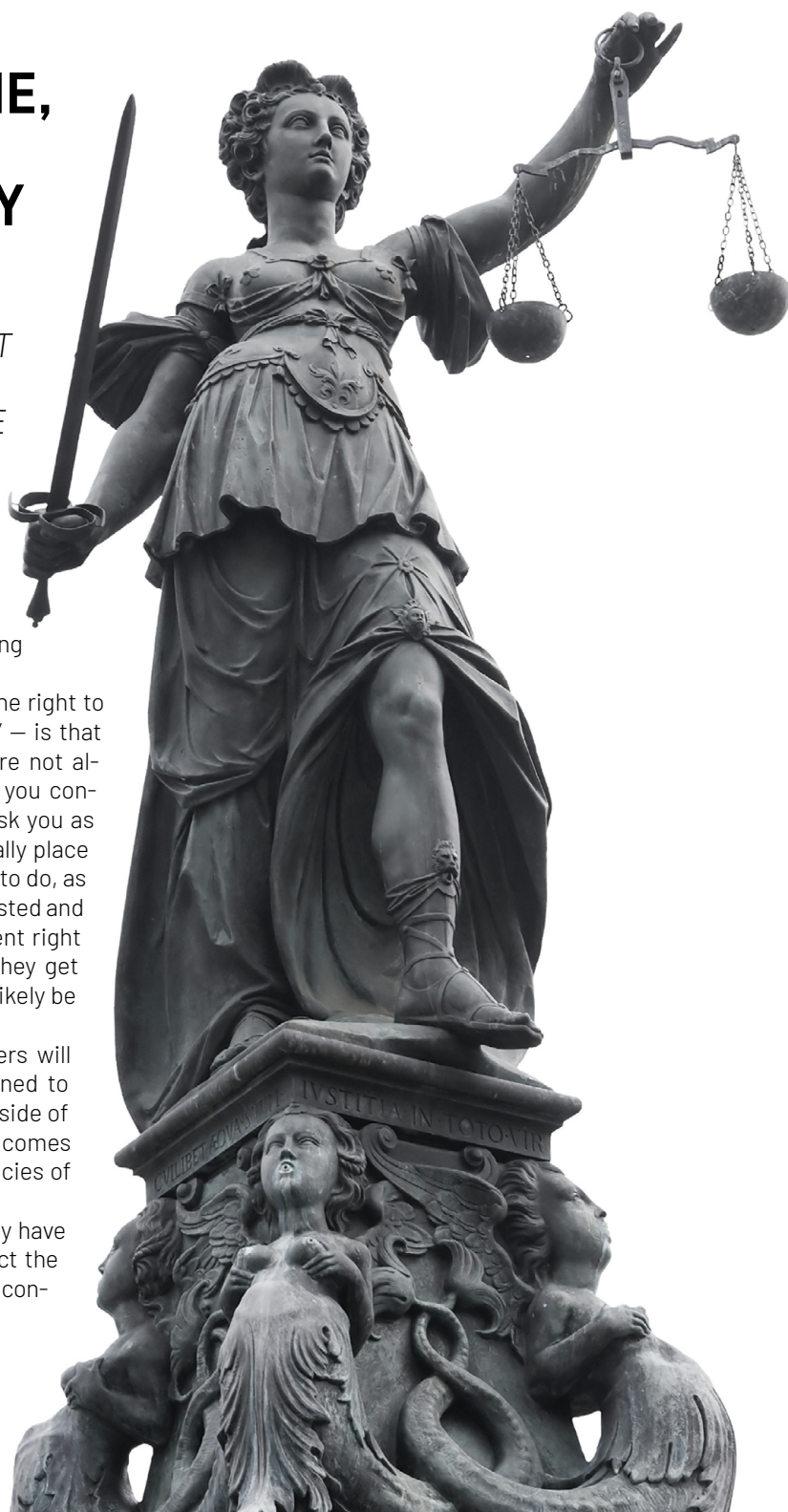
IF YOU ARE FORCED TO DEFEND YOURSELF, OFFICERS WILL WANT TO KNOW THE PARTICULARS OF WHAT HAPPENED TO DETERMINE WHETHER OR NOT YOU WERE ACTING OUTSIDE OF THE LAW.

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 that you do not offer voluntarily will likely be ruled inadmissible in court.

If you are forced to defend yourself, officers will want to know the particulars of what happened to determine whether or not you were acting outside of the law. This is where an experienced attorney comes in. He or she can help you navigate the intricacies of such a situation.

If you are a USCCA Member and don't already have a trusted lawyer on speed dial, you can contact the Delta Defense Critical Response Team for help connecting you with an attorney of your choice.





5 YOU MAY HAVE TO POST BAIL OR PAY BOND

FEW PEOPLE KEEP ANYWHERE FROM THOUSANDS TO HUNDREDS OF THOUSANDS OF DOLLARS IN CASH ON HAND.

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 might be to call either a bail bonds company (if such a company is legal in your area) or a family member who can try to collect the necessary funds. Alternatively, the benefits included with a USCCA Membership can assist you with all of those stressful details.



6 THE DA WILL GATHER POLICE REPORTS TO MAKE A CHARGING DECISION

MAKE SURE THAT YOU ARE HOME DURING THIS PROCESS, NOT SITTING IN A JAIL CELL.

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, they'll send their reports 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.

After they're done with the immediate situation involving you, they have to get back onto the streets and get back to their job as cops, deputies or troopers. Their field notes may sit in their squad cars until they can write their reports, and after their reports are complete, they 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.



HELPING YOU PREPARE FOR THE BEFORE, DURING AND AFTER OF A SELF-DEFENSE INCIDENT

Here's something you must accept right now: In the aftermath of a self-defense shooting — even a justified one — you will likely 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 in-

evitably follows a self-defense incident. The unfortunate truth is that proving your innocence without a plan can be incredibly costly — mentally and financially.

The good news is that you don't have to bear that weight alone. The USCCA is a membership association that helps its members prepare for the before, during and after of a self-defense incident. Learn more about all the benefits of a USCCA Membership and the peace of mind you'll gain at www.USCCA.com.

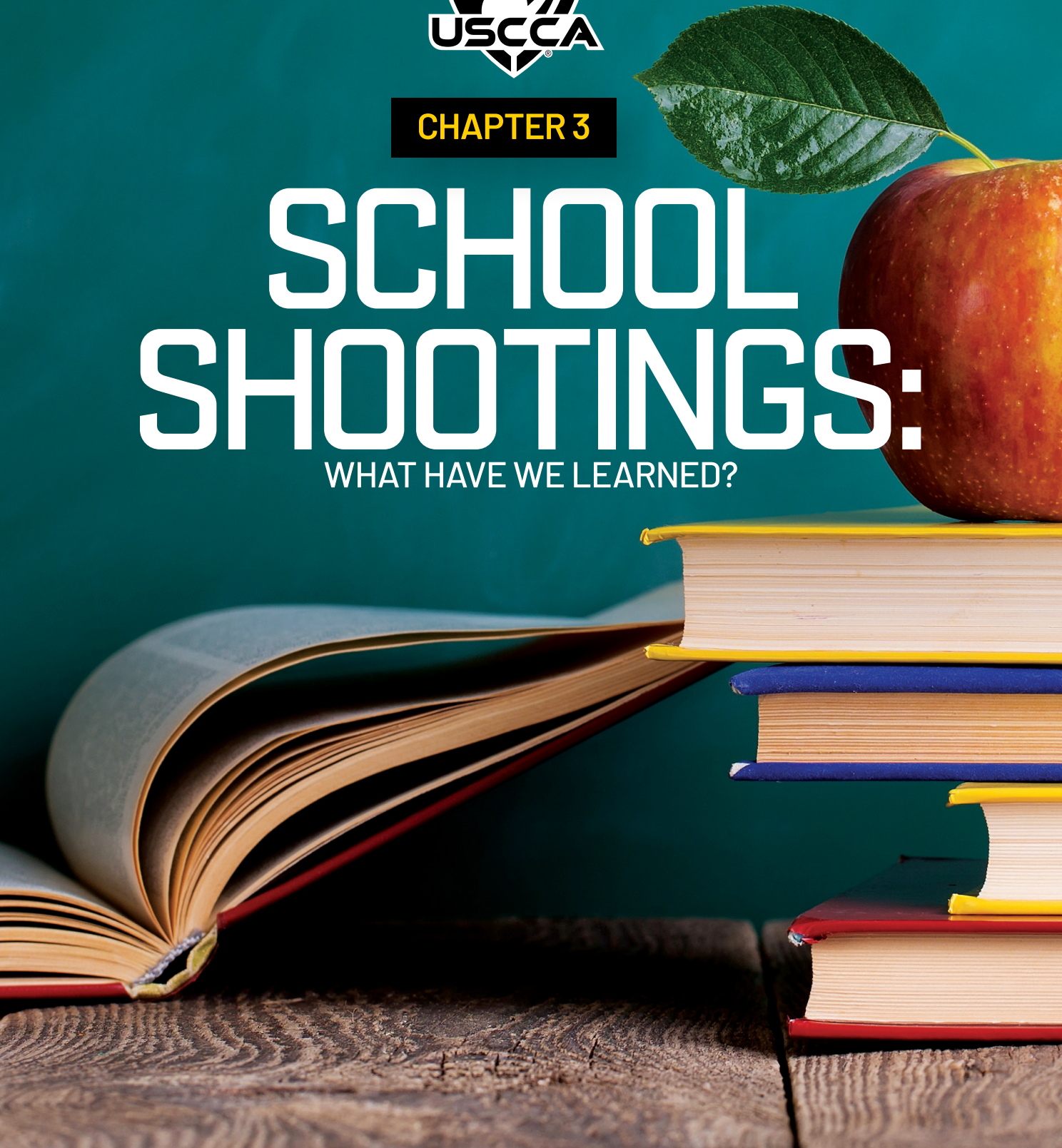




CHAPTER 3

SCHOOL SHOOTINGS:

WHAT HAVE WE LEARNED?





