



New Ayooob Book is 2014 Member Education Item

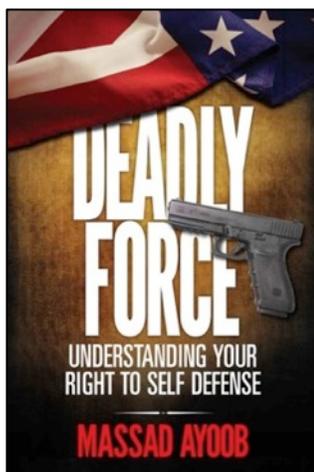
Each year the Network sends members an educational program intended to help them keep current and foremost in mind their duties, rights and responsibilities as armed citizens who may use force in self defense. Heretofore, the Network has produced lectures on DVD to fulfill this goal. This year, we have obtained a full-length book about justifiable use of force in self defense to send to members. The book we selected, *Deadly Force: Understanding Your Right to Self Defense* by Massad Ayooob, a Network Advisory Board member, covers this topic in such depth that a whole library of DVDs would be required were we to attempt to commit it to spoken lecture.

Throughout much of 2014, Network President Marty Hayes has been working on a DVD presentation that tells the story of a man for whom he provided expert witness services in defending a shooting case. The working title is *Anatomy of a Self-Defense Shooting* and when it is completed it will teach a number of very compelling lessons. After several set backs in the program's production, Hayes expects to have that program ready for release in the spring of 2015, so it should become next year's member education premium.

During much of 2013 and into 2014, we occasionally heard hints and whispers that Ayooob was working on a new book that would detail justifiable use of deadly force. Occasionally, he would ask for research material or contact details for industry professionals and as it became clearer what he was working on, our interest grew. When the pre-release announcements for *Deadly Force: Understanding Your Right to Self Defense* came out, it became apparent that Ayooob's coverage of this vital topic was even better than we had hoped.

Network President Marty Hayes went into negotiations with Gun Digest Books to obtain 10,000 copies of the new title as soon as it was released. The publisher responded with a favorable offer and suggested that for an order this large, the Network should have its own version of the book, which allows us to add several note taking pages for member documentation, as well as a few words from Network President Marty Hayes explaining its importance in member education.

The printing presses are scheduled to run the Network version of *Deadly Force* in November, and if all goes well, the book should be bound, boxed and put on pallets for arrival at the Network toward the end of the month. We'll then set aside all non-critical tasks to concentrate on packaging and addressing copies to mail to Network members.



Obtaining this new book for the 2014 educational item is a big financial commitment for the Network. At the same time investing in member knowledge pays off by creating members who are less likely to make errors of judgment or to give misleading details while handling the legal aftermath. Educated about both the law and society's negative reaction to using force—even

in undeniable self defense—Network members reading this new book will be even quicker to avoid situations that might lead to a fight.

However, if preclusion fails and a Network member is forced to choose between using a gun for defense or death or crippling injury, the member must have an understanding of the legal aftermath that will follow. "Know the standards to which you will be held," Ayooob urges early in *Deadly Force*, but in a time where layers upon layers of law and precedence have been imposed

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upon the basic human right to self defense, how can a layperson obey that advice?

Indeed, some have asked, "Why not leave understanding how to defend self defense to your trial team?" Introducing his chapter on commonly misunderstood aspects of self-defense incidents, Ayooob sums it up thus, "If you keep or carry a firearm for defensive purposes, you are a potential victim of an unjust accusation based on legitimate actions that will need expert testimony so the jury can properly and fairly interpret the evidence to determine the facts. It will be hugely helpful in court – and to your decision-making ability at the danger scene itself – for the law-abiding armed citizen to understand these things beforehand." He goes on to educate the reader about the many facts that police, prosecutors, judges and juries must weigh before finding the armed citizen's use of force lawful and justifiable.

Following a tradition established in his classes, Ayooob makes understanding self-defense law easier by first distilling the elements that must be present to justify self defense and then fully explaining them in everyday terms. These he blends with explanations rendered in the same words you and I might use in daily conversation. Each element of justification is illustrated with stories of the defendants on whose trial teams Ayooob has served as the expert witness.

