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# **Givens on Shotguns for Home Defense**

#### by Gila Hayes

With the emphasis in recent years on legislation providing for licensed concealed carry, much of our attention has been drawn away from the larger body of gun owning Americans – folks who have guns in the home for defense, but may not necessarily carry a gun outside the home.

I was surprised by my short sightedness on that topic during a recent conversation with Tom Givens, owner and chief instructor at *Rangemaster* in Memphis, TN. Givens is also an advisory board member for the Armed Citizens' Legal Defense Foundation, and a long-time professional acquaintance whose knowledge I hold in the highest regard. While we were visiting by phone recently, he mentioned that, depending on which statistics you be-

# Login Required for More of eJournal

As word of the Armed Citizens' Legal Defense Network, LLC spreads, use of this journal as a recruitment tool is diminishing. Effective with this issue, the eJournal will change from its publicly distributed format to one that reserves more of the content exclusively for Network members.

Columns like leadership messages that give the public insight into the attitudes, aspirations and efforts of the Network remain publicly accessible. However, reading or finishing all but introductory pages to most articles and features will require the Network log in codes provided on membership cards.

We make this change for several reasons: from the beginning, this journal was intended as a membership benefit, not a free, online blog. Further, requiring log in allows us to use this membership journal to more frankly discuss concerns of Network members with less trepidation about misuse of strategies or tactics by criminals, or concern over misrepresentation by anti gun forces. Left: Tom Givens Below: Remington 870 set up with Express Sights and Cheek-Ez.



lieve, 40-60% of all American homes contain firearms, but only about 3% of the citizenry carry guns outside the home for self defense.

That data came up in discussion of Givens' educational DVD on the defensive shotgun, a weapon commonly owned for home defense. Givens is a great resource for any writer, because his range is located in Memphis, TN, an area that several years ago boasted the second highest crime rate in the nation, though conditions are said to have improved so that in 2008,

Memphis was merely the 14<sup>th</sup> most dangerous city in the nation. In any case, Givens trains a good number of citizens for whom use of a firearm is a serious pursuit, having nothing to do with recreation. In the 13 years he has owned

Rangemaster, 48 of his students have been involved in self-defense shootings, and of those, five or six were in the students' homes.

## Home Defense

Givens reported that in Memphis, it is estimated that a third of the 15,000 to 16,000 burglaries reported per year happen while the home is occupied. When you figure that over half of all the citizens own firearms, the criminal's brazenness is astounding! "I look at the home invasion as a worst-case scenario. This is the worst kind of criminal. and if the family is home this is the worst thing that can happen," he Put obstacles in the criminal's way that makes opined.

Givens drew comparisons between the more common crime of burglary of an unoccupied home, in which the thief merely wants the property. These typically happen between the hours of 10 a.m. to 3 p.m. and though those are daylight hours, they are also the times when entire residential neighborhoods are deserted, so there is little risk to the criminal. Home invasions, on the other hand, focus on the occupants of the home, with the hope of getting at hidden goods, committing sexual assault, and other violent crime, he noted. In Memphis, Givens reported, an assailant follows a business person home with the intention of robbing them of their day's receipts, as has happened to pawn shop owners and beauticians there recently.

While we would hope to detect the criminal before arriving home, these victims first become aware of their peril as they get out of their car and find themselves facing an assailant with a gun who forces them into their home where the crime is committed. These criminals are among the most alarming, Givens commented, owing to the boldness and aggressiveness of their approach.

Prior preparation starts with practicing awareness, since the victims in these examples failed to realize that they were being followed in time to escape. Other advance provisions Givens suggests include making sure that



enough noise to alert you to the intrusion.

if someone breaks into the home, their entry will make enough noise and the intruder will have to contend with so many obstacles that they cannot do so silently. "You would be amazed how many people have alarms in their home that they never activate," Givens commented. "It must be

like a talisman they think will protect them," he mused.

Givens also likes motion activated exterior lighting. In his own set up, he explained, when he comes home, lights along the side of the house come on. If a prowler activates the lights, the criminal has no way to know if someone inside has turned on the lights because they heard or saw him, and he may leave rather than risk encountering an alert and ready homeowner.

If at home during a burglary, Givens heartily opposes going out to confront the intruder. "I really don't recommend going outside to challenge anybody," he stressed. "Once [an intruder] gets inside, that is a

different story as far as I am concerned," he added, explaining that Tennessee's castle law puts little restraint on defense inside the home.

"The first thing would be to gather all the family members that you can into one room," he recommended. He discussed home layouts, endorsing a plan whereby all the bedrooms are on a second level if possible, so if the intruder enters the stairwell by which he will soon access the occupied areas of the home, the homeowner can shoot. When I asked about making verbal commands, Givens disagreed, explaining that he believes giving up your exact location places you in unnecessary danger.

Continued on page 3



What if the intruder makes it into the home before family members gather in the safe room? Or what of the circumstance in which you are in another area of the home and need to make it to the safe room where the shotgun is kept? "If you wear a sidearm around the house, that's pretty well taken care of if someone kicks in the back door," Givens responded.

# **Best Use of Shotgun**

Ultimately, the role of the home defense shotgun, Givens continued, is to have by the bedside while you're asleep. "If you have to get out of bed to retrieve a handgun,

well, at that point, why not get a real gun? We wear a handgun because it is portable, so if you're going to have to swing your feet out on the floor to go get *something*, why get a pistol if you can get a shotgun?" he queried.

Asked about tactical differences if defending with a shotgun com-

pared to a pistol, Givens said, "If, for whatever reason, you have to leave the room with the shotgun, it will be a little more cumbersome working the doorways and hallways. If for some reason I had to leave that room, I would probably leave the shotgun behind and take a pistol," he explained.

"Both are available in the bedroom, so I'll take a pistol if I am going to need a hand free for door knobs," he continued, adding that working one's way through a door into the hall, and around corners with the longer barrel of a shotgun carries its own set of problems, including letting the muzzle extend beyond corners or doors into uncleared territory. However, given the option to stay in one place, Givens prefers the power of the shotgun over a pistol.

