



# Preparation to Stop a Mass Shooter

## An Interview with Marty Hayes

Interview by Gila Hayes

*These days, armed citizens have a lot of options for training, and one question arising frequently asks, with so many choices, where should we focus our time and money. Some say, develop close quarter fighting skills to fend off an up close and personal assault; others, like John Farnam in last month's lead interview, note that with terrorism now occurring on U.S. soil, we need greater accuracy for smaller targets at longer distances. Armed citizens aren't sure how to prioritize. In this month's interview, we ask this and related questions of a man who wears two hats: Marty Hayes, president of the Network and director of his long-established training operation, The Firearms Academy of Seattle, Inc. We switch now to our interview Q & A format.*

**eJournal:** Just last year, at your training business, you introduced a class to hone skills that may be needed if one is caught up in a mass shooting event. Arguably, a mass shooting event is much less likely than being targeted for a home invasion, car jacking, robbery or sexual assault, to name only a few. Why this focus?

**Hayes:** At the Academy, we have a saying: We don't train for the average, we train for the anomaly. The average self-defense incident is typically a pretty basic situation: The display of a gun or the use of a gun in a close range, interpersonal situation solves most problems pretty quickly and easily, and then we only have to deal with the legal and perhaps psychological and medical aftermath. Frankly, most self-defense shootings are pretty simple affairs.

**eJournal:** By simple, do you mean the skills required?

**Hayes:** Yes, the shooting aspect is pretty simple. I live in Washington State where the Washington State Criminal Justice Training Commission has a very good police training program. I tell people that we Washington cops don't lose gunfights. I can't remember an incident where the police lost the battle after exchanging shots

with a bad guy or two or three. In WA, and I think probably many other states, we lose the battle when our police officers are ambushed or they put themselves in the wrong position or it is a tactical failure, but the actual shooting is a pretty simple affair.

Because I come from that Washington State Criminal Justice Training Commission instructional doctrine, I've patterned our curriculum at the Academy to basically follow the police training model.

Having said that, I also know there are times when a shooting situation can be extremely difficult. For example, in our Active Shooter Interdiction Course, we are fortunate to have the instruction of Staff Sergeant Andy Brown, USAF, Ret., the Fairchild Air Force Base Security patrolman who back in 1994 interdicted and killed the mentally deranged shooter at Fairchild Air Force Base. This individual, a former airman himself, had been discharged, then came back and took out his hatred on the psychological and medical staff at the hospital.

Well, Andy had to interdict that individual with his Beretta M9 and the investigation shows that he shot that individual from 70 yards away. Well, that is the anomaly, but that is what we train for here at The Firearms Academy of Seattle. We want our students to be able to handle just about anything that life gives them—whether it is an easy five-yard affair where they have to shoot someone a couple of times and the person falls down or whether it's an active killer 79 yards away.

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**eJournal:** That spotlights one of the difficult aspects in a mass killing spree, and that is the distances generally involved. Look back to some of the mall shootings, for example, where long shots to stop a mass shooter could be made from balconies or mezzanine levels, as well as down long corridors. When training armed citizens for extraordinary situations, what distances do you consider reasonable?

**Hayes:** Any competent self-defense practitioner should be able to engage and hit human-sized targets at 50 yards. When I grew up in police work, it was standard procedure to take your 4-inch .38 or .357 revolver and shoot a passing qualification score on the PPC course with 24 of the 60 rounds being fired at 50 yards. That has been lost to the current generation of shooting instructors, but that is unfortunate because now we are seeing many, many, many instances where shots need to be taken at 10, 20 or 25 yards and even more, as was true in Brown's case.

**eJournal:** A four-inch barreled service revolver is no miniaturized pocket gun and is of a size that many today would consider too bulky for daily carry concealed. The sub-two-inch barreled ultra-compact pistol in deep concealment may not be up to the task of 50-yard shots.

**Hayes:** Our training exposes the student to a myriad of shooting problems: multiple shots, shots in the dark, or in our active shooter interdiction course, 50-yard shots. If their gear isn't up to it, they quickly find that out. I do not have to advise them to get XYZ gun or XYZ ammo. They figure it out themselves when their gear isn't cutting it.

**eJournal:** You mentioned multiple shots; you mentioned shooting in the dark; and in real life people move—the citizen defender may need to move and the attacker will nearly certainly be moving. Doesn't that raise other challenges?

**Hayes:** Let's take a look at the Aurora, Colorado movie shooting. Holmes was up on stage shooting people. If someone in the audience was armed with a service-sized weapon—I'm talking about a Glock 19 or a Combat Commander with a 4 ¼-inch barrel—that would have been a perfect situation to take that guy out, right now. In a movie theater, you have distances of 20 yards or so—you have to be close enough to see the movie screen—and yes, it is in the dark, but Holmes was lit up. I am sure there was some light there, you could get a

sight picture and take the guy out, or as many people do now, you could have a laser on your gun, and you could have used a laser to aim and take the shot.

Another attack in darkness was the nightclub shooting a year ago in Florida. It has been a while since I was in a nightclub, but they are dim with flashing lights. If some guy starts walking around shooting people, everyone is going to dive for cover except for the guy shooting, which means you have a clear shot at the guy. Get to cover yourself, roll over and shoot the guy multiple times until he quits killing other people.

**eJournal:** Are you a proponent of shooting while moving or getting into cover then shooting?

**Hayes:** Be skilled in all methods of engaging targets, whether that is a moving target and you are stationary, whether the target is stationary and you are moving, or when both are moving. In a few days, I'm putting on an IDPA (International Defensive Pistol Assn.) stage where you have to engage a target that is moving one direction while you are moving in an opposite direction. That is what we train to do here—we train to do anything that is demanded of you within the limits of the weapon, meaning a service-sized weapon that is still concealable.

**eJournal:** It has been said that most guns are capable of greater accuracy than most shooters can accomplish. Is that true?

**Hayes:** [long pause] Well, I hesitate to answer because it sounds so arrogant, but I think I am capable of wringing out the most accuracy my guns can offer. I also know the average person doesn't have the ability to make 50-yard shots with their pistols, not because the guns are not capable, but because they have not trained themselves to do that. Frankly, 50 yards is not that far away. We routinely shoot targets at 100 yards with pistols, just to show people that you can do it.

**eJournal:** There's truth in Dirty Harry's line, "A man's got to know his limitations." How does the average armed citizen judge his or her individual limitations to make a realistic assessment of whether to take a long shot on a small or moving target?

**Hayes:** The armed citizen should take a very sincere look at their skills and at the problems they are likely to

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face and make an honest assessment about whether their skills and equipment are going to be able to solve those problems. Can you solve an Aurora, CO movie theater shooting? Can you solve a San Bernardino Christmas party active killer attack where one of your coworkers decides to come in and kill people? Unless you've trained to meet that challenge then you have got to say, "No, I am going to run away or I am going to cower in fear, and maybe if they come around the corner, I will have to shoot them."