For example, while "mantle of innocence" may be used by lawyers to explain that a client avoided escalating an argument leading up to an attack against them, Ayooob writes that one who fails to preserve their innocence "kept the ball rolling" in a confrontation and will be judged to bear some responsibility for being part of the conflict. He gives "bare fear" and "reasonable fear" the same treatment in colorful terms that stick in the mind and later does the same for the Latin *malum prohibitum* and *malum in se* and for the doctrine of necessity.

An important side effect of knowledge is increased confidence in actions undertaken in self defense when you have no choice but to resort to lethal force to remain alive. In his chapter on what constitutes an assailant's ability to kill or cripple, Ayooob details knife and bludgeon lethality, explaining how employing a firearm in defense against either may be painted as excessive. The reader comes away further convinced of the necessity of being able to stop non-gun attacks quickly and decisively.

Nowadays Internet arguing is a high art form and discussions between those genuinely interested in

uncovering the truth are often interrupted by online trolls who dispute the facts then challenge, "Show me the court cases." Ayooob's new book *Deadly Force* is replete with the court cases that illustrate fundamental elements like disparity of force, the Tueller principle, the reasonable person standard, the affirmative defense and how to present those and other truths to the skeptical. Ayooob's reports often quote the words of defense attorneys, prosecutors, trial judges, witnesses, and sometimes Ayooob's own expert witness testimony as he cites principles he explained at trial in defense of one who used guns to save his or her own life.

Ayooob emphasizes that the new book does not replace his classic *In the Gravest Extreme*, but is best seen as an update and enhancement to that earlier work. *Deadly Force*, draws on more than 30 years of additional experience, much of it working as an expert witness in firearms and deadly force cases. Ayooob has been teaching the principles the book outlines for forty years.

The new book is invaluable as a documentable resource that clearly defines in today's terms when deadly force is justifiable. Unlike blog posts stored online, a tangible book in which you have written notes, dates on which you were reading and reviewing it and highlighted key concepts will not disappear before you need to show on what you based self-defense responses.

Deadly Force also provides citations to more in depth reference works on the various topics it covers. While it's tempting to say this book is the ultimate resource for this topic, Ayooob's footnotes point out just how much more study material is available for the dedicated student of self defense, and members can expect some of the books he recommends to show up later on these pages as fodder for our book reviews (as well as recognizing one or two we've already reviewed).

Network members are serious about understanding that just shooting accurately is not enough and know that being able to articulate the reasons that shooting was necessary is also critical. At the core of the Network's mission is fostering our members' understanding of "when and why," which is just as important as "how" to defend self and family. That is why we are happily absorbing expenses higher than our usual yearly educational DVDs to put a copy of *Deadly Force* in the library of every Network member.

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Please enjoy the next article.]

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Lessons from Newhall Shooting Applied to Armed Citizens Today

We can learn much from Air Force Lt. Colonel (Ret.) Mike Wood's application of aviation's analytical approach to studying the 1970 deaths of four highway patrol officers in Newhall, CA. Over the decades, much has been written about the incident, but Wood found those reports fragmentary. In striving to fill in gaps in his own understanding, he realized the value of a full analysis made from the vantage of a firearms instructor educated in modern survival tactics, 40 years later.

The resultant book, Newhall Shooting—A Tactical Analysis, was the topic of our book review in last month's journal. In that article's preparation, I realized that the depth of information gathered there greatly exceeded the scope of a book review so I asked Wood to analyze and apply the lessons from Newhall to armed citizens. Wood is a Network member, and he kindly agreed, so let's switch now to a Q & A format to share his observations in his own words.

eJournal: Why were you drawn to study a shooting that occurred over 40 years ago?

Wood: I grew up as the son of a California Highway Patrolman. In a law enforcement or military family, when Mom and Dad talk about work, the stories that they tell are quite different than what you'd get from a stockbroker parent. When my Dad talked about his work experiences, my brother and I paid close attention since we planned on following in his footsteps. We grew up on police ranges, and spent our youth surrounded by officers from all kinds of agencies, where we heard even more "shop talk." When family travels took us to the area where the Newhall shooting occurred Dad would mention it, and we took mental notes because even then we could tell it was important.

Fast forward 30+ years. While compiling a list of my Dad's Highway Patrol stories that I wanted to record for posterity, I thought about Newhall. It lit a fire. I frequently saw references to Newhall in all the different magazines, books and journals I avidly followed through the years as someone who is interested in training for self defense. In them, you'd hear snippets like the "brass in the pocket" story, but we never got a really good explanation of what happened in that fight.