Does the concern about over-penetration change between pistol and shotgun? Comparing high performance pistol ammunition to buckshot, his chosen home defense ammunition, Givens says buckshot is less likely to penetrate housing construction and it loses downrange



Above: <u>XS Sight's</u> ghostring rear and front sight. Below: XS Sight's Express Sights, both great choices for shotgun upgrades.



power far more quickly than handgun or especially rifle ammunition when nothing stops its trajectory. Further, he does not recommend slugs for home defense, citing the common distances for home defense shots, wherein a 25-yard shot is surely the maximum. In fact, even across a very large room, the approximate four to five inch shot spread of 00 buckshot is tight enough that slugs really are not necessary, since we're working at distances at which the pattern really doesn't open up.

"Across a room, [the pattern] is more like a really, really large bullet," Givens chuckled, adding that at these distances, "It's got to be fired precisely." Rangemaster

shotgun classes put a lot of emphasis on accuracy for that reason.

Common marksmanship errors happen when shooters "keep their head up, looking over the gun and not at the muzzle direction indicator – that's what we've taken to calling the front

> sight on the shotgun around here," Givens quipped, "because that is really what it is. It gives you immediate feedback about where your muzzle is pointing. If you know your muzzle was on target, then you know that last shot was a hit. If you don't know where your muzzle direction indica-

tor is, then you don't know where your last shot went!"

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"You'd be surprised how you can miss at 12 or 14 feet," he added, dispelling what must be the most common myth about the shotgun. One of the first demonstrations in a Rangemaster shotgun class is a series of targets shown in the classroom on which birdshot and buckshot was fired from close in to further distances. "Of course, the one at seven feet is essentially an inch-wide hole," he points out, commenting that "it gets across pretty quickly that an inchwide hole is only going to help you if it hits something that matters," commenting that not all assailants will be slowed by a shot that goes "through their fat roll."

## Aftermarket Products

I asked Givens if a simple shotgun bead sight is good enough for the accuracy needed for home defense. "There are tritium beads available," he suggested, "that actually give you an excellent muzzle direction reference in limited light; I've got express sights and ghost rings on a couple of my shotguns and if I were setting up for patrol work, it would definitely have better sights on it, but just for home

defense, I'm not sure."

What about other shotgun accessories? "Well, when you grab the gun, that is all you're going to have," he explained. "When you roll out of bed at 3 in the morning, you're not going to have your tactical vest on, or your bandolier full

of ammunition, and I like to have a little extra ammunition on the gun. I also have a one-shot magazine tube extension so I can have five rounds in the gun without compressing the magazine spring. Then I have five rounds in a butt cuff on the shotgun, so I have ten rounds and that ought to be enough," he concluded.

Why a butt cuff and not a sidesaddle? "The side saddle can cause some mechanical problems, it really disturbs the balance of the shotgun for me, it makes the receiver too fat to put your hand around and carry the gun in trail carry, and it's just generally in my way," Givens explained. He went on to suggest several ways to prevent the butt cuff from traveling forward during recoil, including installing several small screws in the stock on which to anchor the butt cuff, with the addition of one of the press-on adhesive *Cheek-Eez* pads sold by Brownells.



Above: Pump action Remington 870. Below: 20 gauge Remington 1100 is a semi-automatic shotgun.



Givens believes that advice about the butt cuff interfering with shooting the shotgun from either shoulder is not universally true. He reports that he does not find it a problem, explaining that he believes, "that is more of a theoretical problem," and the shooter should give it a try before discarding the idea of using a butt cuff to hold spare shot shells.

As for shotgun selection, Givens is not partial to 12 gauge over 20. "At typical in-home distances, I don't think it makes any difference," he answers. "If we're talking about a general purpose shotgun, like a patrol shotgun, I think it makes sense to stick with 12 gauge," he added. If worried about recoil from the 12 gauge, Givens dismisses the concern, noting that a 20 gauge that doesn't fit you will be just as uncomfortable as a 12. In his instructional DVD about shotguns, Givens repeatedly advocates cutting down the stock to fit properly, and the shortness of his suggested lengths of pull will surprise some who have become accustomed to long-stocked American sporting shotguns.

What about pump action v. semi-auto? Givens

chuckled, "Tradition dies hard! I've shot 870s for so many years that for me that is the gold standard. There's pros and cons like everything else," he continued. "The main attraction to the auto, to me at least, is that most of us carry a semi-automatic pistol, so we're accustomed to press the trigger, it goes bang, press trigger,

it goes bang, press trigger, it goes bang again, so what we see a lot of times with beginners, is they shoot, stand there and don't do anything. So, for somebody who is just starting out, if they carry a semi-automatic pistol, then maybe a semi-automatic

shotgun is a good idea for commonality of training."

He went on to explain that the semi-auto requires dedicated cleaning and lubrication to assure reliable cycling, and because it is pickier about which shot shells it will cycle, most training and practice with a semi-auto must be done with full-power buckshot. In addition, semi-autos are mechanically more complex. This comes into play especially when bringing the shotgun into action. Since the shotgun is stored with an empty chamber (as most do *Continued on page 5* 

not have drop safeties), it is stored with shot shells in the magazine tube, but nothing in the chamber. Putting the hammer down sets it up so that simply working the action prepares it to fire, a procedure which will not be so simple with a semi-automatic shotgun. "Generally the auto is a little harder to get into action, but with a pump gun set up correctly, all you have to do is work the action."

Still, with the pump action shotgun, he frequently sees user-induced errors, when short stroking fails to feed ammunition into the chamber or does not extract the spent shell. "That's why in the video you hear me say over and over, 'rack it hard!'" he explained. "So you've got those trade-offs: for the pump gun you must learn to manipulate it correctly, but the semi-auto is slower to get into action."

It takes training and practice to overcome both. "What I see over and over again with shotguns is that people don't have any trouble hitting with it, where they fall down is on the manipulation and keeping it loaded, because it has such limited ammunition."

RANGE · MASTER

TOM GIVENS

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Defensive Shotgun

Training and practice is the only way to develop smooth, reliable operation of a shotgun of either design. People usually don't shoot a shotgun "because if it is not pleasant to shoot, you don't shoot," Givens explained. "If you get the butt cut off so it fits you, most people can shoot a couple of hundred rounds a day without bruising or anything like that if the gun fits them. A gun that doesn't fit you is going to direct the recoil into the cheekbone, and it will tend to migrate out to the outside of your shoulder, so what happens is that people who become fearful of the gun don't do enough shooting with it."