I am just not built that way. I would not want to live the rest of my life thinking that I had the ability to train myself to meet these threats out in our world where there's all these active shooting incidents going on, if I was not carrying the type of weaponry or I didn't have the skills to solve it. I am not going to want to meet my Maker knowing that somebody died that I could have stepped in without risking a whole lot of my personal safety—every time you do something like that, there is risk involved, and I am not certainly looking at throwing my life away to save other people—but if I can interdict that individual and still go home that night then that is what I am going to do. That is what we need to be able to train ourselves to accomplish.

**eJournal:** On the flip side, we don't want to be called upon to explain that we killed or injured innocents by recklessly attempting to shoot outside our abilities.

**Hayes:** It is a lot like police officers in the initial training they get, followed by additional in-service training. Police typically get 40 to 80 hours of firearms training when they first become officers. Then they will train three or four times a year at their department and for the most part, they are pretty well able to handle threats on the street, but cops also have SWAT teams that they can call when an incident becomes more than what an average patrol officer can handle.

Well, armed citizens don't have SWAT teams. We have to call the police, and you know that the police aren't going to get there in time, so while I am not talking about running around with body armor on—although maybe that is not a bad idea under certain circumstances—we have to be our own SWAT team. Have the skills and abilities to be able to take out a bank robber who has already shot two other people and is now holding somebody hostage. Have the skills and abilities to make that moving shot in the dark when someone is trying to drag off your child into a parked car.

**eJournal:** Beyond simple physical skills with weapons, the willingness to engage and fight is required. Just this year, there have been several books (*Surviving a Mass Killer Rampage*, by author Chris Bird, <http://www.privateerpublications.com/book-smkr.html>) or chapters in books (Ron Borsch's chapter in *Straight Talk on Armed Defense*, edited by Massad Ayoob, <http://www.gundigeststore.com/straight-talk-on-armed-defense-r3599>) discussing citizen defenders stopping mass killings. In those works, overwhelmingly the majority of interdictions was simply physical counter-attack without firearms. Most of these situations arise where law-abiding people are prohibited from being armed, but even so, you have to be impressed with the courage these men and women showed going up against a gun with just physical force. Do you address the mental preparation to face mass killers?

**Hayes:** Probably not as much as I should! I can recall being faced with this decision when I got into police work back in the mid-70s: could I kill another human being to save myself or someone else? I had to come to the conclusion that yes, I could do that. Then, we practiced doing that, so that if you had to use deadly force, you wouldn't have to make the decision, "could I do this?" You had made the decision, so the question was, "how do I do this?" because you've pre-planned it, you've already decided, "I am going to go into harm's way if necessary to stop this individual. I can take a human life."

Has the armed citizen really thought that through and decided, "Yes, I can take a human life, if that's done to save mine or someone else's?" That is really the mental preparation that needs to be done. Everything else is really just practicing how to do it best.

**eJournal:** In order to practice that, we probably ought to get off the standard shooting range and engage in force-on-force or role-play based training. How much emphasis do you put on scenario-based training?

**Hayes:** That is a big part of it. Back in the 70s and early 80s when I was training to be a police officer we did a block of instruction called mock scenes. You were put into felony car stops, random car stops, searching for burglars, and these sorts of things and you practiced the tactical lessons you'd been taught in the classroom. You made your mistakes and you got "killed" with the blank

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rounds. At the time, we didn't have anything with projectiles like Simunition® or airsoft so we just used blanks and the sergeant said, "You're dead" and you said, "OK, I was caught unaware" and did better the next time.

That is the type of training you need to do, but you have to be very careful selecting where you go and with whom you train. I am not aware of a lot of really good trainers who have their act together. Craig Douglas, aka South Narc (<http://shivworks.com/who-is-craig-douglas/>), does a very good class titled *Managing Unknown Contacts*, and Karl Rehn from KR Training in Texas (<https://www.krtraining.com/KRTraining/Classes/classes.html>), one of our first Network Affiliated Instructors, puts on a very good program using airsoft to teach these lessons for armed citizens. The Firearms Academy (<http://firearmsacademy.com>) does, too, of course.

**eJournal:** Do you worry about incompetent force-on-force giving students the idea they should act in a wrong way? Why do you say there are good instructors and not-so-good instructors?

**Hayes:** Let's take, for instance, your typical building search. A police or SWAT officer faced with a mock scenes building search, has to go in and interdict and either kill or arrest the guy in the building. That is their job. If your civilian use of force is similar, that is really bad training for you. It might be fun, it might give a look into the mind of a police or military operator, but the fact of the matter is if you are a private citizen doing a building search, the first thing you should do is leave if you find any evidence that someone who doesn't belong is in the building.

That is what we train here at the Academy. We do building searches not to find and kill the burglar, but to make sure that if we do find someone, we get out of there alive. We call the police, we set up a perimeter, and we let the police send their dog and SWAT team in to root the guy out. We don't do it ourselves. That is what I am saying about the trainers. Frankly, not that many people are doing high-level training. It takes a well-established training organization to do that.

For example, the National Rifle Association has a huge array of courses for the armed citizen, but as far as I know, they don't do force-on-force and they have been in the business since the 1800s! There are very few institutions out there that do force-on-force training.

**eJournal:** Applying force-on-force lessons to preparation to stop a mass shooter, what choices might an armed citizen make that would be incorrect from a legal issues viewpoint?

**Hayes:** I am not too worried about going to jail as a result of the interdiction of a mass killer, as long as we interdict him *after* he has already started killing people. You're pretty much going to have a very sympathetic criminal justice system if you take your lawfully owned pistol and shoot and kill a mass killer. If you damage somebody else, even that is probably going to be forgiven. If you don't assess the situation properly, that is when you find yourself in a lot of legal hassle.

**eJournal:** Can you give an example?

**Hayes:** An example could be based on the Stockton schoolyard shooting back in 1989. What if you'd seen a guy come walking down the street in camouflage BDUs with an AK-47 strapped across his shoulders? You might pull your pistol out and demand he drop the gun. If you did that, you might instigate a shooting and end up killing a kid. Then, you might end up having some legal problems, because no one could be 100% sure yet that the guy was actually a mass murderer.

A decision I have made in my own mind is that I am not going to get involved in a public incident, say one of these typical mass shooting incidents, unless I already know first hand that innocent life has been lost. If I see him killing people, I am free to take him out.

**eJournal:** So someone yelling, "The guy in the red plaid shirt killed them," is not enough?

**Hayes:** Exactly! If you don't see it, you don't even go in and interact with them. You sit back and you call police if you are concerned, and you say, "Listen, I am here in Stockton next to the elementary school, and a guy wearing cammies is here carrying an AK-47. I think he might mean to harm the children on the playground. Come now and bring SWAT!"

**eJournal:** That brings up concerns about police or others coming into the scene after you're already engaging the active killer with gunfire. It's not the classic blue-on-blue shooting, but there is great potential for the

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legally armed citizen to be misidentified, either by police or by another armed citizens. How can one mitigate that peril?