As time went by some mythology started creeping in. We'd hear things such as how the officers trained with .38 Special wad cutter ammunition but they carried

magnum ammunition on duty, so they missed their targets because they weren't accustomed to the recoil of the magnum ammunition. It didn't pass the smell test: as a kid I'd shot my dad's duty revolver with duty ammunition and I could handle it as a skinny teenager so these grown men should have been able to handle it. I started thinking, perhaps there is more that we need to look at.

eJournal: That turned out to be a big task, because as your book points out, the Newhall deaths resulted from a complex situation compressed into a few short minutes.

Wood: A gunfight is a big, swirling mass of confusion. Trying to sort out and make sense of it and put it into chronological order was a daunting task. While researching the book, I was lucky to have access to all the original investigation files the L.A. County Sheriff's Department maintained on the shooting, including a whole series of witness statements and crime scene photographs.

Poring through the pile of documents and photos and trying to make coherent, logical sense of what happened was really a very difficult task, which was made more difficult by the passage of 40+ years. I was fortunate that I was able to meet some of the officers that were there in the closing moments of the battle and I was able to talk with Gary Kness, the citizen hero that jumped in to try to help during the middle of the shooting. The combination of having physical evidence, witness testimony and interviewing people that were there that night, all came together to make heads and tails of what happened.

Along the way we discovered a few surprises like the fact that the revolver that we thought Gary shot dry actually had one round left hiding in the cylinder. We made discoveries that made us realize that we had some of the important facts about the shooting wrong.

eJournal: The human interest of the story of Gary Kness as related in your book resonates with folks who are not police officers. Tell us a little about meeting him, please.

Wood: Talking with Gary has been one of the most rewarding experiences in researching the book. Gary is a very humble man who felt that he was just living up to

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his human responsibility to help those in need. He doesn't see himself as a hero and he is very, very humble about his contribution. I think he has a certain level of regret that he was not able to have a greater impact. It certainly took a lot of courage and bravery for him to interject himself into that fight!

He told me that when he first rolled up on the scene and saw what was happening, his first reaction was disbelief. He thought that it was perhaps a movie or something like that, but as he realized that it was a real event, he said to himself, "Somebody has to do something about this," and he very quickly realized that the "somebody" was him. He tried to pull Officer Alleyn to cover although he was unable to move him before he came under attack from Davis' gunfire.

Gary is very hesitant to talk about his military experience but from talking with other people who are familiar with him, I gather that he is a combat veteran from the Korean War where he served as a Marine. This was probably not Gary's first experience of having to react under fire. He did what he felt was necessary to save a fellow comrade probably in the same manner that he had done before during his military service.

I think Gary's role in the fight is particularly instructional for Network members. First, we should note that Gary's response was not contingent upon being armed. He realized that somebody needed to help and it was within his capacity to do it. The fact that he was not armed was not a factor. That's important because we tend to obsess about equipment but we really need to realize that it is not the equipment that gives us our abilities, it is that grey matter between our ears.

Network members have skills and knowledge that will make them important contributors to successful resolution of a violent confrontation, be that first aid skills or the kind of raw courage that Gary showed trying to rescue that officer. We can evacuate people and get them away from the scene of an incident; we can call for help and coordinate response. We can also use our weapon or pick up a dropped weapon and join the fight, but there are any number of skills that don't necessarily involve direct combat that we can contribute to the successful resolution of a violent conflict. Gary is a great role model.

Besides Gary, I talked with three of the four officers who were on the scene during the closing moments of the battle. Each is regretful that they weren't able to get there sooner, weren't able to do more when they were

there and weren't able to prevent it from happening. That is just natural in an event like this. Each one took extraordinary risks and showed a great amount of courage and provided a good example for us of that duty that we have to take care of each other.

I saw Officer Robinson a couple of weeks ago and he told me that my book helped him finally understand 40+ years later what happened that night. He was in the third car to arrive and whose door was hit by one of the last shots fired by the felons. When Robbie showed up on scene and bailed out the passenger side door of his vehicle with the shotgun, he first encountered Gary Kness. Gary's gun had just run dry and Twinning had just executed Officer Pence. He heard the sirens coming in the distance and knew help was on the way and there was nothing more he could do, so he fled the scene, running into Robbie during his escape.