WHAT HAVE WE LEARNED ABOUT THE SHOOTERS?

BY MICHAEL MARTIN,
AUTHOR OF COUNTERING THE MASS SHOOTER THREAT

Several months after the massacre in Newtown, Connecticut, in 2012, my 7-year-old son asked me if I thought something like that could happen at his school, which happens to be a private Catholic school in my home city. I assured him that nothing like that would ever happen here, and that even if a bad guy did get into his school, our police department was so good and so fast that they

would stop the bad guy before he could hurt anyone. Of course, I was lying to him. I feel a bit more confident in my answers when I assure my son that terrorists will never again take over airplanes and fly them into buildings, but for that answer, I have a bit more to fall back on considering the response the nation took after 9/11 compared to its response after Newtown. After 9/11, the U.S. met the threat

by installing sophisticated body scanners at airports, hardening cockpit doors with impenetrable steel, creating an Armed Pilot program and expanding the armed Air Marshal program. The terrorists of 9/11 were fairly confident that if they couldn't bluff their way into the cockpit, they'd be able to breach the door, where they'd find a defenseless crew tucked into their very own "gun-free zone."

Today, Al-Qaeda and ISIS know that even if a cockpit door could be breached (however unlikely), the terrorist's last memory might well be a muzzle flash as an armed pilot shoots him in the face. A 9/11 response was needed after Newtown, but today, most of our schools remain as unprotected as they were the day before the Newtown tragedy, as was demonstrated in February 2018 as 17 students and faculty members were gunned down at Marjory Stoneman Douglas High School in Parkland, Florida. Proposed solutions range from banning AR-15s and limiting magazine capacity to no more than 10 rounds to creating an armed teacher program and eliminating gun-free zones. In this article, I'll be looking at each of those proposed solutions in great detail, and I'll also look at whether victim response has affected the outcome at any shooting, positively or negatively. I'll summarize this article with a four-point plan designed to eliminate the scourge of these murderers once and for all.

To start, let's take a look at the magazine capacity argument.

IS MAGAZINE CAPACITY THE REAL KILLER?

It seems that before the blood is dry after mass shootings, the anti-gun movement renews their rallying cry that the reason these monsters are able to murder so many victims in a short period of time is because of the rate of fire enabled by magazine capacities larger than five or 10 rounds and by the nature of semi-automatic firearms. So that begs the question: Exactly how many rounds can be fired per minute when using magazine capacities of five rounds, 10 rounds or 30 rounds, and would a smaller magazine size have affected the outcome at any mass shooting? To answer the first half of that question, let's look at the theoretical maximum rate of fire attainable with three different-sized magazines. The table on this page shows how many rounds can be fired per minute using a moderate rate of fire of two rounds per second, and a moderate magazine change rate of three seconds. I'll add that someone with practice would be able to fire at about twice this rate. As you can see, the table shows that reducing a magazine capacity by two-thirds doesn't reduce the rate of fire by two-thirds; of course, it simply means that more magazine changes

are required per minute. The actual reduction in rate of fire when going from a 30-round magazine to a 10-round magazine is about 25 percent.

Having those baseline numbers, the "it's the magazine" crowd would have a strong argument if it could be demonstrated that mass shooters were firing at a rate of fire of 100 rounds per minute or more, but the facts don't support that argument. The table on the next page shows the actual rate of fire in the five most notorious school shootings, including the most recent school shooting in Parkland, Florida. That table clearly shows that, in every single case, the shooters were using a rate of fire far below the theoretical limit of even five-round magazines. That same rate of fire is reflected in other mass shootings outside of schools, including those in San Bernardino, Fort Hood, Aurora and Charleston. In fact, only one single mass shooter in history has even approached the theoretical limit of 30-round magazines. In October 2017, 64-year-old Stephen Paddock fired 1,100 rounds in 10 minutes from an

elevated position overlooking the Las Vegas strip with the aid of a "bump stock" designed to mimic the speed of automatic fire. Due to the use of that device and the fact that Paddock was firing from an elevated position at a crowd of more than 13,000 people, this shooting tends to fall into its own category. In fact, it might remain a category of one; following the shooting, the Trump administration directed the Justice Department to ban bump stocks and other devices that allow semi-automatic firearms to mimic automatic fire.

Magazine Capacity	Reloads Required Per Minute	Rounds Per Minute at a Moderate Rate of Fire
5 rounds	11	55
10 rounds	7.5	75
30 rounds	3.3	100

The table above shows how many rounds can be fired per minute with a moderate rate of fire of two rounds per second and a moderate reload rate of three seconds per magazine change. An experienced shooter would be able to fire at approximately twice this rate.

WHAT WE'VE LEARNED

Let's state these facts with a little perspective. Adam Lanza (the Newtown shooter) fired at a rate of fire no faster than a 150-year-old lever-action Henry rifle, popular among Union soldiers during the Civil War, even though Lanza had 10 30-round magazines and an AR-15. Nidal Malik Hasan (the Fort Hood shooter) was a third slower than that, while Seung-Hui Cho (the Virginia Tech shooter) and Nikolas Cruz (the Parkland, Florida, shooter) were 50 percent slower. Even the San Bernardino shooters, who carried AR-15s and 30-round magazines, fired at a rate no faster than one round every 3.3 seconds, which is 40 percent slower than the lever-action Henry. James Holmes (the Aurora, Colorado, theater shooter) fired at a rate no faster than a 170-year-old, single-shot Sharps rifle, developed 13 years before the Civil War began, even though Holmes had a 100-round magazine. Keep in mind, the Sharps rifle has a capacity of one round, or 99 rounds fewer than Holmes had in his magazine. Eric Harris and Dylan

Location	Dead	Rounds Fired	Time	Rounds per Minute
Parkland, Florida	17	100	6 minutes	17
Blacksburg, Virginia	30	174	11 minutes	15
Newtown, Connecticut	26	154	5-9 minutes	17-31
Columbine, Colorado	13	188	47 minutes	4
Roseburg, Oregon	9	95	9 minutes	9

Klebold (the Columbine shooters) fired at a rate no faster than the 240-year-old muzzle-loading flintlock Kentucky rifle favored by the American patriots in the Revolutionary War, while Christopher Mercer (the Umqua Community College shooter) was even slower than that.

So here's the problem with the magazine capacity argument: These killers are not using a high rate of fire; they're not even using a moderate rate of fire. Their rate of fire could be described as sluggish, no faster than a lever-action or bolt-action rifle. But that begs the question, why is their rate of fire so slow? The answer is a simple one: When you're alone with your victims in an enclosed area and you're the only one with a gun, a rate of fire any faster would only mean misses.

ARE AR-15s TO BLAME?

When a mass shooter chooses an AR-15 as his firearm of choice, the media usually refers to it as a "high-powered" or "military-style" rifle, implying that it's more powerful (and more deadly) than more commonly available rifles, such as others used for hunting deer. Let's find out if that's correct or whether it's another red herring. The answer might just redefine what the media considers a "high-powered" rifle to be.