**Hayes:** After I shot the guy, I would be yelling at the top of my lungs, "Somebody call the police! Everybody, stay back! Call the police!" so I am identifying myself as the good guy by calling for the police. I know that if I come across someone with a gun who is yelling, "Call the police! Call the police!" and someone else is down, I'm going to figure the guy yelling is the good guy. I'm still going to be wary of him, but I don't know too many criminals that call the police. I guess I'm not too worried about being shot. How many instances have we seen where armed citizens have killed or stopped a mass shooting?

**eJournal:** From what I can find, most take downs by private citizens are accomplished purely through physical force, but having said that, we must acknowledge Jeanne Assam's New Life Church shooting, or, better yet, there's a great example Chris Bird wrote about in *Surviving a Mass Killer Rampage*. That was Vic Stacy's 57-yard revolver shot when a neighborhood dispute flared up and another man shot his neighbors and their dogs with a pistol, then leveled a .30-30 Marlin at Mr. Stacy when he tried to stop the killings.

It would have been terribly easy for police dispatched to a shooting in the trailer park to think Mr. Stacy was the murderer, and in fact, he was ordered to drop the gun and go prone on the hot gravel, according to Chris Bird's account. When you prepare students to live through the aftermath, is your focus on verbalization? What else?

**Hayes:** Assuming that the killer has been stopped, then we also need to be calling the police, not just waiting for the other people at the scene to call. You need to call the police and say, "Listen, I just had to shoot a guy that was shooting up a trailer park. This is who I am, this is my description, and I am standing by the red Ford truck. I do not have a gun in my hand. Don't shoot me!"

**eJournal:** I need to pass along a common question that members have been asking: what if, through auditory exclusion, a very noisy scene, or other issues, we fail to hear police arrive on the scene or fail to hear orders to drop the gun, or are still shooting. You'd be surprised how many have expressed that fear in the wake of

notorious situations like the Florida airport shooting, for example. What's your response?

**Hayes:** We tell students that the most dangerous part of this armed encounter is when you have to engage the bad guy and shoot him. The second most dangerous part is when police show up. If you have your gun in your hand, you are about two pounds on a four-pound trigger away from being shot by the responding officers.

You must make sure that your gun is put away, whether that is back in its holster, whether that is on top of the truck roof, and that your arms are straight up and fingers spread and you must make sure the officer knows you are the one who called.

**eJournal:** In your class exercises, do you continue the role-play after the shooting, to give practice doing all that? If we don't practice carefully looking around and scanning, moving to better cover, watching for the first responders, we really should not think we're going to remember in real life to do anything except stand there in shock gripping a gun. What strategies can we practice to increase our safety in the immediate aftermath?

**Hayes:** Yes, in one of our courses, we do a role-play in which the student pretends to call 9-1-1 and a cop shows up immediately. The student typically still has a gun in hand, and the cop tells him to drop the gun and the student better be dropping the gun. We've shot the student with airsoft sometimes, because they don't comply with police. You must not have that gun in your hand and look like a threat to police when they arrive on the scene. The good news is that police usually announce themselves real well with loud sirens and flashing blue lights, so it is unlikely you are not going to know they are coming.

**eJournal:** To what degree, if any, are you concerned about one armed citizen shooting another?

**Hayes:** That is a huge part of our role-play training! Typically, we'll set up a situation where the student is an armed citizen good guy and decides to pull a gun. Well, guess what? When he pulls out a gun, everybody else in that scenario that brought a gun wants to pull out theirs, too. It can get pretty confusing when you pull out a gun in public. We are not saying, don't do it, but we are

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saying be ready for the confusion and have a plan about how to handle it.

Don't pull a gun out when you don't need to. Don't pull a gun out just to stop something that you THINK might occur—like a potential robbery. Unless blood has already been shed, I don't get involved in unknown situations. I walk away. A store clerk who is about to be robbed had the right to carry a gun. They didn't have to work as a gas station attendant without being armed.

When I was a very, very young man, in my early 20s, I took a nighttime gas station job. I was making five bucks an hour, midnight to 8 a.m. Guess what? I had a gun with me. Nobody knew it. The manager didn't know. It came into the store in my lunch box and it left in my lunch box. When I was there all alone, it was accessible to me. No one ever knew that I had a gun, but I did because I knew that I was working in a dangerous situation and I wanted to make sure that I was armed.

If the manager had found out would I have been fired? Sure! But it was a five buck an hour job! Give me a break!

**eJournal:** How bad you think you need the job probably depends on how hungry you or your children are, but getting back to your original comment, should we not be held accountable for protecting strangers?

**Hayes:** No, you don't have to do that. I need to take care of myself and the people I've promised to take care of and that is all. Over and above that, I may feel a compulsion to get involved when people are actively being killed, but there is a whole lot of grey area between that and jumping in where you really do not have any business jumping in. If I am in a bank and somebody comes in and starts demanding, "Get out, this is a stick-up," I'm just running. I am just going to get out of there. First of all, I don't usually go into banks but when I do, I look around and figure out what is going on before I go in so I know how to get out. I know what I am going to do if someone yells, "This is a stick-up."

**eJournal:** The important thing there is that you have thought and planned so that what you are going to do can be done with an almost absolute lack of hesitation. Yet, what we know about people coping with truly foreign situations is that most do freeze. Let's say we went to the State Fair, and terrorists decided to attack the crowd; it would be fairly normal for people to freeze

and hesitate because there is nothing in their databanks to direct their actions. Have you seen that reaction—even in role-play?

**Hayes:** It happens, and when it does, we debrief and talk about it. One of the things that we like to do is the "line in the sand" drill. We put students in a situation where they need to draw a line beyond which they will not let things go any further. They have got to fight it out, whether they are facing one bad guy or three! They need to come up with almost a Klingon mentality and be a warrior.

I tell you, if you allow yourself to be put down on your knees by armed people, you are probably going to be executed. You will never hear about me being put on my knees and shot in the back of the head. I'd rather people say, "That guy was crazy to try to take on three guys with AK-47s!" I'd rather go out fighting, but there is a pretty good chance I won't be killed if I disarm the first one and use him as a shield and shoot the other two guys. But then I train that; I practice that.

**eJournal:** It is important to have non-negotiable lines, but students may need some help thinking it through.

**Hayes:** I don't do the thinking for them, but I do put them into experiences where they can think through what they need to do. I can yap at them all I want, but until they feel the mistake they made or the success of making a good choice, it really doesn't drive the matter home. By doing it, they can make it part of their preprogrammed response.

I know that I have a couple of default responses that if somebody sticks a gun in my face, I'm going to take about a quarter of a second to make sure I'm not endangering other people and if not, I'm going to deflect the gun and disarm the guy right now without giving him much of a chance to push me around, or deflect the gun and draw my own and shoot him—one of the two. I know that action beats reaction. Somebody can stick a gun in your face, but if they're close enough, you can deflect it, before they can think, "I need to pull the trigger now because he is doing something." By the time he sees you moving, his gun has already been deflected off target and you should be taking the next step either to disarm him or draw your own.