Tom Givens' Defensive Shotgun instructional DVD is an excellent resource for armed citizens considering adding the shotgun to their preparations. He chose to speak to the shotgun in his DVD for several reasons – the first is the affordable price point for most shotguns; another is what he calls "the political end," the benign appearance and the likelihood that jury members would not be as put off by a firearm that most recognize as a common, somewhat old fashioned gun. "I would rather see people make use of the tool they've already got!" Givens concluded.

# Learn About the **Defensive Shotgun** from Tom Givens!

This DVD is packed with information on Shotgun History and Development; Action Types; Nomenclature and Operation; Modifications to Enhance Performance; Ammunition Selection; Shooting Technique and more.

Professionally produced, this DVD will bring you up to speed on the fighting shotgun, and give you a template for your practice to gain proficiency with this often misunderstood, but very effective weapon.

\$2995+shipping

**Remember, Network members** save an additional 20% on all books and DVDs at www.shoparmedcitizensnetwork.org



Marty Hayes

# President's Message

# On a Personal Note ...

Imagine a place where the sun shines 24/7/365, the air is clear, the mornings cool and crisp, the afternoons warm and balmy? Imagine no humidity, where people wave at you when you drive by, and the nights are still, with the only

sounds those of crickets chirping and coyotes howling off in the darkness.

Imagine the above, with a political climate that allows folks to do what they want with their own property. Want to build a garage? Just build it, no questions asked, not even a permit required. Okay, how about a house? Ditto. NO building permits required, just don't build too close to your neighbors, okay?

Does such a place still exist in this United States of America? Why yes, it does, and I'll share it with you today.

The place is Esmeralda County, NV, with the county seat located in the unincorporated town of Goldfield. <u>http:</u> //www.accessesmeralda.com/. In fact, county government is the ONLY form of government for that county, with the exception of course, the State of Nevada.

I mention this little shining light of liberty because riding home from the NRA convention, I spent a morning there getting to know the town a little better. I had breakfast at the only restaurant in town, The Dusty Fenders Grill n' Fill (I am not kidding) where you can get an honest, home cooked meal at an affordable price, as well as put gas in your rig. The waitress, cook and owner, Lu Fenders was very personable and informative about Goldfield. We talked about local politics, the upcoming real estate land auction, and the possibility of opening up a shooting range in the area, along with enjoying her excellent country fried steak breakfast.

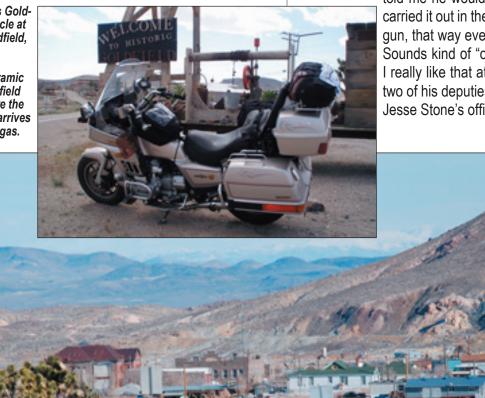
I then went to the courthouse, where I talked with the local Sheriff, Ken Elgin, who, like all cops I know, was a little standoffish at first, when I introduced myself and asked to chat. I got just a bit concerned when I asked him about concealed carry licenses, when he told me, "I don't have much use for carrying a weapon concealed." He then

told me he would just as soon everyone just carried it out in the open if they want to carry a gun, that way everyone was on equal footing. Sounds kind of "old west" to me, and frankly, I really like that attitude. Talking with him and two of his deputies was like walking into Chief Jesse Stone's office in the fictional Paradise

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Right: Author's Goldwing motorcycle at border of Goldfield, Nevada.

Below: Panoramic view of Goldfield laid out before the traveler as he arrives from Las Vegas.



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Police Department, from TV movie land. In fact, at one point, a baby crawled across the floor, (no kidding) and I was introduced to the department mascot. (Not sure who's kid it was, but that doesn't really matter, does it?) Yes, it was a HUMAN BABY!

After my cordial visit with the Sheriff and his deputies, I went to the assessor's office to talk about the upcoming land auction. You see, each year for the past 9 years, the Esmeralda County Sheriff has auctioned off parts of Goldfield to out-of-towners looking to buy a little piece of paradise for a few thousand bucks. It seems like some folks just don't want to pay taxes on their property, and lose it in foreclosure to the county. At the café, I had asked Lu what the lots (the original lots of the old ghost town might sell for) and she said maybe \$3,000, or \$5,000 depending on the lot. (Okay, by now I was pretty interested). If you, too, are interested, go to the web site and click on the link to the land auction, and you will see the starting bids for the land.



The Goldfield cemetery overlooks the historic town.

I also found out that there is a no shooting ordinance for the community of Goldfield, but that's not a problem. There is literally hundreds of thousands of acres of public land right outside of the town to shoot on, which is operated by the Bureau of Land Management. I sense an opportunity here although I am not sure what form that opportunity is in at the moment.

This wasn't my first trip to Goldfield, as Gila and I went through it a couple of years ago after the SHOT Show, but we didn't have much time to visit with the town folks, just snap some pictures. And, speaking of visiting with the town folks, I also sat down with local realtor Carl Newberry, of Sagebrush Realty (phone number 775-482-9739, e-mail <u>onerealestateldy@aol.com</u>, but no website). When I inquired about large tracts of land, his response was pretty disheartening. It seems like there really isn't much land available for sale, because it is all tied up in BLM land. What land is for sale typically is old ranches, with thousands of acres for a pretty good chunk of change. But, we traded business cards, and I'd guess he is looking for some land for me.

I would also be remiss if I didn't mention one other local phenomenon, that being the Carl and Dusty Radio Boogie (really, I am not making this up, folks). Carl

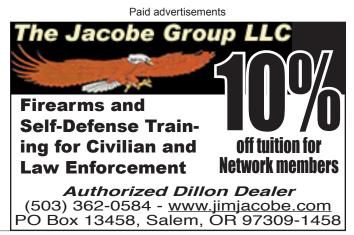


The well-preserved historic courthouse in Esmerelda County is still in use by county government.

Brownfield and Dusty Fenders, (the restaurant guy) have a radio talk show every Saturday night at 7:00 p.m. PDT, <u>www.goldfieldnv.us/</u>. One of these days I am going to call into the show and give them my interpretation of their little community, it should be fun.