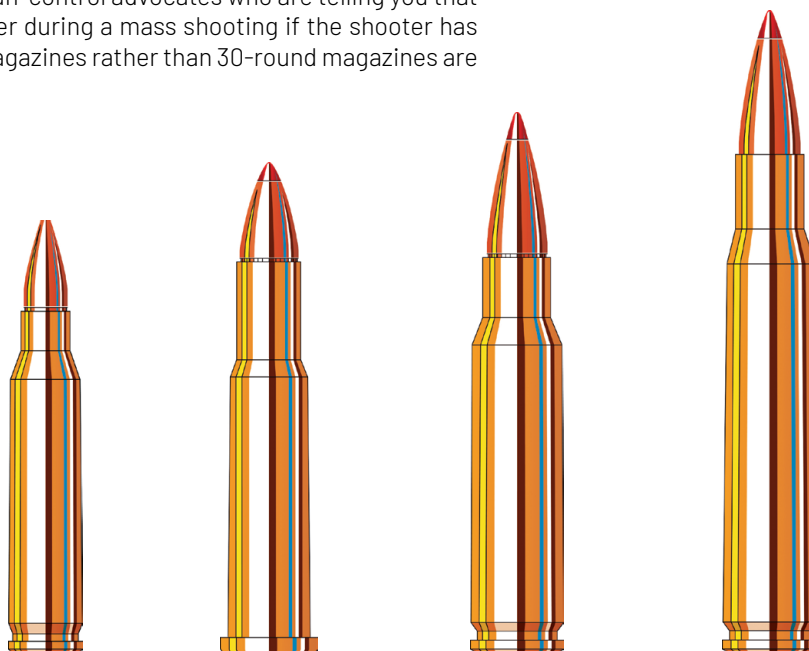
On the right, I've shown the round fired by the AR-15 in its actual size, alongside the three most popular deer hunting rounds, also shown in their actual sizes. Which

of the four rounds do you think is fired by the AR-15? If you guessed one of the three larger rounds on the right, you'd be wrong. The AR-15 round is actually the smallest round on the far left, which is the Remington .223. The three rounds on the right are the three most popular deer hunting rounds — the .30-30 Winchester, the .308 Winchester and the .30-06 Springfield, respectively. The fact is, the AR-15 round isn't just physically smaller, it also falls dramatically below those popular deer hunting rounds in kinetic energy, and well below the kinetic energy of a 12-gauge 000 buckshot shell too. I'll add that a 12-gauge 000 (pronounced "triple-ought") buckshot fires six to eight projectiles, all 45 percent larger in diameter than a single Remington .223 bullet. Now, I haven't put this illustration together to make an argument that all ammunition of all types should be banned. Instead, I'm using it as a way of explaining that simply banning one ammunition type or the firearm that shoots that ammunition in the hopes that it will result in less devastation during mass shootings is hopelessly naive. I hate to be the bearer of bad news, but any ammunition type or caliber size fired into a human body at close range will have devastating effects. When more than one round is fired into a victim, the devastation is magnified exponentially. As an example, the Virginia Tech shooter murdered many of his victims using what would normally be considered a "plinking" round, or a round normally used for shooting squirrels and other small game. The .22 Long Rifle round is so tiny that most people wouldn't give it serious consideration as a defensive or offensive

Location	Dead	Rounds Fired	Time	Rounds per Minute
San Bernardino, California	14	65-75	5 minutes	17
Killeen, Texas	13	214	10 minutes	15
Aurora, Colorado	12	70	5-9 minutes	17-31
Columbia, South Carolina	9	24	7 minutes	4

round with just 100 foot-pounds of energy (less than 1/12 the energy of the Remington .223). Yet when fired into a human body at close range, the results will be as fatal as any of the rounds shown on the previous page or handgun ammunition of any type. At Virginia Tech, each of the victims was shot at least three times. Of the 30 victims killed in Norris Hall, 28 were shot in the head, including one victim with nine bullets fired to the head. The politicians and gun-control advocates who are telling you that you'll be safer during a mass shooting if the shooter has 10-round magazines rather than 30-round magazines are

the same ones who are implying that you'll be safer if the AR-15 and its so-called "high-powered" ammunition was removed from the marketplace. My suggestion is that you not buy into that flawed logic and that the solution to ending these mass shootings does not lie in "getting rid of" any firearm type, any ammunition type or any particular magazine size.



One of the rounds above is the Remington .223 fired by the AR-15. The other three are the most popular deer hunting rounds on the market. Do you know which is which? The answer might just redefine what the media considers to be a "high-powered" rifle.

DO 'GUN-FREE ZONES' HELP OR HURT?

After every mass shooting, gun-rights organizations point the finger at the existence of "gun-free zones," while gun-control advocates call for even more locations to be declared "gun-free" in an attempt to end mass shootings. So who is correct? For their part, gun-control advocates have done much to try to dispel the notion that these killers seek out schools or other locations that ban guns. One anti-gun group even tried to dismiss the argument that Fort Hood was a "gun-free zone" by claiming that the base police who flooded the area and exchanged fire with shooter Nidal Malik Hasan proved that Fort Hood was not a "gun-free zone" after all. But claiming that arriving police means an area isn't a "gun-free zone" (even though soldiers on base were barred from carrying personal firearms by base policy) is not a valid argument. Instead, let's look at the data.

The data tells us that since Columbine, and up to and including the terrorist attacks in San Bernardino and Orlando and the shooting in Parkland, Florida, 50 mass shootings have occurred, with 74 percent of them falling in "gun-free zones," where private citizens were disarmed by state law, school policy, federal law or policy, or by private policy. It's worth noting nearly 48 percent of the locations where mass shootings occurred were self-declared "gun-free zones," where no law barred private citizens from protecting themselves with firearms but institutional policy did declare such a ban. In most cases, it's a university or corporate lawyer who suggests the ban as a way of avoiding liability if a shooting or an accident were to occur. But, after looking at the data, those lawyers might want to re-evaluate their idea of what liability means.

As mentioned, 74 percent of the mass shootings since Columbine have occurred in "gun-free zones," but those shootings were responsible for 85 percent of the deaths. That trend in the data clearly indicates that mass shooters actively seek out soft targets while avoiding hardened targets. Signs, school policies, corporate policies, state statutes, glass doors, unlocked doors and unarmed victims do not create hardened targets. What those things create instead is the perfect environment for these deranged individuals to successfully carry out their plans. In the "gun-free zones" of our nation's schools, these shooters don't just believe, they know that a counter-attack will only come from the outside, and they'll get a loud and dramatic warning of the upcoming counter-attack as they hear sirens approaching from all directions. Those sirens tell them that they have at least another four minutes or more to murder any remaining victims before police will enter the building. Again, they know that no counter-attack will

be launched from within the school walls. It isn't just what they believe; it's what they know to be true. And so do we. If we change the environment, we stand a chance at changing their plans.

DOES VICTIM RESPONSE MAKE A DIFFERENCE?

The next item that we'll be looking at is how victim response affects the outcome. To do that, let's begin by looking at one of the most infamous school shootings: Virginia Tech.

As seen in the table shown earlier, Cho wasn't depending upon a high rate of fire to complete his mission. In fact, his rate of fire was half of what Union soldiers achieved with the lever-action Henry rifle. But Cho knew that no armed response would come from within the walls of the university building where he chose to take his stand; he knew that an armed response would only come from outside the school walls, so a high rate of fire wasn't important to him. Skill with his two handguns was also unimportant. Cho legally purchased the handguns he used during his attack — one in February and the second in March. His attack occurred in April. No evidence exists that Cho had taken any firearms training or had any significant practice with his firearms before the attack.

So, if Cho wasn't depending upon a high rate of fire or shooting skill, what was he depending upon? During his 11-minute siege, Cho entered or attempted to enter five separate classrooms, as shown in the diagram on the next page. You'll note that the classrooms are grouped by how the students responded to Cho's attack. Group 1 shows classrooms where the students and professors proactively defended their classrooms from the outset by barricading the doors. Group 2 shows classrooms that did not proactively mount a defense during any moment of the attack. Group 3 shows classrooms where students failed to initially form a defense but who regrouped and then actively worked to barricade their classroom doors. This diagram clearly shows that the outcome was not consistent among the five classrooms and that, when students and their professors actively mounted a defense, their chances of survival dramatically improved. This is a classic example of how mass shooters will switch from one set of targets to another set of targets. The students in Classroom 205 didn't need to disable or kill Cho; all they needed to do was delay his entry long enough for him to become frustrated and move on to a new set of targets. Cho knew the clock was ticking, and he wasn't about to waste more than a few seconds trying to gain access to any one classroom. The result was that everyone in Classroom 205 lived.

GROUP 1**PROACTIVELY FOUGHT BACK**

Room 204: The professor and one student are killed.

Room 205: No one is killed.

2 dead

GROUP 2**DID NOT PROACTIVELY FIGHT BACK**

Room 206: The professor and nine students are killed. Two more students are wounded. Only two students are uninjured.

Room 211: The professor and 11 students are killed.