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**eJournal:** What do armed citizens—ordinary people, not tactical supermen—need to know in case they run into an armed mass killer?

**Hayes:** People need to know that being an armed citizen is very serious business. It is not just taking your local eight-hour concealed weapon license course so you can get your permit, then walking around with your gun thinking that you are going to save the world. Now, the fact is that you might be able to get yourself out of trouble or to save somebody, but in the anomaly, in that gun fight from hell, it is not going to be enough to have passed the CCW class where you draw and fire ten times and hit the target at seven yards.

Think of it this way: Society—through their state legislatures who fund the police academies—demands that before the government sends a police officer out on the street to interdict criminals, that officers have a high degree of training, typically 40 to 80 hours of firearms and situational awareness training, along with other ancillary training blocks. Without that training, you don't get to put on a blue uniform and a badge and go out and enforce the law.

Here's the deal: The police are running into the very exact criminals the armed citizen is facing, but the armed citizen does not typically have backup; they don't

typically wear bullet proof vests; they actually have a harder tactical situation if one of these criminals decides the citizen is going to be the one they victimize. The armed citizen really needs to have his act together if he is going to be able to solve any situation that comes along. This is our goal at the Academy: if our students go through the whole curriculum, they can pretty much solve anything they want to solve.

It is interesting doing this interview. For the last nine years, I've been focused on the legal aspect of the Network and now you've got me talking purely just as a firearms and tactics trainer. It is fun to go back to the hat I've worn for so long. I continue to train people. It is my first love. Thanks for letting me speak from that perspective.

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*Learn more about Marty Hayes' training organization, The Firearms Academy of Seattle, Inc. at <http://firearmsacademy.com> and ask questions about his [Active Shooter Interdiction Course](#) or other classes, email [info@firearmsacademy.com](mailto:info@firearmsacademy.com) or phone 360-978-6100.*

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## President's Message

by Marty Hayes, J.D.

I am writing this month's message while also hosting Massad Ayoob, who is here at my other business, The Firearms Academy of Seattle. If it were not for me getting hooked up with Mas in 1990, there would be no

Armed Citizens' Legal Defense Network. You see, it was his influence on me back when I was a fledgling firearms instructor working for a gun range in North Seattle and teaching armed citizens how to use firearms, which led me down the path of becoming an expert witness, and my expert witness experience led me to get my Juris Doctor degree. And, it is the credibility of that professional degree, combined with my teaching history, my expert witness work and my association with Massad Ayoob and the other giants in the industry (John Farnam, Tom Givens, Dennis Tueller, as well as the late Jim Cirillo) that gave the Network the credibility needed for it to grow and succeed, especially in the early days.

In the last 28 years, my school has hosted Massad each and every year, sometimes twice a year. We have also shot on the same team at major shooting matches, winning trophies, guns and other prizes. Additionally, Mas and I have co-taught Continuing Legal Education courses (along with Network Advisory Board Member James Fleming) and we have also co-taught law enforcement training seminars and range sessions for

the Washington State Law Enforcement Firearms Instructor Association. Currently, through the Massad Ayoob Group (MAG), we are offering *Use of Deadly Force Instructor* courses and have two of these courses scheduled, both in the South. (For details, please see <http://massadayoobgroup.com/deadly-force-instructor-class/>) December 4-8, 2017, we are teaching in North Florida in Mas's hometown of Live Oak. Then, in January, we are scheduled to be in Austin, TX, where Network Affiliated Instructor Karl Rehn of KR Training is hosting the MAG *Use of Deadly Force Instructor Course*.

If you are a firearms instructor teaching the use of the gun for self defense, I highly recommend attending one of these courses. As far as I know, only two entities certify people to teach the use of deadly force in self defense. One is Andrew Branca, who has an on-line certification course. If you've attended his *Law Of Self Defense* seminar, you know that he has the background and knowledge to conduct these certification courses. The other is the Massad Ayoob Group.

In the MAG course, there is another component beyond certification to teach the doctrine. That component is to prepare the student/instructor to also act as an expert witness for lawfully armed citizens who use firearms in self defense then are unmeritoriously prosecuted. When an armed citizen uses force in self defense and is prosecuted, it is extremely likely that the defense would benefit from testimony by one or more expert witnesses in the case. That can be a problem.

First, there are relatively few qualified experts available to serve in that capacity. In many areas in the United States, there are simply no legitimate experts of either gender available to you, although female firearms instructors serving as expert witnesses are even more rare and valuable. That means your attorney needs to go outside the local area for an expert, and that really starts costing money.

This leads us to the second problem: the money. Most experts charge between \$100 and \$500 per hour, and a typical case entails at least 10 hours of document review and report writing, another 10-20 hours if ballistic tests must be conducted, and another 10-20

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Student Marco Aguilar discusses the Costa Rican criminal justice system at the WI *Use of Deadly Force Instructor* course in 2016. Students give a five-minute presentation on some aspect of use of deadly force law or other topic.

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hours in preparing for and testifying in court. If the expert has to travel, add in at least two days of travel expenses. Could you serve as an expert in court? This course will prepare you to answer that question, and might allow you to enter this profession. One of our students in Wisconsin last October went on to get involved in a self-defense case, and helped the armed citizen win an acquittal.

Two occurrences make the firearms instructor extremely proud of his or her work. One is when he or she gets the phone call from the student saying that what you taught him saved his life. The other is when you hear the words "Not Guilty" after working as a professional expert witness for a lawfully armed citizen, who was being railroaded by the local county prosecutor. I have received those phone calls and heard those words several times, and it is always gratifying. To learn more about expert witness work, see the interview at <https://armedcitizensnetwork.org/the-role-of-the-expert-witness>.

The third type of person who would benefit from attending the *Use of Deadly Force Instructor* course is the armed citizen, who has neither the desire nor inclination to be a firearms instructor or expert witness, but wants the highest degree of training. In a self-defense case, you are likely to need to take the stand and testify to the reason you perceived your life was in danger, and why you felt it necessary to use deadly force in self defense. What better way to give your words credibility than to claim expert status in the discipline of use of deadly force in self defense? It is a trial tactic that would have to be explored thoroughly with your defense team, but I feel better having that tool.

Here at the Network, we feel so strongly that this is valuable training for the armed citizen, that we have convinced Mas to give Network members a \$100 discount off the tuition for this course. Alternatively, Mas will give his previous LFI-1 or MAG-40 graduates a \$200 discount (you can only take one discount, by the way). If interested, please follow the links and sign up. We only teach this class once or twice a year, so the opportunity does not come by often.

## The Polite Society Podcast

Many Network members joined the Network on the recommendation of our friend Paul Lathrop. Recently,

his co-host Rachel Malone took a job as operations director for the Republican Party of Texas so Paul reached out to Belle McCormack to fill that void in the show. Belle is an instructor for The Firearms Academy of Seattle and is just getting started as a part time team member at the Network. In her debut podcast, she tells the story of her life, how she came to be a student of the gun, and now an instructor. That podcast can be heard at <http://politicsandguns.libsyn.com/episode-414-belle-mccormack>. I commend Belle's willingness to tell her story, in the hope that her story will empower other women to take control of their lives.