If you want to spend an enjoyable evening sometime reading about a true Nevada ghost town, which is trying to come back to life, Google Goldfield, Nevada, sit down, pour yourself a cold one and enjoy.

So, what does all this have to do with the Network? Well, nothing really, except to share with those of you who live in suburbia and are being regulated to death, that there is still at least one place here in the United States that is free. And, that means a lot to me.



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# **Vice-President's Message**

# **Foundation Update**

We've referenced the *Foundation* in previous eJournals, but now is a good time to reflect on its progress. First, since we've had so many new members, let's review the Foundation fundamentals.

The Armed Citizens' Legal Defense Foundation is an independent entity registered as a nonprofit corporation. Foundation funding is provided by an allocation of 20% of all Network



J. Vincent Shuck

membership dues and renewals and 100% of all corporate sponsorship contributions and private donations. The purpose of the Foundation is to encourage firearms safety and education and to provide legal defense support to lawfully armed citizens who are faced with court challenges due to exercising their right to self defense.

Network members, by virtue of their membership, are entitled to case review by one of the Network's experts and have access to contact information for Network-affiliated attorneys and expert witnesses. For this service, there is no charge beyond the Network membership fee. Distribution of monetary grants to help with legal fees is at the discretion of the Foundation's <u>Advisory Board</u>, comprised of Massad Ayoob, John Farnam, Tom Givens, and Dennis Tueller. Marty Hayes and I serve as ex officio members of the Board.

We dutifully allocate the Foundation's portion of each dues payment, direct donations and corporate contributions. The fund total is growing with each new member, with each renewal and with each individual donation. While the 20% dues allocation represents the bulk of the funding to date, we are making progress with corporate support as well. This industry alliance was evident during the May NRA meeting where we had a Network booth. This gave us a chance to revisit many of the companies we saw at the January <u>SHOT Show.</u> It was good to hear several of the corporate representatives acknowledge our previous dealings and to express their support. In fact, a few made commitments on the spot to help support the Foundation. Here's

our plan to take advantage of this support and how you can be a part of this corporate assistance.

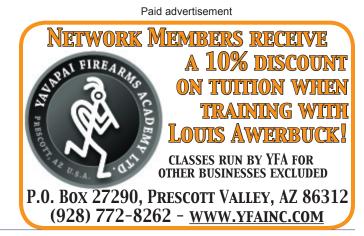
While some companies may make a financial contribution, many will donate products. We will accept these products and then auction the items on a national online firearms and accessory site, such as GunBroker.com. The income from the auction will go to the Foundation. We have some interesting items in the works – watch for an announcement in the near future. You will have a chance to bid on these items and know that your winning bid will help fund an important cause.

The final method of gaining Foundation income is through individual, private donations. A few of our members have made donations. If you or a relative are looking for a worthwhile place to make a bequest, please let me know.

The Foundation is making progress. Watch for further details on its growth and continued activity.

Vincent Shuck serves as Network Vice President and is President of the Armed Citizens' Legal Defense Foundation. Contact him at jvshuck@armedcitizensnetwork.org.





# **Network Represented at NRA Convention**

#### by Marty Hayes, J.D.

Last month Network Vice-President Vincent Shuck, Washington State Rep. Bill Van Tuyl and I worked a booth at the <u>National Rifle Association convention</u> in Phoenix. We left the experience with a very strong, positive opinion. So much so, that we already chose a booth for the next NRA convention, slated for May 14-16, 2010 in Charlotte, NC! I'm a veteran of working these types of conventions,

so I had a pretty good idea of what to expect, and those expectations were met.

If you have never worked such a show, there are basically two ways to approach marketing your product or service. One way is very aggressive, putting a brochure in everybody's hands as they go



Above: Network President Marty Hayes answers a TV reporter's questions about our armed citizens' organization. Below: Beautiful wooden furniture for the AR-15 rifle.

techniques, although we didn't have much down time to worry about.

The show was heavily attended by NRA members from all around the country, though most were from Arizona and the surrounding states. We talked to people so much that our throats got sore! We signed up many new members at the show, and are getting several new members each week from the Southwest, as a result of our

presence there.

Personally, however, the highlight of the show was meeting our current members as they stopped by the booth to get acquainted. We took as many pictures of them as we could. It was fun to put faces to names, and get to know our members a little. For the behind-the-scenes kind of guy that I am, I felt kind of like a rock star when people came up to

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by, and the other is to just sit back and let people come to you. Oh, yes, I forgot the third way: hire booth babes to stand around in skimpy clothing and draw the attention of the male attendee. All three of us, being happily married and wanting to stay that way, we didn't consider this a viable alternative. Nonetheless, we did use both the other





Author found this resource for gun maintenance videos.

Paid advertisement Midwest Training Group

# Ask us about a 10% tuition discount for Network members!

1457 - 17th Ave., Camanche, IA 52730 563-259-2123 - <u>http://www.midwesttraininggroup.net/</u>

me and wanted my autograph! Just kidding, no one wanted my autograph, but they did say they recognized me from the videos and appreciated what the Network was doing for the armed citizen.

We also had a chance to walk the convention, and I have to admit, I was smitten by one product so much that I had to buy it on the spot. It is a very nice quality wooden stock for an AR-15 rifle. I'm not sure what it is good for, as it adds weight to the gun and you can't hang flashlights, lasers and whatever else off the fore end, but I think it looks classy, and frankly, that's enough for me. It is sold by <u>AR15Wood.com</u>, so visit their website if you think it is as nice as I do. Be aware, though, there may be a little fitting to do; I had to take my Dremel to the inside of the fore end to get it to snap into place. No big deal, but I wanted to warn you about that.

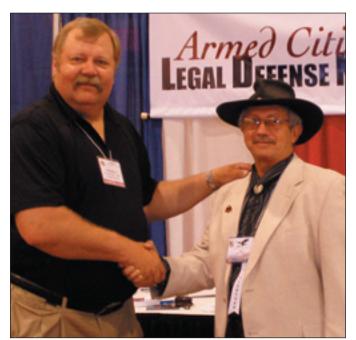
One other product that I thought was very interesting and will likely add to our bookstore is a series of DVDs on gun assembly and gun cleaning. They are well done with good production quality, and only cost \$20 each. Watch for them in the Network's online bookstore in a few months.