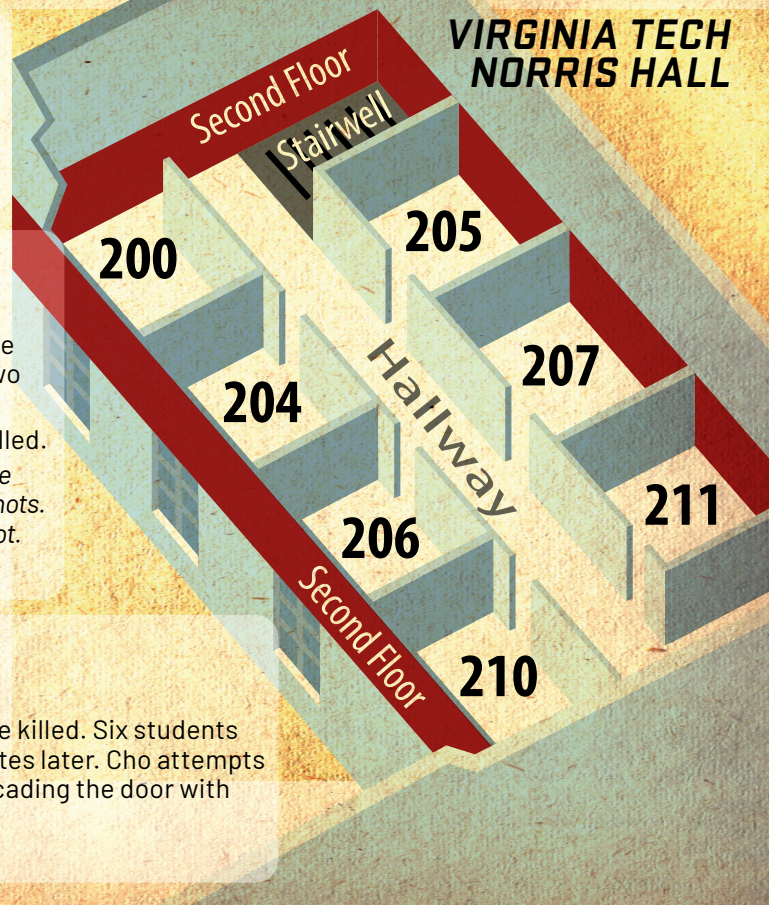
Additionally, Professor Kevin Granata was killed in the hallway when he exited his room to investigate the shots. It is not known if he actively resisted before being shot.

23 dead

GROUP 3**INITIALLY NOT PROACTIVE, THEN BECAME PROACTIVE**

Room 207: The professor and four students are killed. Six students are wounded. Cho leaves, and returns two minutes later. Cho attempts to reenter the room, but two students are barricading the door with their hands and feet. Cho gives up and leaves.

5 dead

**DEFENSIVE VERSUS OFFENSIVE RESPONSE**

Although the students and professors in classrooms 204, 205 and 207 took (or eventually took) defensive action by barricading their classroom doors, no evidence exists showing that any student in any classroom took offensive measures, such as throwing objects at Cho, striking him with objects or attempting to tackle him. One student from Classroom 211 was even quoted as saying that he was “waiting for it to be his turn” to be shot.

Although that student heard Cho reload three times (in fact, Cho reloaded 15 times total), the student failed to use the opportunity to flee the classroom or to make a counterattack on Cho, and instead decided to continue to wait for it to be “his turn” to die.

Please understand that I am not trying to blame the victims by this analysis. Instead, I’m simply attempting to understand what we might take away from the volumes of data that were recorded about this incident. The fact is, with no training at home or at school about what to do in the event of a mass shooting, it’s unrealistic to expect the average student to come up with a plan at the moment the gunfire erupts. That lack of training is one of four major points of failure at Virginia Tech, and it continues to be a failure point in other school shootings, including the most recent attack in Parkland, Florida.

WHEN VICTIMS FIGHT BACK AND WIN

So how about mass shootings where the victims did fight back offensively? In case after case, it can be shown that an active response by bystanders can end these attacks early, effectively saving countless lives. Examples include:

- **May 21, 1998, Thurston High School, Springfield, Oregon** — Recently suspended student Kip Kinkel enters the school with two pistols and a .22-caliber rifle. Kinkel fires a total of 50 rounds from his rifle, striking 37 people and killing two. When Kinkel attempts to reload, student Jacob Ryker, who has already been wounded, tackles Kinkel, and six other students join in to assist. The seven students restrain Kinkel until police arrive on the scene. Although Kinkel was carrying a total of 1,127 rounds of ammunition, the proactive and aggressive counter-attack by students ended the attack after Kinkel had fired less than 5 percent of his total ammunition supply.

- **Jan. 16, 2002, Appalachian School of Law, Grundy, Virginia** — Shooter Peter Odighizuwa shoots and kills a student and two faculty members but is then stopped by students Tracy Bridges and Mikael Gross, who had retrieved their personal firearms from their vehicles.

- **Dec. 9, 2007, New Life Church, Colorado Springs** — Shooter Matthew Murray opens fire in the church parking

lot, injuring three people and killing two. After entering the church, Murray is shot multiple times by Jeanne Assam, a concealed carry permit holder and security volunteer. Police reports indicate that, after being seriously wounded by Assam, Murray killed himself with a shotgun. Police reports also indicate that Murray had more than 1,000 rounds of ammunition in his possession and that approximately 7,000 people were on the church campus at the time of the shooting. The actions of Jeanne Assam undoubtedly saved countless lives.

• **Jan. 8, 2011, Tucson, Arizona** — Jared Loughner fires 31 rounds into a crowd attending a constituent meeting hosted by Rep. Gabrielle Giffords at the La Toscana Village mall just outside of Tucson, Arizona. When attempting to reload, Loughner drops the magazine. While one bystander fights Loughner for the dropped magazine, three other bystanders tackle Loughner to the ground, including 74-year-old retired Army Colonel Bill Badger (who is wounded), Joseph Zamudio and Roger Sulzgeber. Although six innocent people lost their lives during this shooting, far more would have been injured or killed if it weren't for the proactive and aggressive actions of Loughner's potential victims.

WHAT WE'VE LEARNED

An active response by potential victims affects the outcome. That active response might be barricading a door, fighting back or running away, but, in all cases, survival jumps exponentially. Fighting back as a team significantly affects the shooter's ability to continue his attack. Those facts are reflected in the Department of Homeland Security's new program on "Surviving an Active Shooter." Never heard of the program? That's not a surprise, because the program openly advocates fighting back, which isn't something that the national media is likely to help promote. The program teaches that there are three things you can do that will make a difference during an attack: run, hide or fight. The Run-Hide-Fight Program teaches that, if evacuation or hiding out are not possible, then action should be taken against the attacker. The program states:

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the shooter by:

- *Acting as aggressively as possible against him/her.*
- *Throwing items and improvising weapons.*
- *Yelling.*
- *Committing to your actions.*

While the program doesn't specifically take a stance one way or another on whether firearms in the hands of potential victims would change the outcome, it is significant that the Department recommends fighting back at all. Had this approach been taught to the students at Virginia Tech, it's likely that, even if Cho hadn't been incapacitated by his potential victims, any aggressive action on the

part of the students would have disrupted Cho's plans long enough for law enforcement to make entry. Remember that the typical length of time that mass-shooting events last is only five to nine minutes, or, in Cho's case, 11 minutes, since he had chained and padlocked several doors. The students in classrooms 204, 206, 207 and 211 didn't necessarily need to incapacitate Cho; all they needed to do was buy themselves several minutes of time to allow law enforcement to make their entry (as the students in Classroom 205 did).

What could they have done? As soon as it was apparent that a shooter was in the building, the students could have immediately piled tables, chairs, bookshelves or any other barrier objects in front of the door. Each student could have then picked up a chair, a book, a coffee mug, their shoes or any of the hundreds of other objects that would have been in the classroom. If Cho was able to breach the barriers and enter their classroom, the students could have thrown these objects at his head and torso, screaming at the top of their lungs, committing to their actions until the threat was over. If Cho went down still in possession of his firearms, the students could have beaten him into unconsciousness with chairs or their fists. Sound pretty brutal? The alternative wasn't just brutal; it was the deaths of 30 innocent people in Norris Hall.

WHAT SHOULD CHANGE?

Now that we've dispelled the myths that magazine capacity or firearm type have anything to do with the outcome and demonstrated that victim response can directly affect the outcome, let's look at a four-point plan designed to eliminate the scourge of school shooters once and for all.

POINT NO. 1: HARDEN SCHOOL AND CLASSROOM DOORS

Let's face it: The security at most of our nation's schools is not just poor ... it's abysmal. Years after the tragedies at Sandy Hook and Virginia Tech, if you were to ask your local school administrators the types of questions on my school security checklist on the next page, you'd most likely receive an answer of "no" for every question (or a look of embarrassment). While we don't necessarily have the money to institute airport-level security at school entrances, we do have the money to plug these major gaps in security. If you are a parent or a teacher, take a copy of this checklist to your school and ask your school administrators to answer these questions. Unless every answer is a resounding "yes," you'll need to make the argument that these items can no longer be delayed or ignored. Lives literally depend on it.