## Just a Little on NRA Carry Guard

In the last two issues of the Network *eJournal*, I wrote and publicized an Open Letter to Wayne LaPierre, and an Open Letter to the NRA Board of Directors. To date, I have received three responses from NRA Board Directors, and none from Wayne LaPierre or his staff. I figured you needed a break from my discussion of the issue, so nothing more from me on this topic in this edition. Perhaps next month I will have an update.

In the meantime, if you want to communicate with the NRA Board of Directors, they can be reached by e-mail at [nrabod@nrahq.org](mailto:nrabod@nrahq.org). If you could invest the time to write a letter or two, it is a good idea to address them to the actual board members, e.g. Mr. John Smith, instead of Dear Board Member, and you will find a list of the directors toward the back of your NRA membership magazine. For example, it is on page 80 of my copy of *American Hunter*. Then you address the envelope to the named board member(s), in care of NRA Office of the Secretary, 11250 Waples Mill Road, Fairfax, VA 22030. Good manners require that you give your name and contact information, and you must provide your NRA membership I.D. number or the Secretary to the Board will not forward your letter.

Finally, I want to say thank you so much for your feedback directly to me. Even those few who took exception to what I had to say need to know that your response is very welcome, if nothing else to make me explore my thoughts and to make sure I am saying what I mean. Thank you.

*[End of article.  
Please enjoy the next article.]*

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## Attorney Question of the Month

Recently, a member asked us what liability an armed citizen using deadly force in self-defense would incur if the bullet either passed through or missed and hit an innocent bystander. For the purposes of this Attorney Question of the Month, we assumed no criminal charges were pressed against the citizen for the self defense shooting and it was ruled justified by prosecutor/district attorney. We then asked our affiliates:

**Would the armed citizen likely face criminal charges for the collateral damage, and/or incur civil liability for that stray bullet?**

The question may have been overly broad, because our affiliated attorney in Kansas City, MO, Kevin Regan, simply replied, "Yes, of course. Next question." Another commented that people want "definite" answers to "what if" questions, but those definite answers are not available. Read our affiliated attorneys' responses in this and next month's journals.

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In Indiana, they might.

Indiana does have a provision for immunity from "legal jeopardy," but Indiana has not adopted transferred intent in self-defense cases, nor is it clear to the courts here that transferred intent, even if adopted by them, would absolve a criminal defendant either criminally or civilly, even if the defendant succeeds in his or her defense by way of a self-defense claim.

So a person might in theory not have charges filed for defending themselves from an attacker but still be charged for the stray bullet resulting from that defense, though I do not personally believe that would ever be a likely outcome.

What is more likely is that a person might find themselves being sued successfully by the victim of the

stray bullet, since the "legal jeopardy" immunity would not necessarily protect them from the consequences of their unintended target.

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I suspect criminal charges would not be brought, especially if the bullet hit the intended target and passed through, but you can bet there would be a huge civil lawsuit.

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Even with no criminal prosecution of a citizen for a self-defense shooting, that would not preclude a civil action against the citizen by a purportedly innocent bystander. Given the understandable focus on potential criminal prosecution and the citizen's loss of freedom, the issue of civil liability is sometimes overlooked. In a civil case, the party bringing the suit (the plaintiff) will focus on attempting to recover monetary damages from the citizen who used deadly force in self-defense.

Although I understand some states have varying forms of self-defense immunity statutes that provide a defined process within the criminal procedure context that might entitle the citizen to immunity from criminal prosecution and from civil liability, Indiana has no such statute that would be characterized as a self-defense immunity statute. Indiana Code 35-41-3-2, entitled "Use of Force to Protect Person or Property," would apply. The Indiana statute is replete with the use of the term "reasonable force" and "what the person reasonably believes." The statute states specifically

[Continued next page...]

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that "[n]o person in this state shall be placed in legal jeopardy of any kind whatsoever for protecting the person or a third person by reasonable means necessary."

Hence, although there are few cases analyzing our statute from the perspective of civil liability, it would seem safe to conclude that for a plaintiff to prevail in a civil case, they would have to prove that the person acting in self defense did not act reasonably. Unlike a criminal case requiring proof beyond a reasonable doubt, the plaintiff would simply have to prove, by a preponderance of evidence, that the armed citizen did not act reasonably.

Case law interpreting the Indiana statute seems to contemplate that a person acting in self defense, as described in the hypothetical, should not be placed in any sort of legal jeopardy, to include payment of civil damages, if the citizen was protecting himself or another innocent person by reasonable means from an immediate threat of death or grave bodily harm. Obviously, what is reasonable and what is not reasonable is subject to a great deal of interpretation, and the question would likely be answered by a jury.

Ultimately, although the burden of proof would be on the plaintiff, it would be helpful for the citizen to be able to articulate why he acted as he did under the circumstances to assist a potential jury in concluding that his actions were reasonable and proportional to the threat presented to him and that he acted as a reasonably prudent person would act in a similar situation. In addition to a MAG 40 class taught by Massad Ayoob, an ACLDN membership and the DVDs provided to Network members furnish a wealth of educational information that may help one articulate why your actions were reasonable and prudent.

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The standards of proof and the defenses that apply to a criminal prosecution are not generally available in a civil suit for damages. The issue is whether the reasonable person can foresee a risk of harm that resulted in the damages claimed.

Let's make the question even more interesting. What about a wild ricochet that glances off some object and then hits an innocent? The same analysis and I am afraid the same civil liability would result. They may not be able to prove the intentional tort of civil battery, but they are certainly going to collect damages for negligence.

Talking about criminal negligence takes us back into the "beyond a reasonable doubt" standard of proof. It is quite clear based on the apparent prosecutorial disposition in this state that charges would be filed. The more remote the injury to a bystander, the greater, but not absolute, the likelihood of acquittal.

I am reminded of a law school case where somebody was shooting a rifle at a moving train. When somebody on the train was killed, the attempted defense was that the shooter was shooting at the train rather than the people inside. He was convicted, of course. While the storied Justice Oliver Wendell Holmes stated that "Detached reflection cannot be demanded in the presence of an uplifted knife." But, that was back in 1921. Regrettably, times have changed.

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Well, unfortunately we did have this situation take place in 2013 in Renton, Washington. The facts of how the altercation took place are not completely clear from the news reporting, but what we know is that an armed citizen drew his firearm in response to an armed opponent. The setting was a crowded park, in which gunfire broke out, and one of the armed citizen's rounds struck and killed an innocent bystander. The armed citizen was not charged with a crime, while the other armed man was arrested and charged with second degree assault (against the armed citizen) and unlawful possession of a firearm. There were no charges related to the armed citizen who shot and killed the innocent bystander. (See details at: <http://komonews.com/news/local/father-of-shooting-victim-wants-justice-for-his-daughter>)

The politics of Seattle are murky at best when it comes to firearms related topics and I would not use this

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particular incident as evidence of how all prosecutors would act. In many ways, by not charging the armed citizen the local prosecutor is (in effect) making a political statement about how he believes the current state of firearms laws are ineffective.