We were also very pleased to make the acquaintance of several pro-gun attorneys, who said they would be willing to serve as Network Affiliated Attorneys. I have added several to the attorney pages, and since I have followed up with the rest, I only need their go ahead to add them to the list.

So, that's my report from the NRA convention. I know Vincent is working on some real good news from his convention experiences to share with you in his monthly column, too.



Vice-President Vincent Shuck (left) with new Network member Brian Halawith from Phoenix, AZ.



Network President Marty Hayes (left) with member Don Bosco.



Network Vice-President Vincent Shuck (left) with Network Instructor Affiliate John Farquar.



Network member James Ralston (left) with President Marty Hayes have a good visit at the NRA Convention.



Network member Jim Shepherd dropped by the Network booth.



Network member Darvin Meler of Sunrise, AZ (left) with Network President Marty Hayes.



WA State Rep Bill Van Tuyl with Network member Angelito Reyes



Member Ronald Shimik (left) exchanges a handshake with Network President Marty Hayes.



WA State Rep Bill Van Tuyl and member William from Michigan discuss events at the NRA Convention.

# Attorney's Viewpoint: Keeping A Carry License

Debbe von Blumenstein

#### by Debbe von Blumenstein

Remember when you were in school and the teacher gave you a lesson and then a test on it? Well, I am going to give you a test and then the lesson. Why would I do that? Because that is what life does to you, right?

Get out a piece of paper and writing device. Now,

quick, right now (without looking) - what is the exact date of expiration of your Concealed Handgun License (CHL)? Write down the month day and year it expires next.

Did your answer include " ... uh ... um ..." ? Were you able to figure out only the year? Did you know it at all? Could you only approximate it?

If your CHL expires and you are carrying concealed - you will not be protected under the law. No excuse is a good excuse. Go to jail; do not pass go. Call your attorney. And even though the words hire an attorney, warms the cockles of any lawyer's heart - you may want to avoid that necessity.

OK, we're on the honor system here. Now look at your CHL and see if you are right.

I will be bold and guess you were wrong on at least one and maybe all three. We train for how to shoot and when to shoot but what about training to not only keep your firearms in good working order but also your right to carry concealed?

Do you care? You should. Consider what would happen if you are wrong and your CHL expires and you don't know it and you need to produce it. Next thing you know, you are arrested for carry a concealed handgun without a valid license. Believe me no one is going to care (except for you and your loved ones) how much of a good gal or good guy you are. If you are in violation of this law, get ready to be cuffed and stuffed. If you don't care to put in place a practice to avoid this situation then you might as well use your sock drawer for socking away money for bail money. Be prepared to lose your right to have a CHL.

The lesson here is: Be as diligent about keeping your CHL as you were about getting one.

So what to do? Enact a practice that you will keep to that will insure you never have to worry about this issue.

What do you do once a year? Change the batteries

on your smoke detector? Get you teeth cleaned at the dentist? Celebrate your birthday? Rotate your tires? Flip your mattress?

Pick something you do once a year always without fail. At the same time, look at your CHL and check the expiration date.

If you do not know when it expires, it may expire and you may not be aware of it. If it expires, you may have to undergo all or a portion of the procedures for getting a CHL for the first time versus the renewal process.

## The Case of the Badly Printed CHL

Every county's CHL looks different. In Oregon, one county in particular has a print that looks like it was created on a bad typewriter. If you don't look at it closely, and even with your reading glasses on the "5" is blurred and looks like a "6".

Confession time. This happened to me.

I dutifully checked my CHL expiration date and thought, "Cool, another year to go." Then, I got to thinking, "Hmmmmm, that doesn't seem right." And rechecking it (with my reading glasses on - and looking real close) I discovered my CHL expired in 2005 and not 2006 - and it had expired a month earlier!

I was able to renew it but I did have to resubmit references. Luckily, I was not in need of utilizing it during the expiration time. I could have been facing serious consequences - the embarrassment alone was medicine enough for me.

The lesson: Check your CHL expiration date - carefully! Check it every year even if you think you know the actual expiration date. The milk in your fridge may still be able to be used after the "best used by" date but not your CHL. Expired milk may leave a bad taste in your mouth but an expired CHL may get you cuffed and stuffed and sitting in jail – and even worse – having to hire an attorney!

About the author: Network Affiliated Attorney Debbe von Blumenstein, J.D., is a trial attorney who has practiced in courtrooms throughout Oregon since 1997 covering twelve different counties and a multitude of municipalities. Her practice has an emphasis in self defense cases and weapon charges. She is a graduate of the Lethal Force Institute and other defense training local to her area. She has also been a legal instructor for the Oregon Police Corps, a paramilitary law enforcement academy in Portland, Oregon, and helps present the moot court segment of the Lethal Force Institute's Use of Deadly Force Instructor program. Outside of her law practice, Ms. von Blumenstein has created and presented workshops and seminars throughout the United States, including "Legal Lessons 101: Knowing Your Rights-Learning From the Mistakes of Others." For more about Ms. von Blumenstein, visit http://www.debbevonblumenstein.com/

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# **DVD** Review

# **Defensive Shotgun**

Presented by Tom Givens of Rangemaster 2611 S. Mendenhall Rd., Memphis, TN 38115 901-370-5600

#### http://www.rangemaster.com/rm\_dvd

#### shotqun.html

\$29.95 — 2 hours of instruction on professionally produced DVD *Reviewed by Gila Hayes* 

Are shotguns only for bird hunters? Skeet shooters? Cops? Tom Givens doesn't think so, and in a two hour DVD presentation, he not only teaches why shotguns are great defense weapons for private citizens, he shows the novice shotgunner how to select the right shotgun, fit and accessorize it to their individual needs, and how to shoot it, as well. Sound like an ambitious teaching outline? It sure is! But Givens, in this two hour DVD, gives a very thorough introduction that will prepare any novice to ask the right questions in their quest to learn more about this versatile firearm.

Givens qualifications include 25 years in law enforcement and specialized security work, and the tone and content of this DVD reveals him an avid student of both the history and the use of the shotgun, as well as a knowledgeable tactician and skilled instructor.

Introducing his topic, Givens explains that in its modern form, a properly set up shotgun is relatively easy to shoot well, surprisingly inexpensive, wields considerable psychological advantage, is devastatingly powerful at short ranges, and has a benign appearance if its use in self defense goes to court.