Although all of the items on the checklist are important, simply hardening up the main entrances of schools will

SCHOOL SECURITY CHECKLIST



FRONT DOORS:

- Is there a secured door that visitors must be cleared through before entering the school? Can the door withstand gunshots? Can the door be bypassed or are all visitors funneled through this entrance?

LOCKDOWN PROCEDURES:

- Who can initiate a lockdown? Can it only be initiated from the front office or are multiple methods of initiating a lockdown available? Can teachers initiate their own lockdown if they hear what they believe is gunfire or if they see an intruder?

CLASSROOM DOORS:

- Do the doors have deadbolts that can be secured quickly with no key?
- Do the doors have backup locks, such as hotel-style throw-over locks, Door Jammers or similar security doorstops?
- Are the classroom's windows security windows with embedded laminate?
- Can the windows be quickly and completely blocked with a shade or curtain?

BARRICADES:

- Do classrooms have barricades, such as movable cabinets or bookcases, which can be quickly pushed or dropped in front of the doors?

have an effect. FEMA reported that 74 percent of mass shooters enter their target zone through the front door, as was done at most of the school shootings I profiled earlier. Although Sandy Hook Elementary did have a "security door" blocking entry from the lobby to the interior of the school, that security door was made of glass. While it was good for appearances, it had no effect on actually stopping Adam Lanza as he shot his way through it.

Other good intentions that ultimately failed at Sandy Hook included the fact that a lockdown was never called from the front office, predominantly due to the fact that the shooting began just outside the office doors. That indicates that schools must have multiple methods of ordering a lockdown, which might include launching a prerecorded message initiated by pressing a necklace fob worn by multiple staff throughout the school.

The final failure at Sandy Hook was the most devastating. Although all of the classrooms did have lockable doors, the locks required that a key be used, even when locking the door from the inside. In the aftermath, it was discovered that all of the classroom doors were locked, except for Classrooms 8 and 10, the two classrooms where Lanza murdered the majority of his victims, and that keys were found on the floor next to one of the murdered teachers. Any delay in locking the classroom doors could be fatal, and looking for a key creates just such a delay.

Lockdown drills must not only be procedurally correct, they must also be fast. How fast? A good test for every teacher in every school would be to see how quickly a

healthy runner could sprint from the closest school entrance to your classroom. If that can be done in five seconds, then you have four seconds to get your students into the classroom and secure the door.

While the defensive measures listed in the checklist might sound ineffective (a determined attacker should be able to eventually breach a locked door, right?), remember that school shooters know that they'll have just five to nine minutes to complete their attack before the police will make entry. Delaying a shooter for even one to two minutes is enough to force the shooter to move on to try a different target or to end his or her own life.

The students in Classroom 205 at Virginia Tech didn't need to delay shooter Seung-Hui Cho for hours or even minutes. When Cho was unable to breach the door that students had barricaded with tables, he gave up in seconds and moved back to the classrooms where no such barricades had been erected. If Virginia Tech had installed deadbolts and backup locks on their classroom doors, it's very likely that every student in classrooms 204, 207 and 211 would have survived, and — if the school had instituted Point No. 2 — it's very likely that many of the students in Classroom 206 (the first room attacked) would have survived as well.

POINT NO. 2: TEACH STUDENTS TO FIGHT BACK

During lockdown drills, students must be taught to do more than simply huddle on one side of the classroom. Instead, they must be taught to fight back — and fight

back aggressively — if an attacker enters their classroom. During lockdown drills, schools must implement (or teachers can improvise) counter-attack plans by instructing students to spread out and to pick up objects and hold them back in a “thrower’s stance” in preparation for an attacker making entry. For younger kids, the objects might be books, staplers, their shoes or glue sticks. Older students should be taught to pick up chairs or other heavier objects. Any object thrown at an attacker will break his momentum, which might cause him to back out of the classroom. Schools should go as far as acting through simulated counter-attacks by providing students with soft rubber objects that can be thrown at mock attackers making entry through the door. Not only would that exercise make lockdown drills less frightening, it would also begin to build the proper neural pathways that not only is fighting back OK, it is necessary and expected. For junior high through college kids, students should be taught to defend and attack as a team, by immediately locking the door and barricading it with the designated cabinet or bookshelf, and striking the shooter with hardened objects to the head and torso if he makes entry. If you’re a teacher, you’ll also need to include a baseball bat or other incapacitating tool in your classroom. If a shooter enters your classroom, you not only have the legal right, you have the moral obligation to use deadly force to stop him. Huddling with your kids on one side of the classroom whispering, “Everything is going to be OK” is not living up to that obligation.

POINT NO. 3: ARMING EDUCATORS

If we really want to stop school shooters in their tracks, we must institute an Armed Educator program, similar to the Armed Pilot program. Allowing school staff to carry concealed firearms as official security is a sensitive topic, so I’m ready to propose a number of compromises on the issue, including:

- Requiring weapons retention and advanced handgun training in addition to state-mandated concealed carry training for participants in the program. This could be modeled after the Armed Pilot program but should not require more than two weeks of training.
- Passing a physical agility test to enter the program.

- Securing firearms in Level III holsters to minimize the fear that unruly students might attempt to grab the firearms.
- In addition to including traditional firearms and ammunition in the program, I’d propose that Simunition firearms and ammunition be included as well. This option would certainly attract more educators into the program, and mass shooters are unlikely to know the difference between the sound of or pain inflicted by Simunition rounds versus live rounds. (If you’ve ever been hit by a Simunition round, you know what I mean.) We need to keep in mind what the

end game of each of these shooters is: The moment he believes a counter-attack is occurring, he’ll break off the attack or end his own life.

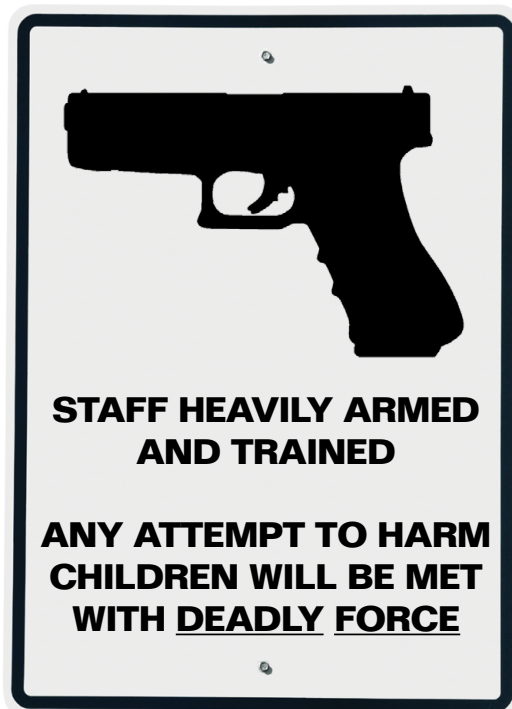
Interestingly, there might be another significant benefit of allowing educators to choose Simunition firearms over traditional firearms: Knowing that they will only inflict pain rather than death (on the shooter or innocent bystanders), they might be much more likely to immediately commit to a response rather than hesitating as they might with traditional firearms and ammunition. Picture what might have changed at Sandy Hook if Principal Dawn Hochsprung and School Psychologist Mary Sherlach had closed in on Lanza, firing Simunition rounds at his head and torso as fast as their fingers could pull the triggers instead of simply shouting, “Stay put!” as Principal Hochsprung was reported to have done. Lanza would have ended his life immediately or he would have collapsed into the fetal position as his body was wracked with impact after painful impact. Even if Lanza had recovered his senses long enough to continue his attack, the disruption of his momentum would certainly have



Simunition ammunition utilizes a low propellant charge and plastic bullets along with modified firearms that allow law enforcement officers and military personnel to train in realistic force-on-force scenarios in which defenders are able to fire upon mock attackers. Although the plastic bullets are non-lethal, they do pack a significant punch, requiring that trainees wear protective gear to avoid ending training covered in bruises. Although designed for training, Simunition firearms and ammunition shouldn't be discounted as defensive tools capable of being used against potential mass shooters.

bought the teachers in Classrooms 8 and 10 enough time to lock their doors, and it could have bought the police the few minutes they needed to make entry.

So why haven’t we implemented a program like this already? It’s because the anti-gun crowd and liberal politicians (is there a difference?) want you to believe that a physically fit teacher wearing a Level III holster who’s been trained in weapons retention and use of force is more dangerous to your children than a school shooter who walks through the front door loaded down with multiple firearms and hundreds of rounds of ammunition. We need to disagree.