My belief is that accidentally shooting an innocent bystander lends itself to several potential theories of criminal prosecution and civil liability, and these will be exclusively fact driven cases. The armed citizen who has a well developed résumé of responsible gun ownership and well documented training places himself or herself in a position of lodging the event squarely into the category of "accident," as opposed to the neophyte gun owner who will be viewed as negligent. Even accidents can result in civil or criminal prosecutions but they are much harder cases to prove liability. Negligence, on the other hand, is almost a win from the outset to the side playing offense.

Consequently, every action by an armed citizen must appear to be one that was done with good judgment, thus making tragic outcomes justified under the circumstances.

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It is noteworthy that Alabama is one of a dozen or so States that grant immunity to those who legitimately act in self-defense. The law does not protect those who brought on the altercation by provocative acts before shooting "in self defense." In other words, Alabama law removes the legal defense of self-defense if you are deemed to have started the fight.

Alabama Code 13A-3-23 (d) states "A person who uses force, including deadly physical force, as justified and permitted in this section is immune from criminal prosecution and *civil action* (emphasis my own) for the use of such force, unless the force was determined to be unlawful." I believe this was originally intended to be applied primarily against the claims of a criminal who is injured, though the law appears to give blanket protection against all subjects struck by the fire of the defender.

While a grand jury is said to be able to "indict a ham sandwich" in a criminal case, plaintiffs' lawyers will file a suit against anyone who might be shown to have acted unreasonably or with gross negligence any time there is injury (spelled "money" damages), especially where an innocent party is injured. The criminal actor who was the target of the self-defense fire will likely have no money; so, an effort will be made to get money from a person who has money or insurance-like our members.

So, carry a reliable handgun (or other weapon) you have trained with extensively. Use expanding ammunition that will limit pass-through shots. Show restraint where possible and avoid the use of deadly force if you can. Finally, stay out of other people's fights unless you are certain who the "bad guys" are and are driven by conscience to act on behalf of the innocent.

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The Supreme Court of Pennsylvania has held that a person who unintentionally injures a third party bystander while using justifiable force in self-defense may **not** be criminally liable for his injury to the bystander.

The case involved a shooting in a crowded nightclub. The defense shooter was accosted by three armed individuals, one of whom blinded the defensive shooter with mace in apparent anticipation of his being shot by the others. In response, the shooter, blind, drew a pistol and fired multiple shots in the general direction of his attackers, hitting none of them, but injuring a number of bystanders. He was charged with reckless endangerment and aggravated assault, and convicted. On appeal to the Pennsylvania Supreme Court, it was held that one may not be held criminally liable for unintentional injury to third parties while using justifiable force in self defense. Writing for the Court, Chief Justice Flaherty said:  
"... the law of Pennsylvania does not require one to stand by helplessly while he is injured or killed by an

[Continued next page...]

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assailant. And as [a lower court Judge] aptly points out, when one is the victim of an attack, the assailant, not the victim, picks the time, the place, the manner, and the circumstances of the attack. Leisurely assessment of the circumstances and the danger to others is almost never a feature of such an assault, and most often, the best the victim can do is to mount a defense which hopefully will preserve his life. In many cases, the victim has only seconds to act in order to avoid injury or death. In this case, [the Defendant] was accosted by three men who assaulted him with pepper spray and simultaneously drew a handgun. [The Defendant] assumed, with reason, that they intended to kill or seriously injure him. He acted instinctively and within our law in defending himself.

“Any victim of crime who justifiably exercises his right of self-preservation may inadvertently injure a

bystander. Admittedly, this court could fashion a rule of law which holds the defender criminally liable, but in doing so, we would have furthered no policy of the criminal law. Instead, we would have punished a person who was acting within his instinct for self-preservation and, in an appropriate case, within the boundaries of our law.”

*Commonwealth vs. Fowlin*, 551 Pa. 414, 420 - 421 710 A.2d 1130, 1133-1134 (1998).

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*We greatly appreciate our affiliated attorneys' generous participation in this interesting and educational column! So many responded to this question that we carry half of the comments over to our September online journal. Please return next month for the completion of this discussion.*

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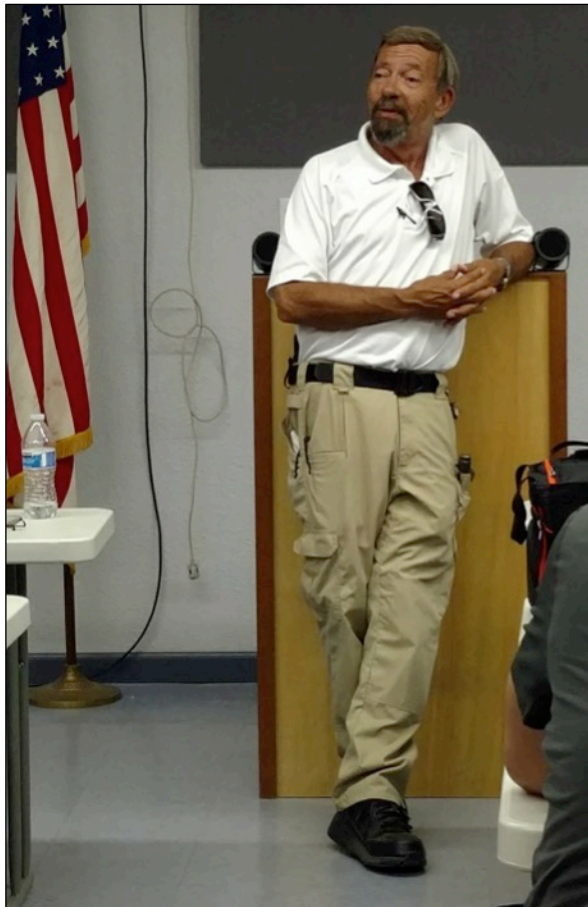
## News from Our Affiliates

by Josh Amos

Hello everyone! In this month's Affiliate

Networking column I get to do a bit of virtue signaling and fan boy cheering, because I got to attend Massad Ayoob's MAG 40 class last week at The Firearms Academy of Seattle, in Onalaska, WA!

Some back story for this article: I first met and trained with Massad in 1996 when I took a couple of his classes. When I first met Mas, the teaching began right away. He automatically treated me and all the other beginners with the courtesy and respect of a fellow armed citizen and not a rookie beginner (which I was). There was a lesson for me in that. Next, for all his bad jokes and kind demeanor, he was a serious expert teaching a serious topic. Yet with all of his celebrity status, Mas was still approachable by any student; no one was



made to feel bad about asking a question. The experience was pivotal in my choice to be an armed citizen.

Well, fast forward 20 years and I am very glad to report that the jokes Massad tells are still there, and they are just as bad as ever. Likewise the information that Massad teaches is still more than top notch! He has a width and breadth of historical and contemporary knowledge about legal issues, shooting, and self defense that is amazing. He never rests on accolades of the past; he is always improving and updating his curriculum so he can deliver his best information to each student.