Early in the lecture, Givens specifies that the focus of the program is constrained to use of the shotgun for civilian self defense, despite the wide variety of other uses for the scattergun. The program, he explains, comprises an introduction to using shotguns in close range, quickly-breaking circumstances, with a possibility of multiple assailants, as in the example of a home invasion that he cites.

After reviewing the four Universal Gun Safety Rules, Givens moves into an interesting discourse on the history of shotguns, starting with smoothbore muskets, moving through uses like repelling unwanted boarders on sailing ships, "riding shotgun," up through modern times, ending with what Givens defines as the shotgun's "very viable role" in American law enforcement.

Givens illustrates various shotgun actions, pointing out that since the focus of the lecture is on defensive use, the balance of the program will be limited to pump action and semi-automatic shotguns. Defining the differences between the two, Givens comments that with the pump action shotgun, most perceived malfunctions are actually operator errors. He then gives the first iteration of his emphatically repeated instruction to cycle the pump action vigorously, to be sure to move the long, heavy shell into the chamber. Proper loading procedures also prevent malfunctions, and these are stressed throughout the presentation.

> Givens' lecture on parts and nomenclature of the shotgun will be very useful to beginners or those considering getting a shotgun and learning to use it for home defense. Identifying the different parts, Givens gives clear descriptions about the operating function of the various elements discussed, while the camera shows the portion spotlighted. He also discusses sight options, extended magazine tubes, butt cuffs, sidesaddles and carry slings.

> Discussing gun modifications, Givens explains how a long shotgun stock, exemplified by the common 14-inch length of pull found on most sporting shotguns, doesn't work well for the civilian defensive use. Demonstrating how length of pull is measured, he recommends, "One of the first things we want to do is to shorten that stock up." He advises a 12- to 13-inch length of pull, saying that although he is about 6 feet tall, he does best with a 12.5inch length of pull. Gunsmithing, recoil pad replacement, and stock replacement are all covered. Givens describes shortening the stock as, "The single greatest aid to using the gun well."

> The next segment of instruction covers shotgun ammunition. Introducing the topic, Givens amusingly explains that owing to the long history of the shotgun, much of the ammunition nomenclature is nonsensical. You don't have to understand it, he smiles, you just have to memorize it. Givens goes on to define gauge, high brass and low brass, varied shell lengths, bird shot, buckshot and slugs. He recommends 0, 00 or 000 buckshot, whichever patterns best in your shotgun for home or business defense. He explains buckshot patterning, illustrated by a target shot at *Continued on page 14*

10- and 21-feet. With this visual aid, Givens substantiates that the shot patterns are sufficiently small that a miss across a normal-sized room is entirely possible unless the shooter aims properly.

Other patterning facts covered include the differences between individual shotguns and various brands of ammunition. Givens explains that brand of one buckshot that works wonderfully in one shotgun may give an abysmal pattern in another. At what distance does the shot spread exceed the size of the assailant, sending errant shot off target, going down the street and hitting an uninvolved party? Givens asks.

Next, he moves from the classroom to the range demonstrate patterning with varied brands of buckshot at different distances. Not only does the viewer see patterning performance of different variations of buckshot, but they also learn from the visual representation of shot spread and see what constitutes a good pattern. The ammunition section concludes with a discussion of slugs, dummy rounds and specialty cartridges for shotguns.

Gun handling skills, including loading, unloading, use of a butt cuff, and use of the shotgun's safety all receive coverage. On the topic of the manual safety, Givens explains the necessity of storing a shotgun in cruiser ready condition – or closet ready, he adapts. Viewers learn how to put the shotgun in this condition, as well as loading and unloading procedures. For loading, Givens favors methods that keep the gun oriented toward the target, gets the chamber loaded, and ready to go, then topping up the magazine tube, calling the method, "more action ready."

Proper use of the manual safety, Givens notes, is different between sporting use of the shotgun and fighting with a shotgun. First, he explains the mechanical function of the trigger block safety. Givens does not endorse keeping the index finger on the shotgun's manual safety prior to firing. This, he explains, causes confusion about where the trigger finger belongs, and that confusion may transfer to pistols with bad results. If the shotgun is moved to the ready "in anticipation of having to shoot the gun" disengage the safety and index the finger on the receiver, he advises. Engage the safety when the gun is slung with a round in the chamber; disengage the safety when at the ready; empty the chamber and lower the hammer when the shotgun is stored for potential later use.

Next, Givens demonstrates shot gunning stance, ready positions, mounting and cheeking the stock. Givens advice

takes into account the likelihood of using the shotgun from behind cover against an armed adversary, and he recommends a shooting stance with both elbows pointed down, not the oft-taught method of raising the shooting-side elbow to better define the shoulder pocket.

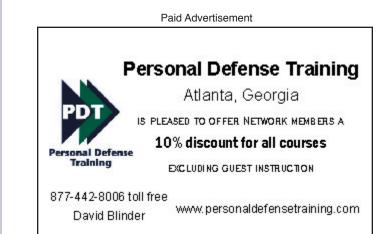
High ready and low ready positions are shown, with a good explanation by Givens of uses for the low ready position, and variations like the compressed ready, with the muzzle lower, shotgun laid flat against the chest and muzzle pointed outside the area occupied by feet.

During lectures and demonstrations, Givens' store of knowledge is readily apparent, with long blocks of extemporaneous lecture giving definitions and instructions, supported by a variety of demonstrations.

Back on the range, Givens shows how effective a skilled shooter can be with a pump action shotgun, explaining that the manual cycling takes place during the movement between multiple targets, so nothing is really lost against the perceived faster time of a semi-auto shotgun. In his demonstration, Givens hits two targets at varied distances in 1.59 seconds with his pump shotgun, a feat that he repeats in 1.38 seconds with a semi-automatic shotgun.

The shotgun is probably the most combat-effective weapon that a private citizen can get his hands on, Givens opines, but stresses that only a trained shooter can enjoy those advantages, so he closes his presentation with advice to train and practice.

The Rangemaster Defensive Shotgun DVD is a good tool for folks new to the shotgun who need to get a handle on nomenclature, variations, accessories and shooting skills. Experienced shotgunners will enjoy Givens' lecture and demonstrations, and will likely see techniques they will wish to try their next time at the range.