Well, Gary is standing there with Officer Alleyn's empty gun in his hand and blood all over his shirt from having helped Officer Alleyn. Gary simply says, "They went that way," and he points in the direction the felons were escaping, and Robbie advances to try to find the felons in the direction that Gary indicated.

In an interview with me, Gary said all these years he'd wondered why Officer Robinson didn't shoot him. "Did he assess me as a good guy, really quick?" he wondered. So I asked, "Hey, Robbie, what do you remember about meeting Gary?"

"I just remember a guy saying 'They went that way.'"

I asked, "Well, did you know he had blood all over him or a gun in his hand?" and he said, "He did?" He was so tunneled in and focused on what was happening that he had no recognition that Gary was standing there with a gun in his hand and with blood all over him. This little story can teach us a whole bunch of lessons about how our minds and bodies work under stress, and it's just another example of how we can learn from Gary's experience.

eJournal: And that was only one detail your interviews clarified. Possibly the biggest misapprehension was that an officer put empty cases in his pocket after reloading. Why was it so important to set the record straight?

Wood: We have heard about the brass through the popular gun press so many times, it was important to recognize what really happened. Speaking as a pilot,

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when you learn of a crash that occurred and the investigation is completed and the results come back that the crash was the result of pilot error, the natural defensive mechanism for most pilots is, "Well, those guys screwed up, but I am better and I'm sharper and I pay more attention than they did so it could never happen to me." The thought that you could have made the same mistake in the same situation is very uncomfortable, very unsettling, so you tell yourself that it's not true.

Within the law enforcement community, it is very much the same way. If you learn of an incident where an officer is hurt or killed, the natural reaction for most police officers is to say, "Well, I'm better than that and I wouldn't make that mistake." It is something that we do to calm ourselves to be able to deal with the risks that we face on the job because if you are constantly thinking about the risks then you are not paying attention to what you need to be doing.

In a way, Pence became a caricature for individual failure. Over the years there were a lot of law enforcement folks and armed citizens who looked at Pence and said, "Well, yeah, the guy was a screw up and he did things that I wouldn't do because I would have performed better in that situation." I don't think it was done maliciously but as a natural sort of defense mechanism, a way to distance ourselves from the horrible and frightening possibility that we could end up doing the exact same things in that situation.

Vindicating Pence was important to me on a personal level. The man was carrying the fight very, very valiantly and he did not give up. I don't know about you, but I think about this guy who is struggling to complete a reload of a revolver while he is being shot multiple times. Trying to stick six individual cartridges into the chambers of his cylinder under intense stress would have been a difficult task even if he had not been wounded. It is amazing to me that he had the perseverance to complete that task and to try to stay in the fight while taking painful and debilitating hits. He never gave up! I think his very valiant effort was overshadowed by rumors about brass in his pocket. We need to remember Officer Pence for the things he did right and not the false rumors about what he may have done wrong.

I also thought it unfair that these officers were judged through the lens that didn't take into account very important physiological changes that were happening to them that affected their performance. 40 years worth of increased learning and knowledge and wisdom has led

us to a point where we can more fairly evaluate what really happened, than they could in 1970.

eJournal: What are the key effects of extreme stress that were not acknowledged in 1970?

Wood: We're fortunate today that we have a better understanding of how the body and mind react when we're under severe stress. When our Sympathetic Nervous System starts to run wild during high levels of arousal, we start to see a lot of strange effects on our mental and physical abilities. We experience memory loss, slowed processing and confusion. We have difficulty judging time accurately, and things can feel like they are "slowing down" or "speeding up." We lose our visual acuity and our field of view shrinks down to the point that we're looking at the world through a soda straw. Our ears start playing tricks on us—we can't hear the gun being fired at the end of our arm, but we can hear footsteps at the far edge of the parking lot, or the sound of our brass hitting the ground. Blood leaves the extremities and pools in the core and the major muscle groups for power and to reduce blood loss from wounds. All kinds of chemicals enter our bloodstream to give us increased strength and pain tolerance, but they also help to rob us of fine motor coordination and dexterity.

My friend Bruce Siddle, who has done tremendous work in helping us to understand the effect of these changes on our performance in combat, has a saying that I quoted in the book. Bruce says that "SNS activation makes you fast and strong, but also dumb." To that, I would add, "... and deaf and blind."