As I mentioned, Massad is still approachable. He welcomes questions in class and tells jokes and stories at break time. More than that, Mas is still willing to stop and spend time with anyone in his class that may be struggling with a shooting technique or legal concept. He wants everyone to understand and succeed.

Mas also puts deep thought into his teaching. There is always a very well thought out, layered, and hard tested reason why he instructs his students to act a certain way in a legal matter or a self-defense scenario.

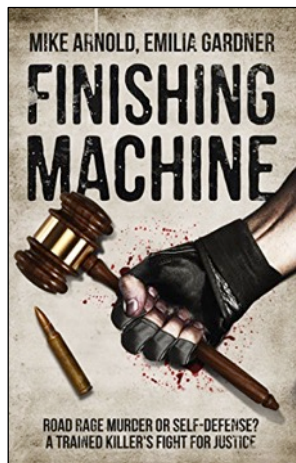
I write all of this because from front to back and side to side Massad Ayoob epitomizes the instructor/teacher that we all strive to be. In all my years as a shooter, Marine, graduate student, and in my various professional capacities, I have had countless teachers and instructors, yet very few share the same status as Massad Ayoob. In a happy coincidence, one of my professors from grad school (a combat fighter pilot from the First Gulf War) has also attended MAG 40 and he agrees.

There is only one Massad Ayoob, and Mas wouldn't want us to try to be Ayoob clones, however I think that the standards and examples that Mas stands for are important to emulate. For me, those include –

- Know your topic and always strive to learn more.
- Teach in a style that people understand.
- Treat your students with respect. We are seeing more non traditional gun owners seeking out training: ladies, people with disabilities and long-term injuries, plus various other personal situations. We need to meet their needs; they are not there to meet ours.
- Make it ok for students to ask for help and clarification.
- We have to understand and prepare for our students to accept that there are legal ramifications after self defense.

*[End of article.  
Please enjoy the next article.]*

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## Book Review

### Finishing Machine

By Mike Arnold and

Emilia Gardner

\$12.98 for 362 pg.

paperback

\$4.99 for 425 page

eBook at [Amazon.com](https://www.amazon.com)

*Reviewed by Gila Hayes*

I usually enjoy a compelling story without getting so engaged that

it keeps me from my sleep. Not so in July, when I read attorney Mike Arnold's true story about defending an unusual client charged with murder. It was all too easy to imagine one of us caught up in a similar maelstrom!

On a late January evening in 2014, a 30-something military veteran, Blackwater contractor and martial artist shot an unarmed 53-year old man after a road rage collision. The shooter, Gerald Strebendt, was not arraigned until March 7, then spent over a year in solitary confinement in the Lane County, OR jail awaiting trial before pleading to a reduced charge in May of 2015.

His attorney and this book's author, Mike Arnold quotes Strebendt's report at their initial meeting. "There's a car in front of me. It slams on its brakes. I swerve around him to the right to avoid the collision. Before I can do anything he revs up and hits my truck. I'm in shock. He just hit my brand new truck. I can hear him yelling. He is threatening me. I can't start my truck. So I grab my gun and get out. I call 911. While I'm talking to the operator he keeps coming toward me. He sees my weapon. He says he's got a gun, too. I back up, telling him to stay away. But he keeps coming. He doesn't stop. I'm fearing for my life. So I pull the trigger. And he goes down."

The attorney was interested in the case for "the chance to participate in a community discussion about an issue I cared a lot about: the constitutional right to bear arms...I believe the right to bear firearms goes hand in hand with a person's natural right to self-defense," he introduces.

Although Arnold recalls that his client looked, "Like any average guy who was beginning to soften with age," Strebendt's defense was complicated by people who attested that he was hotheaded with a mixed martial arts

background. A jury would want to know why he didn't just drive away, why he grabbed a rifle and why he didn't resist physically instead of shooting the man who assailed him at night on a wet Springfield, OR roadway.

Arnold knew he needed to humanize his client and stifle gossip about him. That meant Strebendt had to admit to character flaws, brushes with the law, and unhappy family history. Establishing the truth was paramount, but since the client had not yet been charged, the defense couldn't access evidence gathered at the scene. Crucial evidence the police missed would soon vanish in the winter rains, so he quickly hired an investigator and a forensic accident reconstructionist.

That was just the first in a long line of experts. Arnold would later hire experts in use of force, memory, mental health and what could be seen in dark, rainy conditions while looking into headlights. The jury would have to decide, "how reasonable or unreasonable it was for Gerald to make the final decision to fire. They would make their judgments by examining every action or inaction, anything that preceded the shot. Given that [the aggressor] was ultimately found to have been unarmed—despite telling Gerald he had a gun and intended to kill him—we needed to be able to convincingly explain Gerald's threat assessment process. And to do that, we needed to show the jury how to scientifically examine, analyze and support not just what Gerald saw, but what his brain told him to do about it." Arnold even found an expert to explain "touch DNA" confirming that the aggressor grabbed for the client's rifle. It all cost money and he remembers, "I told Gerald he could rest assured that as long as he wanted me, he had me for the duration," even if that meant low hourly pay if the state found the client indigent and unable to afford representation on his own.

Arnold decided to have his client examined by a polygrapher, not for use in court, but because a passed test would help "persuade the prosecution to do the right thing and slow down or even stop the investigation," as well as educate reporters and aid fund raising.

"Defending a murder charge all the way through trial would cost exponentially more than all the money and assets Gerald owned," the attorney explains. "Friends and family would be more likely to support a loved one that they believe in."

*[Continued next page...]*

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Unfortunately, the test was inconclusive, although the polygrapher, an experienced now-retired-law enforcement pro said the interview convinced him personally that the client told the truth.

The prosecutor refused to share the 9-1-1 recordings prior to convening a Grand Jury. The D.A.'s witnesses had reviewed the recordings, but defense was denied this and other reports. Although he'd been initially inclined to recommend that his client testify before the Grand Jury, as the case became increasingly politicized, Arnold had to advise against it. When the prosecution is convinced they can convict the client of a crime, the defense cannot rely simply on the unadorned truth to keep the client out of prison, he opines.

The Grand Jury indicted Strebendt. The law firm now received access to evidence supporting the state's case. Included were many allegations of past bad deeds, especially road rage, "Since the standard of self defense is what a reasonable person in Gerald's position would do, his history and temperament, for better or worse, mattered."

Both sides had issues. Investigators discovered that the aggressor had started drinking at 4 p.m. on the day of the shooting, and bartenders remembered serving him eight 16-ounce beers. The medical examiner "reported a blood alcohol content (BAC) of 0.15 percent at the time of death. That's almost twice the legal limit in Oregon of 0.08 percent," Arnold cites. Blood and urine testing showed extreme levels of a drug prescribed for depression and anxiety. An expert reported aggressive behavior, hallucinations and agitation are side effects of exceeding the recommended dosage.