# **Network Membership Tops 1,100; \$18,000 in Foundation**

Membership in the Armed Citizens' Legal Defense Network, LLC is growing rapidly! The day the 1,000th membership card was issued, the office was so overwhelmed with other Network tasks that the first landmark went somewhat unnoticed. As publicity spreads the word about the Network's mission – likeminded armed citizens joining together to look out for one another – the volume of information requests and membership sign ups has exploded.

Network President Marty Hayes' columns in <u>Concealed Carry Magazine</u> continue to draw the most interest. Other callers say they read about the Network in the Roy Huntington's editorial column in <u>American Handgunner</u> last month. Internet users browse the Network's website, as well as finding references to us in various online forum threads. 1,000

Even more powerful are the one-on-one recommendations made when Network members talk with other gun owners and when our Affiliated Instructors endorse the Network and its benefits for their students.

As the Network's membership grows, so does the Foundation and its ability to offer grants of financial assistance to members embroiled in legal trouble stemming from legitimate self defense actions. As this report is being written, the Foundation has in excess of \$18,000 in the bank. That money is set aside for the legal defense of Network members, and is drawn from 20% of every dollar in Network dues paid by members, as well as member contributions and corporate support, a new funding source the Network is just beginning to seek out.

One of the nicest things to happen last month was receipt of an unexpected envelope sent by a member and his wife containing a \$1,000 contribution for the Foundation. We were very touched by this couple's generosity, and though we'll protect their privacy here by not naming names, we certainly are grateful.

Because legal representation is expensive, there is still much to be done to build up the Foundation's ability to defend a member in trouble. "Still, with every new membership, and with each membership renewal, I am encouraged by the subsequent growth of the Foundation," commented Network Operations Manager Gila Hayes. "This is the kind of strength we envisioned when starting the Network 18 months ago!"

# **First Renewal Cycle Underway**

As the Network goes through its first several years, there are landmarks – much like that 1,000th member – that show how we're growing and the gradual maturing of the organization. Sending out our first membership renewal notices last month was one of those stages.

"Membership renewal is a lot like a survey of how well you've done," muses Hayes. "Over one-third of our earliest members have already renewed their membership in the Network, and those memberships do not expire until June 30th, so I am confident many more are still coming in."

Your membership expiration date is shown on the back of your membership card. "We encourage members to renew so the Network can continue to build the Foundation's resources, as well as provide the other benefits members enjoy throughout the year," Hayes requested.

# **Guns in National Parks**

Compliance with laws requiring national parks and refuges to allow citizens to carry guns in the parks according to the gun laws in force in the state in which the park is located is back on track – but not in time for the summer vacation season.

The Department of the Interior has announced that "the current Reagan Administration regulations governing possession of firearms in national parks and wildlife refuges remain in place. Under the current regulation, firearms are generally prohibited, but citizens may transport unloaded and dismantled or cased firearms and carry firearms while participating in approved hunting programs and under certain other circumstances."

Provisions of the new law will not take effect until nine months hence, presumably January 22, 2010, unless additional challenges derail it.

Paid advertisement

Network members receive 10% discount off classes taught by The Firearms Academy of Seattle, Inc. (Guest instructed courses excluded) Network members use coupon code acldn2ndyear to receive discount 360-978-6100 http://www.firearmsacademy.com/ P O Box 400, Onalaska, WA 98570



Gila Hayes

# Edítor's Notebook

# Making Statements to the Police

Lost in the Sonia Sotomayer scramble in recent weeks, was a quiet Supreme Court decision that overruled <u>Michigan v. Jackson, 475 U.S.</u> <u>625</u>, as part of their decision about the outcome of a Louisiana murder case (<u>Montejo v.</u>

**Louisiana** (07-1529). Both cases hinge on the admissibility of statements given to police without an attorney – a hot topic among lawyers and armed citizens as we struggle to find a reasonable way for armed citizens to establish that *they* were the intended victim when an assailant is shot.

Most think that the 1966 *Miranda v. Arizona* decision constitutes *the* case law governing how suspects in custody are questioned by police, but police are further restrained by many other court findings, including, until recently, the 1985 *Michigan v. Jackson* ruling that police should not initiate interrogation of an arrestee once he or she has requested legal counsel.

Comprising the Supreme Court's *Michigan v. Jackson* decision, are hundreds of pages in which the justices dissect earlier decisions about how to protect citizens from self-incrimination, and how the constitutional right to counsel applies under various circumstances. Were it not for aggressive questioning by police officers, sometimes under circumstances intended to put the suspect under extreme stress, little of this case law would exist.

Parenthetically, let me add that skimming through some of those cases, including *Montejo*, the case that brought *Michigan v. Jackson* under Supreme Court scrutiny, makes interesting reading, as does the underlying case that influences the latter, *Edwards v. Arizona, 451 U. S. 477 (1981)*. In reading what the justices had to say I mused that the laws and rulings on which good and lawful citizens rely for protection from the criminal justice system so very often result from lawsuits brought on behalf of vile criminals that most citizens would delightedly consign to the fires of Hell!

So often, modern day interpretations of the Fifth and Sixth Amendments to the Constitution stem from cases

in which law enforcement pressed the suspect so hard that they extracted inculpatory statements or a desperate confession. Jay Montejo invoked his right to counsel about three hours into the initial interrogation, though he had earlier waived that right, and he quickly tried to back out of it because detectives abruptly announced that he was under arrest for first-degree murder once he had invoked. An initial interrogation between 4:30 and 11 p.m. on the day of the murder, followed by additional questioning between 3 and 4 a.m. the next day had produced a half dozen variations on Montejo's version of events. The length and timing of those interrogations should alert even us law-and-order types to the risk of pressure tactics used to obtain statements leading to murder charges and conviction.

The admissibility of statements made under pressure is the foundation of case law that establishes criminal procedure taught to cops and argued by attorneys. Why does any of this matter? As armed citizens, we receive conflicting advice from one extreme of, "You've done nothing wrong in defending yourself, help the police by saying whatever you can remember," to the other end of *Continued on page 17* 



The **eJournal** of the **Armed Citizens' Legal Defense Network, LLC** is published monthly on the Network's web site at

http://www.armedcitizensnetwork.org.

We are actively soliciting the participation of writers with expertise in self-defense firearms, the legal profession, and the self-defense training field. If you are interested in contributing to the **eJournal**, please contact editor Gila Hayes by E-mail sent to **editor@armedcitizensnetwork.org**.