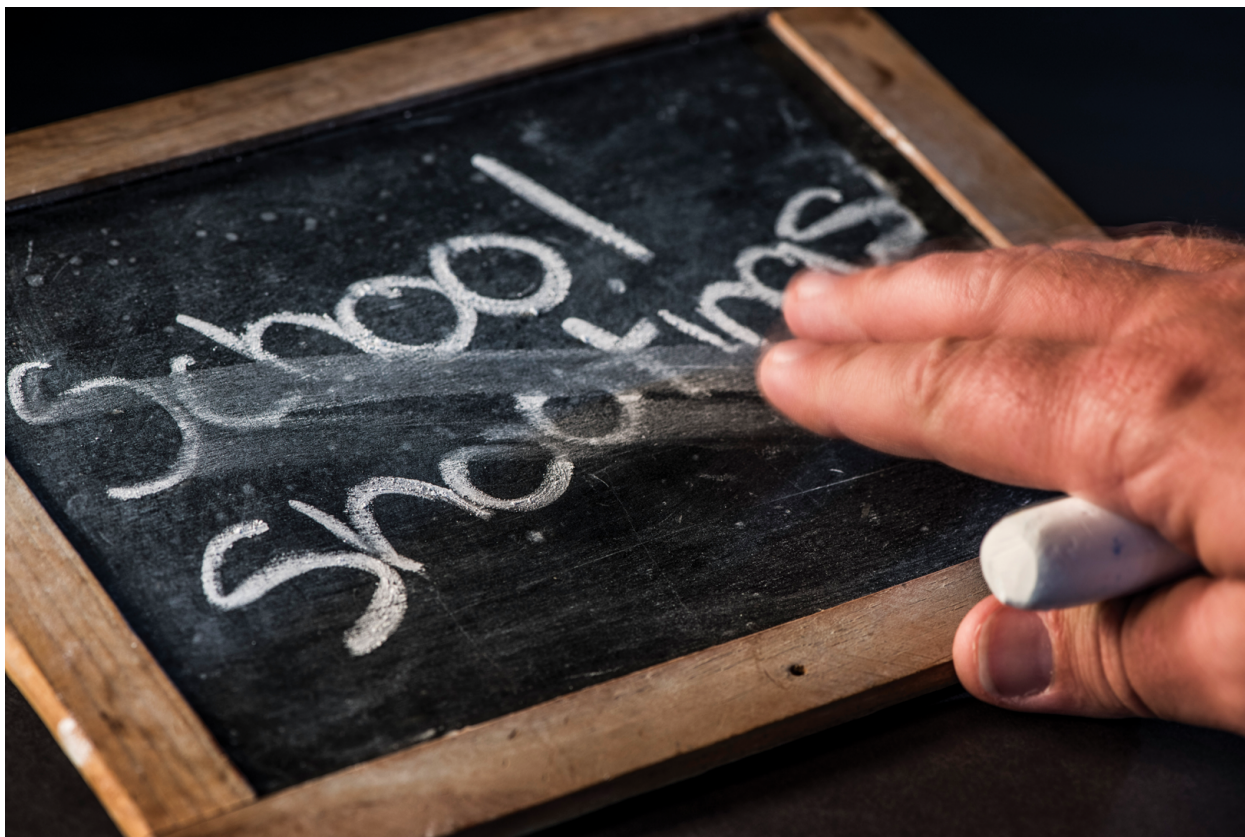
What's more likely to stop a shooter: a "No Guns Allowed" sign taped to a glass door or a sign declaring, "Armed personnel on the premises will use deadly force to protect our students and staff" taped to a steel-reinforced door?

POINT NO. 4: END 'GUN-FREE ZONE' POLICIES AT SCHOOLS

Finally, we need to reverse public policies and public statements of schools as "gun-free zones" once and for all. While the Armed Educator program takes a massive step in this direction, our ultimate goal (which, admittedly, will require more time) needs to be the elimination of schools from the "banned location" lists on state concealed carry laws and the repeal of the "Gun-Free School Zones Act" of 1990. The "No Guns Allowed" sign is what drew Aurora theater shooter James Holmes to that particular theater, when other theaters were closer to his home, and our nation's schools all carry that same virtual blinking neon light stating, "No one in here will be able to stop you." Which sign do you think would cause these mass shooters to reconsider their plans: a "No Guns Allowed" sign taped to a glass door or a sign declaring, "Multiple armed personnel on the property will use deadly force to protect our children and our staff" taped to a reinforced steel door?

Now the reality check: Nothing will convince school boards to institute any of my four points, so here is my plan to stack the argument in our favor. I'd like to challenge every concealed carry instructor in the country to do three things. First, offer a free class at least once per

year to any teacher, school administrator, school staff member or school board member who is willing to learn. Second, if you have school-aged children, let it be known that you're a concealed carry instructor and provide an open invitation for any parent at your children's school to take a class from you for free. You might give up a few dollars, but you'll be doing your school an incredible service. Third, include the data points from this article in every class you teach. I've captured everything in this series in a PowerPoint presentation — email me at michael@uscca.com and it's yours. I'm a huge believer that education is key to winning this argument, and if we educate from within, the blanket statements of "guns in schools are bad" or "we need to balance security with access" are going to begin sounding more and more ridiculous. The more teachers and parents who are educated with these facts, the more likely it is that one or more of them will stand up and hit the B.S. buzzer the next time they hear, "It's the magazines" at their next PTA or teacher development workshop. At those types of meetings, the typical argument from school administrators against securing schools and allowing armed personnel on the premises is two-fold: 1. Schools need to balance security versus access, and 2. Armed personnel will scare children. Those arguments are bunk. No one



makes the “access versus security” argument about airplane cockpits or the secure area of airports. Children also know the difference between a gun in the hands of a bad guy and a gun in the hands of a good guy (and teachers are included in kids’ versions of a “good guy” list). A gun in the hands of a bad guy equals danger, while a gun in the hands of a good guy equals safety. Similarly, children aren’t afraid of lockable doors or other active security measures. Those things say, “This place is secure. You’ll be safe here.” A trip through security and the sight of armed police at the airport doesn’t frighten children; if anything, it brings on a sense of comfort, especially if your children are aware of 9/11. How secure would your children (or you) feel if the extent of airport security was a “No Guns Allowed” sign posted at each entrance and a glass cockpit door?

Finally, think about how this argument would change if it were Al-Qaeda or ISIS committing these crimes instead of unbalanced domestic terrorists. The argument of magazine capacity would dry up overnight, and any politician voting against an Armed Educator program wouldn’t have to wait until the next election to be booted from office — he or she would be thrown from office in a mass recall election supported by Republicans and Democrats.

If we implemented my four-point plan across the nation, we’d very likely find that mass shootings at schools would simply end, and here’s why: School shooters want to commit their horrible crimes and then end their lives painlessly by their own hands. That’s not just a theory of mine; the FBI agrees. Forty-two percent of all mass shooters and 70 percent of school shooters commit suicide on-site. Their planning goes something like this:

- 1.** Record and upload a vile video to YouTube or write a rambling manifesto, explaining why they hate the world.
- 2.** Enter a “gun-free zone” and shoot as many innocent children as they can in five to nine minutes. Continue shooting until they hear sirens.
- 3.** Die painlessly by their own hands.

Implementing these four points will get these shooters to give up their plan entirely or just skip Part 2 and go directly to Part 3. I don’t care which route they take; I just want them to skip Part 2. When these potential murderers understand that they have no hope of breaking through secured school or classroom doors, know that their missions will end in utter failure and realize that their deaths will be agonizing as they’re shot by multiple armed school personnel, then — and only then — will this national nightmare end.





CHAPTER 4

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 US-CCA. 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 and a delivery system. And the definitions get even more in-depth.



WEAPON:

Your attacker does not necessarily need to have a gun, nor does he necessarily need to 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 approaches and continues to approach even after being directed to stay back, the model can reasonably believe his 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."