Despite evidence indicating that the defendant shot in self defense, too many other witnesses asserted that in the past they had seen him exhibit road rage, violent behavior and aggression. Conversely, Arnold had plenty of first hand reports of his generosity and kindness to offset the many conflicts that had arisen over the years when the defendant challenged what he saw as bad behavior, creating the impression that he was a bully.

The attorney's concern grew as bail hearings and other court proceedings became increasingly politicized. He continued to file motions to establish a record of bias, but knew they'd be denied. The judge imposed a broad gag order preventing the defense team from reaching witnesses and countering falsehoods through the news and social media.

The law firm filed a writ of mandamus with the Oregon Supreme Court asking for relief from the gag order, but it was denied, so they went low-tech with roadside signs asking anyone with information to phone in. "The media reported it and we got dozens of calls from people who were onsite before, during and after the shooting," Arnold reports.

The defendant had been incarcerated for over a year and the trial was postponed for nearly another year while the trial judge dithered, waiting for the OR Supreme Court to rule on another case about admissibility of prior bad acts before deciding what she would allow in Strebendt's trial. The attorney suggested a conference to discuss settlement that resulted in a plea to criminally negligent homicide. The settlement judge imposed his own conditions instead of neutrally guiding both sides to agreement. "Clearly, he (and probably the D.A.) didn't want to look 'soft on crime' by cutting what some would consider a pretty sweet deal," Arnold opines.

Demoralized by months of solitary confinement, his defense thwarted at every step, the defendant chose the known outcome of a plea agreement. Arnold remembers him saying, "They've set me up to be demoralized and desperate to leave this place. Well, it's worked. I'd rather plead guilty and do a few years than risk spending the rest of my life, or even another year until my trial." He served the remainder of his sentence at a regional prison, under better conditions.

The attorney and client remained in contact and it proved a time of introspection for both. In a different time, the client might have lived his whole life without being called to account for his confrontational ways. The attorney opines that people he had confronted "did not forget him. When the media caught wind of the shooting, these individuals made the decision to contact law enforcement about their run-ins with Gerald," adding that now days, "people can participate in not just the conversation about a crime, but also its prosecution." How ironic that the client's many good acts were eclipsed by his misdeeds!

While the book gave insight into defending a murder case, my biggest take away is this: Actions required in an emergency will be judged by how we have lived day-to-day long beforehand. Mike Arnold's book provided much to ponder. I recommend it to members.

*[End of article.  
Please enjoy the next article.]*

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## Editor's Notebook

by Gila Hayes

As the Network approaches 14,000 members, we should probably stop calling it a small business. Everything in business is about scale. One entrepreneur's "big" is another's "tiny." For example, a vendor writing and selling

software for a specific purpose—let's say databases for educational institutions—may serve thousands of clients, but that vendor is small measured against mammoth Microsoft or Oracle!

There are times when a smaller outfit can provide superior personal service, while in other situations, the bigger the business, the better the backing. The buyer needs to determine priorities based on what kind of service matters most under his or her own situation. For our members, being part of a smaller, more agile organization plays out after self defense when we quickly rally the troops, sending funding at the time it is needed and in the amounts needed to get the defense on the job, mitigating the aftermath of an already bad situation. I don't think you could better define personal service than by the instances of guidance and feedback Network President Marty Hayes gives to members who call him asking, "What should I do now?"

Network members know who will work with their attorney to get the defense ball rolling. We sometimes share an amused chuckle at the reactions of new members or candidates for membership who call with questions and are dumbfounded when the call is transferred to Marty's phone. The callers seem stunned and amazed that reaching our corporate president is so easy. Can Network competitors say the same? I know without a doubt that the leaders of the giant NRA will not do that for their newly recruited Carry Guard members. It would be a ridiculous thing to ask of such an enormous outfit.

The Network for years has encouraged members to simply telephone when they would like to get their renewals taken care of and many, many new members come into our ranks after phoning us with questions. Yes, Internet sales are convenient for all involved, but not everyone is comfortable making sizeable purchases without talking to a knowledgeable team member. I'm pretty sure that sometimes folks call just to see if a kind

human being answers the phone. I cannot imagine not providing the security of hashing out details with a knowledgeable fellow armed citizen—not just call center employees reading from binders of answers to frequently asked questions. The principle of personal service has long guided our way of operating.

A friend recently related that he was talking with a fellow Network member who expressed concern about renewing his membership because he thought that the competition had become too stiff for the Network to survive. Yes, we take any competition seriously, as columns in recent editions of this journal show. We study what is being offered and evaluate our current membership benefits against competing products. For example, for several of the Network's early years, we were not in a position to add a bail bond assistance facet to our suite of Network membership benefits.

As soon as our Legal Defense Fund grew strong enough to support it, we added the benefit of up to \$25,000 to help members post bail, and in most jurisdictions that will buy a \$250,000 bond. Before that expansion, we evaluated what else was available in the after-incident support market place to be sure Network standards remained the best value for the money. That's just one example, but a good demonstration of how we weigh what members need after self defense and flesh out our suite of membership benefits while staying under budget. We've operated with zero debt since 2008, expanding benefits as Network resources grew.

Concern about whether the Network would survive competition from the monstrously large NRA is touching. Here's the bottom line: comparison shopping is always good. Comparing the Network shows off our strengths—service and support from known and trusted folks, a gold-star Advisory Board, assistance at the time and in the amounts needed, and always a team of individuals dedicated to making sure members get their money's worth for their Network dues. Since getting a new competitor in April, Network membership growth has been noteworthy. Our membership benefits are shining and armed citizens who have become interested in having support after self defense are responding.

*[End of August 2017 eJournal.  
Please return for our September 2017 edition.]*

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## About the Network's Online Journal

The **eJournal** of the Armed Citizens' Legal Defense Network, Inc. is published monthly on the Network's website at <http://www.armedcitizensnetwork.org/our-journal>. Content is copyrighted by the Armed Citizens' Legal Defense Network, Inc.

Do not mistake information presented in this online publication for legal advice; it is not. The Network strives to assure that information published in this journal is both accurate and useful. Reader, it is your responsibility to consult your own attorney to receive professional assurance that this information and your interpretation or understanding of it is accurate, complete and appropriate with respect to your particular situation.

In addition, material presented in our opinion columns is entirely the opinion of the bylined author, and is intended to provoke thought and discussion among readers.

To submit letters and comments about content in the **eJournal**, please contact editor Gila Hayes by e-mail sent to [editor@armedcitizensnetwork.org](mailto:editor@armedcitizensnetwork.org).

The Armed Citizens' Legal Defense Network, Inc. receives its direction from these corporate officers:  
Marty Hayes, President  
J. Vincent Shuck, Vice President  
Gila Hayes, Operations Manager

We welcome your questions and comments about the Network.  
Please write to us at [info@armedcitizensnetwork.org](mailto:info@armedcitizensnetwork.org) or PO Box 400, Onalaska, WA 98570 or call us at 360-978-5200.



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