The Armed Citizens' Legal Defense Network, LLC 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 <u>info@armedcitizensnetwork.org</u>.

the spectrum that urges, "Refuse to answer any questions from police; your lawyer should take care of that." Where lies the reasonable middle ground?

First, I believe we must be very, very suspicious of hard and fast rules, because they ignore the reality that every situation will be somewhat different. We need practical strategies we can learn, and even practice, so if, heaven forbid, we find ourselves explaining our self-defense actions, we know how to respond.

In my opinion, not responding at all in the vein of, "Don't say a word until your lawyer gets there" is selfdestructive. It simply isn't practical to think your lawyer can be present when or before the police arrive at a shooting scene unless you call the lawyer first (!) or the lawyer has similar response time to the local constabulary! Think you can match that response time, counselors?

So, if we acknowledge the reality that the self-defense shooter must likely interact with responding police officers without a lawyer present, we need to consider how to manage that interaction. Why wouldn't an innocent person be willing to make a short statement that he or she was the victim of the violent criminal who left no alternative but use of force in self defense? Is it sensible for us to expect reasonable treatment at the hands of the authorities if we shut up and act like we are guilty of assault or murder?

Attorneys and Internet pundits alike all too often fail to distinguish between initial questioning by responding police officers and custodial interrogations, the latter of which should absolutely be made only with an attorney present. But in drawing that firm and appropriate line, too many have also slammed the door on giving pertinent information to responding officers who, like it or not, draw early conclusions that influence everyone with a hand in the case from that point on.

As an attorney friend told me, people forget that the responding officer will fill in missing pieces of information, much like someone putting together a jigsaw puzzle. What information will the self-defense shooter provide – or fail to provide – so those first responders construct an accurate picture depicting an armed man or armed woman set upon by a violent predator? Will information given in brief initial responses to questioning serve as puzzle pieces fitting together to portray an intended victim preventing their murder?

ficers to fill in gaps with puzzle pieces they must conjure from their own imagination? Remember, you may be the very first truly innocent person the responding officers have ever encountered who was also the shooter. Forced to fill in the blanks from their training and previous experience, what conclusions are the police likely to draw if you tell them nothing?

If you own a gun for self defense and have not worked out these issues, using your gun in self defense may save your life, but your actions during the next several hours may well jeopardize your freedom. The second DVD in the three-part series sent to every Network member contains critical information members should review periodically to keep the principles clearly in mind. If you are not already a Network member, the \$85 yearly dues is a fair price to pay for the information on the three-part DVD set, even if there were not additional membership benefits.

As armed citizens we expend a lot of energy keeping our rights to have guns for self defense. This is right and necessary. We need at the same time, to invest some of our energies into our preparation to use deadly force correctly and to survive the legal system after a shooting, as well.

## We Get the Most Interesting Phone Calls

A very nice older gentleman from Michigan called the Network office recently to ask how he could contribute to the Network without joining. He was extremely leery of joining, having been offended more than once by gun rights lobbying organizations on both state and national levels that accepted memberships from him and from friends he encouraged to join, then *immediately* began dunning them all for money several times a month. The experience really soured membership plans for him!

I took pains to explain that the Network doesn't do business that way. Our primary commitment is to our members, to providing the membership benefits for which they have joined, and to increasing membership in the Network to strengthen the organization's overall ability to care for its members. While contributions are a great help to building up the Foundation, we would never solicit donations with such aggressive regularity!

Not long after that phone conversation, a check for \$85 arrived with an invitation to contact the donor in one year for another contribution! Assured that his wishes would be respected, he was eager to support the mission of the Armed Citizens' Legal Defense Network.

Or will a dearth of information cause responding of-



Print this application form and FAX it to 1-360-978-6102 (if you are using a VISA/MC), or mail it to P.O. Box 400, Onalaska, WA, 98570 with your check for \$85 (add \$50 each for additional memberships for others in your household–must reside at same address). Your first year's membership will expire at the end of the month following the one in which we accepted your membership application. If you have any questions, please call 360-978-5200.

When your application is accepted, you will receive three DVDs concerning the lawful use of deadly force for self-defense. Additionally, you will become immediately eligible to have any future case of self-defense reviewed by one of our Network experts at no charge, and may apply for a grant of financial assistance for any litigated self-defense cases initiated after membership application (please read <u>http://www.armedcitizensnetwork.org/</u><u>benefits.html</u>). You will also receive a membership card with your username and password for the member's Internet forum and other areas of the Network website restricted to members only, as well as your coupon code for the 20% discount at the Network's on-line book and DVD store.

We look forward to your participation in the Network as part of a family of armed citizens who passionately care about the right to armed self-defense, and want to protect themselves from the legal nightmare that sometimes accompanies a lawful act of self-defense.

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---- MEMBERSHIP FEE ----

#### APPLICATION FOR INDIVIDUAL MEMBERSHIP

Full Name	\$85.00 Individual Membership
Mailing Address	\$50 Each Additional Household Resident
City	Name(s)
State Zip	Charge my card Check enclosed
Phone	CREDIT CARD CHARGE AUTHORIZATION
E-mail	I, hereby (Clearly print name as it appears on credit card)
How did you hear about the Network?	authorize Armed Citizens' Legal Defense Network, LLC to charge \$
	on my VISA or MasterCard (circle one)
APPLICANT'S STATEMENT: With my signature, I hereby attest that under the laws of the United States of America, I am not legally prohibited from possessing firearms, that I am 18 years of age or older, and that I legally reside in the United States. I understand that any grant of benefits is limited to lawful acts of self defense with no additional criminal charges (unlawful possession of concealed handgun, for example) associated with the incident.	/// Account Number Expiration Date/
	CVV Code 3 digits on back of card Full billing address for credit card account:
	(Street Address or Box Number)
Applicant's Signature	(City)
Please Print Name	(State and Zip Code)
(1) Additional Household Member Applicant's Signature	I agree to pay the amount indicated above. If the charge is declined, telephone me at
Please Print Name	
(2) Additional Household Member Applicant's Signature	(Signature authorizing charge) Please mail to the Armed Citizens' Legal Defense Network, LLC, P O Box 400, Onalaska, WA 98570 or fax to 360-978-6102.
Please Print Name	සි P O Box 400, Onalaska, WA 98570 or fax to 360-978-6102.