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



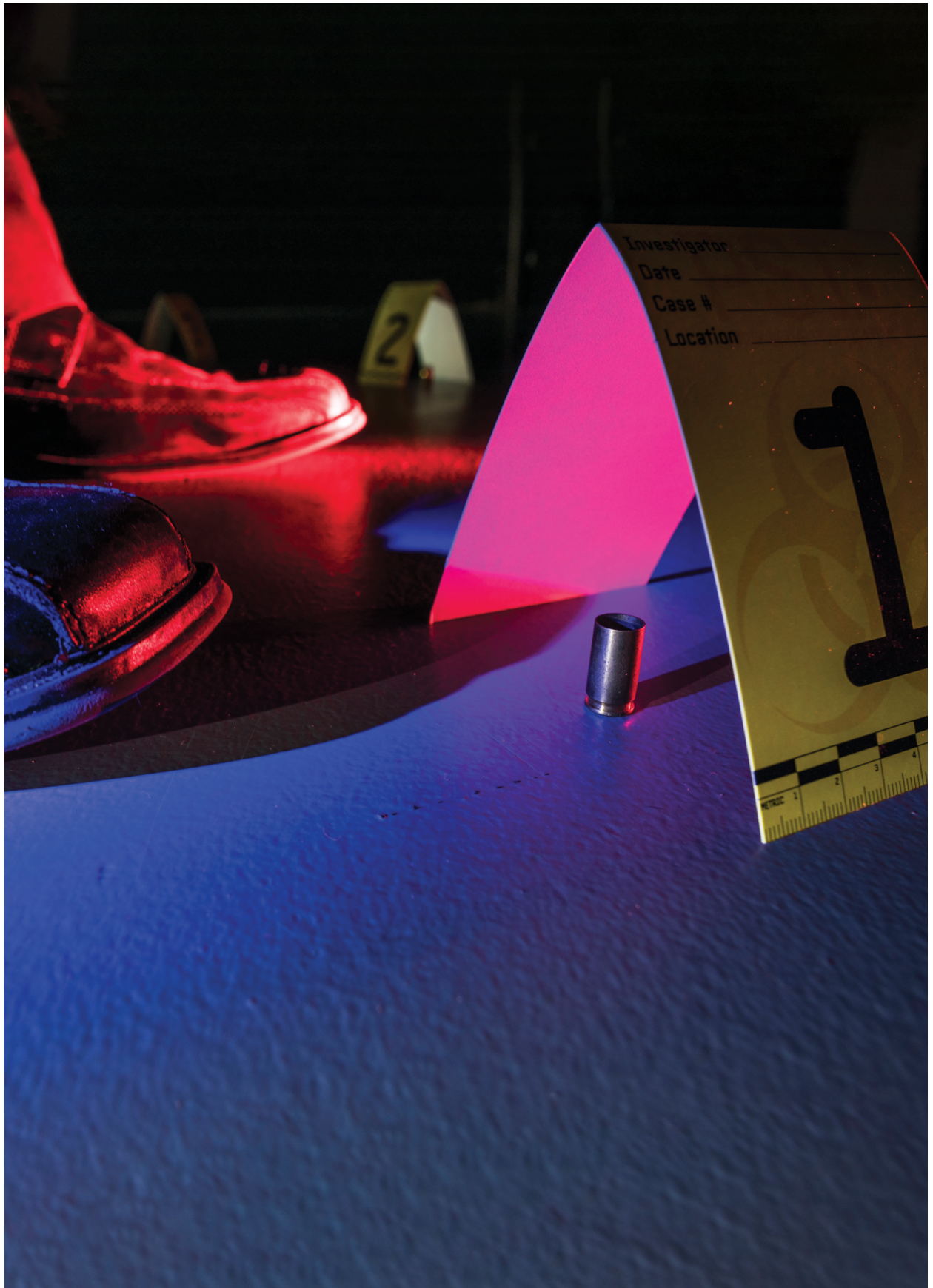
3 DELIVERY
SYSTEM

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 to make the attacker stop his or her violent attack.

To that end, after the threat is stopped, your use of deadly force must also stop. You are not allowed to use deadly force after you have stopped the deadly threat. In short, after 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 stop 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 have "Castle Doctrine" laws in place, which direct the court to consider any attacker in your home 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.





CHAPTER 5

WHY 'STAND YOUR GROUND' MATTERS

'SYG': A CURE-ALL?

BY JOHN CAILE

The attacks on "stand your ground" laws, in Florida and elsewhere, are becoming more numerous. This is dangerous because so many people are woefully ignorant about what such laws do and, more importantly, what they DON'T do.

One critic called Florida's law a "hunting license" and hysterically proclaimed, on national TV, that "you can shoot someone, and all you have to do is tell police that you were defending yourself, and the cops can't even detain you!" But not one person on the panel challenged him, leaving the casual viewer wondering if his statement might actually be true.

Absurd? Of course. Anyone familiar with police procedures understands that the police can pretty much detain any person, depending on the circumstances, for any reason and for as much as 72 hours. But most people have little or no knowledge regarding law enforcement practices.

Surprisingly, some on "our side" often exhibit the same ignorance. I was in a Minnesota gun store in 2012, shortly after the Trayvon Martin shooting, and overheard a conversation about the case. One gentleman stated, with absolute conviction, that "in Florida they got that stand your ground law, and you can shoot some dude and it don't matter, 'cause they can't prosecute you. You got immunity!"

Reality is quite different. FindLaw (FindLaw.com) is an excellent resource that I often use for basic legal information. It provides a "quick reference" guide to states with stand your ground laws (as well as those with some form of duty-to-retreat requirement):

It's important to understand that even states that have stand your ground laws still have certain restrictions when it comes to using force in self-defense. For example, they may require that the threat of perceived harm be objectively reasonable and that the force used be proportional to the threat. Stand your ground laws may also require that the person using self-defense be at the location lawfully (not trespassing, for example) and not be the initial aggressor in the altercation.

States that have passed stand your ground laws include: Alabama, Alaska, Arizona, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nevada, New Hampshire, North Carolina, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah and West Virginia.

On the other end of the legal spectrum, some states impose a duty to retreat. A duty to retreat generally means

that you can't resort to deadly force in self-defense if you can safely avoid the risk of harm or death (by walking away, for example). If that's not an option, say if you were cornered or pinned down and facing serious harm or death, then you would be authorized to use deadly force in self-defense.

It's important to note that, even in duty-to-retreat states, there's no duty to retreat from an intruder in your home. These states all adhere to some version of the Castle Doctrine as well.

But statutes are merely the tip of the legal iceberg and tell little about how such laws are implemented in the day-to-day administration of the criminal legal system. From the cop on the street to the prosecutor, the judge and the jury, "the law" is complex and always being interpreted.

True, George Zimmerman never even invoked stand your ground in his defense. But given the notoriety of the Zimmerman/Martin case, and the opposition to stand your ground that has resulted, it's probably a good idea to look at Florida's law as an example. The new law codified in Florida Statutes 776.012(2) states:

A person is justified in using or threatening to use deadly force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself or another or to prevent the imminent commission of a forcible felony. A person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be.

The opening line above (especially that tiny little word "if") is critical. So I set about finding someone who could give me a good understanding of how stand your ground actually works in real life.

I contacted a friend in Florida, whose guidance led me to Tim Hessinger, a top-notch Florida criminal attorney. Tim has significant courtroom experience in self-defense cases, both as a defense lawyer and as a former state prosecutor for 15 years. Tim is also a past president of the Pinellas County Association of Criminal Defense Lawyers. In other words, he's someone who actually knows what he's talking about.

According to Hessinger: "The Florida Legislature has enacted a law that permits you to stand your

ground — anywhere [and] anytime you are attacked. No longer must you take the risk of retreating from an attacker before protecting yourself. The protection given by the law is the highest protection, immunity from prosecution.”

I was stunned. Could that seemingly clueless guy in the gun store have been right? But, as I’ve learned from experience, things are never as simple as they seem, and it pays to keep reading. Because Hessinger then warns that preemptive action is often necessary “to prevent charges from being filed [...] or dismissed if they have been filed already.”

Now comes the really important part: “With proper legal representation, you may be entitled to immunity from prosecution for any harm, even death, which you inflict as a result of your efforts to lawfully defend yourself. The procedure for obtaining dismissal of criminal charges is complex and uncertain. The law is in its infancy, and the various courts are struggling with its application.

“With this much uncertainty, your legal team must be thoroughly familiar with the new law, all district court interpretations and the very purposes behind enactment of the new law.”

Note the use of cautionary, highly qualified language, not to mention the lack of any “guarantee” that everything will turn out to your benefit. THIS is the reality of criminal law, especially when it comes to self-defense that involves a lethal outcome.

Finally, Hessinger references how, even in Florida, there is no universal agreement in the courts on how to handle a stand your ground case:

“Around the state of Florida, the appellate courts have been wrestling with the proper procedure for pursuing a claim of immunity.

“The First District Court of Appeal has embraced an evidentiary hearing permitting the trial court to weigh and confront factual disputes to render a ruling.

“However, the Fourth District Court of Appeal has ruled that when the State files a proper traverse, the [defendant’s] motion for dismissal must be denied by the trial court, and the case proceeds to trial. (See *Velasquez v State*, 9 So. 3d 22 (Fla. 4th DCA, 2009))

“The Second District Court of Appeal affirmed the denial of a Motion to Dismiss based on FS 776.032(1) immunity, but does not comment on procedure. (See *State v Heckman*, 993 So. D 1004 (Fla. 2d DCA 2007))

“The Florida Supreme Court has not yet issued an opinion on the proper procedure for asserting an immunity claim in pre-trial litigation.”

That last line tells the story. Stand your ground is not a “hunting license,” but neither is it a legal “Kevlar vest.” It is simply a claim. Granting it is never “automatic,” certainly not without at least a hearing to investigate the facts of the case. All of the common law rules of self-defense still apply. For example, if you were the aggressor, you’re unlikely to prevail.

Now, most of us avoid conflict, and we’d likely try to escape a dangerous situation before using deadly force anyway. So why do we need stand your ground? Simple. Because, without it, prosecutors routinely, and often egregiously, abuse the concept of retreat, arguing that unless the defendant used every outrageous (and sometimes virtually impossible) option to run, crawl, hide, go through a door or otherwise escape a situation, he or she cannot claim self-defense.

Stand your ground is not a cure-all. But it does provide us with an additional layer of defense. Additionally, in Florida and some other states, immunity from civil suits (for things such as “wrongful death”) is included: “A person who uses force as permitted in s. 776.012, s. 776.013, or s. 776.031 is justified in using such force and is immune from criminal prosecution and civil action for the use of such force.”

Without such protections, a lawsuit could easily cost you everything you own, even if you were acquitted or, worse, never even charged! If your state has stand your ground, defend it. If it doesn’t, advocate for it.

Stand your ground must become the law of the land ... everywhere.

“STAND YOUR GROUND IS NOT A CURE-ALL.”



CHAPTER 6

SITUATIONAL AWARENESS

WHILE DINING OUT

1 KNOW YOUR EXITS

Immediately upon entering the restaurant, begin making mental notes of the exits. Criminals will most often enter through the front door and might block that egress route. Look for other avenues of escape. Continue looking as you are led to your seat. While most people don't appreciate being seated near the kitchen door, remember that door will provide a means of escape if you need it. Knowing your exits is a theme that should be woven through your seat-selection process.

2 AVOID THE BOOTH!

Sometimes where you sit in a restaurant will be dictated by circumstance, but often you will have some say in the matter. Right off the top, if the host or server asks whether you would prefer a booth or a table, always answer table. Booths, while nostalgic and luxurious, so thoroughly limit your mobility as to dictate what you will — and will not — be able to do in the event of an emergency. First things first ... stay out of booths. Everything is more difficult from a booth; simply going from sitting to standing is far more difficult from a booth than from a chair at a table — and that's when you're sitting on one of the ends. If you're trapped sitting on the inside of a booth, your ability to move is limited to an even greater extent.

Sitting in a booth also greatly impedes your ability to draw your firearm. If you carry in the most common manner — strong-side hip, inside the waistband — the booth that looked so appealing when you walked in the door might well be pinning that firearm to your body. Even a draw from pocket carry is more difficult from a booth than when seated in a chair. With the exception of cross-draw from a shoulder holster, any means of accessing your firearm will be more difficult while you are inside a booth. On top of that, after you do have a gun in your hand, you're pretty much planted right where you are. So, again, choose a table whenever possible.

3 LOCATION, LOCATION, LOCATION

While sitting in the chair you were able to select, many more possibilities open up when it comes to drawing, moving and engaging a threat. Since sitting in a chair at a table will give you more room, you'll be able to draw that sidearm almost as easily as if you were standing. That chair you're sitting in will kick right out from under you if need be, and you'll be able to make the movements necessary to get to cover, concealment or a position of tactical advantage if you are required to engage the deadly threat.

Choose the seat at the table that affords you the widest possible view of the restaurant. At the bare minimum, you should do your best to see the entrance and, if possible, the cashier's station. Being able to see those exits — or routes to those exits — you noticed on the way to your seat is a bonus.

4 REVIEW YOUR EXIT STRATEGY

When the waiter gets you settled and asks if you'd like anything to drink other than water, that's the time to continue mapping out your exits. Plenty of you probably remember the public service announcements in movie theaters explaining exactly where all exits are located, and one of the most important angles of tactical movement is read to you every time your airplane is preparing for takeoff: "Remember, the nearest exit may be behind you." As you process your surroundings, take note of not only the entrance but also any other marked exits. It is human nature to leave a room through the door in which we entered, so in the event of a fire or violent attack, expect most of the patrons to try to leave by that main door, potentially causing a major choke point.

Other reasons to always be scanning for alternate exits are just as important. For all you know, fire or an attacker might block that main entry/exit point. There might be a dangerous situation developing between you and the main exit. There might be any number of limiting factors that would make attempting to use that main entry/exit point the most dangerous course of action you could take, so always be mentally cataloging all of the ways you could get out of wherever you are.

5 CONSIDER ALTERNATE EGRESS

Always remember that there's the polite way to enter and leave a room, and then there are all of the other possible ways to enter and leave a room. If there's a catastrophe afoot and you're looking to get out of a building that's just become a crime scene or the fire marshal's next investigation, look at the windows. Firefighters tell horror stories of individuals perishing in structure fires without even thinking to break a window and jump to relative safety, and the same can be said of rapid, violent attacks. Wherever you're sitting in the restaurant, take note of all windows and know that you might need an implement to smash one open.

6 TAKE EVERY ADVANTAGE

Remember to use all the tools at your disposal to assist in your situational awareness. Those large mirrors that were once a symbol of opulence in taverns of the Old West are now pretty standard pub and restaurant décor. As great as they are for decoration, they're just as handy for seeing what's going on around you. USE THEM. A giant mirror over a bar or covering part of a wall gives you the ability to observe other parts of the restaurant without moving your head, and this is something you're going to want to practice doing now so that if you're ever forced to do so, it won't be your trial run.

Any polished reflective surface can be used to assist your observations. If an attacker does enter the building and he tells you not to move, that mirror might be your best chance to keep an eye on him as he commits his

“WITH THE EXCEPTION OF CROSSDRAW FROM A SHOULDER HOLSTER, ANY MEANS OF ACCESSING YOUR FIREARM WILL BE MORE DIFFICULT WHILE YOU ARE INSIDE A BOOTH. ON TOP OF THAT, AFTER YOU DO HAVE A GUN IN YOUR HAND, YOU’RE PRETTY MUCH PLANTED RIGHT WHERE YOU ARE.”

crimes and might give you the opportunity to escape or engage when the opportunity presents itself.

Don’t forget about interior windows or other architectural elements either. They can provide cover or concealment and afford you the chance to move without being seen. There are myriad options when you’re in a building that is anything more than an open space with a clear span interior.

7 BE READY TO MOVE

Let’s face it: Restaurants can be crowded. Heck, we want to go to crowded restaurants, because that means the food is worth the wait. This does, however, present unique challenges in the areas of self-defense and attack survival. If a rapid mass murderer enters the restaurant you’re in and begins an attack, you won’t be the only one looking to make an exit.

While you’re seated, take note of not only the physical exits but also the routes to those exits. Are there certain routes that are the most obvious and will therefore be the most crowded during a crisis? Are there alternate paths to those exits that are less obvious and will therefore be far less crowded when everyone’s looking to get out? Do what you can to stay away from routes closest to bars and wait stations.

The physical bar in an establishment will be an unmoving mountain of furniture and, during a stampede situation, there will be a high risk of getting pushed into it and injured. Wait stations will be similarly beefy and, like the bar, will quickly be littered with broken glass, so it’s best to avoid them. Chairs and regular restaurant tables usually move if you run into them; booths and bars usually don’t.

Whenever possible, take stock of the kinds of chairs and tables around you, as some move and some are fixed to the floor. All of this is important to know if you’re forced to respond to a crisis.

8 IDENTIFY COVER

Concealment hides you; cover stops bullets. Wherever you are, it’s always a good idea to be constantly assessing what around you would have the best chances of stopping a bullet, be it a tiled concrete pillar in a chain restaurant or the dumpster in the parking lot behind it. But be advised: Most anything you’ll come across in a restaurant will be concealment and concealment only. Even cinder-block walls, when struck repeatedly with rifle or even pistol bullets, can begin to break and give way.

That said, when bullets are flying, even concealment is better than nothing, and if you can run behind something to get out of the immediate area of danger without an attacker seeing you, do so. Remember though: Basically nothing in a restaurant will stop bullets. Forget everything you’ve seen in the movies about hunkering down behind a little line of flower pots and riding out gunfire. The most reliable bullet-stoppers in this country are poured concrete and sandbags, and unless you’re in an oddly themed diner, you’re not likely to see much more than wood and drywall — both of which offer concealment, not cover.

STAY SAFE

No one can watch everything all the time. You can, however, start the mental processes of monitoring everything we’ve covered here. Processing the world through the eyes of a responsibly armed American is a lifelong endeavor and, like all other areas of preparedness, it’s imperative that you begin to prepare now rather than after the emergency is underway. With a little effort and a lot of practice, the techniques listed here will become second nature, and you, your friends and your loved ones will all be safer for it.

Ed Combs
Associate Editor
Concealed Carry Magazine

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