None of these effects are new—we've been experiencing them since we were cavemen. The difference is that we're finally starting to get serious about trying to understand how they affect our performance. In 1970, we weren't tuned in to that. We assumed that people made mistakes because they were being careless or inattentive or because their training was bad. The hidden assumption was that the brain and the body were working normally, but the people just weren't "on the ball" for some reason. In some cases that was true, but in other cases it was more a matter of the normal mental and physical processes breaking down. We're mindful of that now, but we weren't so much in 1970.

I thought it was important to look at Newhall through this new lens of understanding. Doing this allows us to draw new conclusions about how and why things happened.

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We start to realize that Officer Alleyn probably ejected the live shotgun round from his gun because of stress-induced mental confusion or memory loss, not because he was just poorly trained on the gun. We start to appreciate the difficulty of loading a revolver with loose rounds when we have been robbed of our dexterity and our hands are shaking uncontrollably as a result of powerful chemicals that are flooding our body. We start to understand how a guy who earned the award as the top shot in his academy class missed his opponent at close quarters, just across the other side of the trunk.

eJournal: In your book, you wrote extensively about mindset as an antidote to being overwhelmed by odds like those the murdered officers faced. How are, to use your words, mental awareness and preparedness complementary but “very distinct tasks occurring at different times?”

Wood: Sometimes mental awareness and preparedness are incorrectly used as synonyms. In my perspective, preparedness is something that you do prior to the fight, and then awareness is something that is actively occurring before and during a fight. They occur at very different points on the timeline.

As pilots, we talk a lot about the term “situational awareness,” essentially just an awareness of your state and your position as a function of time. True situational awareness allows you to project where you are going to be a few moments from now and understand what your relationship to your environment is going to be at that time. That is the highest state of situational awareness.

It is one thing to be driving down the road and be aware of a car to the left and a car to the right. It is completely another thing to look down the road and see brake lights perhaps a quarter of a mile down and understand that means the cars in front of you will soon have their brake lights on and you are going to need to prepare to stop your vehicle. Thinking about where you are going to be moments from now, and how your changing environment is going to affect you, is the highest form of situational awareness, and it's something we should strive towards as armed citizens.

Good preparation helps us to maintain this level of awareness, and it gives us the solutions we need when our awareness detects a problem. One of the benefits of preparing yourself with training and education is that you discover what it is you need to look for in your environment. You condition yourself to look for the cues in your environment that are going to warn you about

dangers, so it encourages a higher level of awareness. If you do detect a problem, through your awareness, then your preparation will also leave you in a better shape to handle that problem. You can be as aware as you like and recognize that there is a problem, but you're absolutely no good if you do not know what you are going to do to resolve that problem when it occurs.

I used Massad's model [Priorities of Survival] as a lens for investigating the Newhall shooting. He establishes priorities where mental awareness and preparedness are at the top of the pyramid and most important. In the book, I discuss the paradox that the most important priorities are the things that we spend the least time on! The least important, equipment selection, seems to occupy the majority of our time and interest and effort. What we really need to do is spend that time thinking about the higher level ideals of mental awareness and preparedness.

I read a letter to the editor in a popular gun-zine recently in which the writer complained that the magazine had a bias towards training-related articles. He wanted more articles on hardware. The editor said, “OK, everybody, write us letters to tell us what you think of the balance of articles in the magazine.” The following month, the editor wrote, “It was split about 65-35 saying that you want more articles on hardware and less on training.”

That is the whole problem in microcosm. It is fun to talk about the guns, the toys, the new gadgets and gizmos. It is a lot harder for us to actually talk about the software end of it but that is where we really need to be paying the most attention. It is the most critical component of mental awareness and preparedness.

You can have that equipment on your hip, but it is useless if you're not mentally prepared to use it. It is one thing for an armed citizen to say, “I'm ready for everything,” but it is quite another to sit down and really think about if you're really ready to use force against another person to defend yourself or to defend another innocent life. There are a lot of people whom, when they come to that precipice, realize that they are not ready. They haven't thought that through. They hesitate and hesitation in a combat situation is certainly going to get you killed.

eJournal: We are bombarded with messages encouraging passivity. In your Newhall analysis, you highlighted factors restricting aggressiveness like the seals on the shotgun actions.

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How do you suggest counteracting the many negative messages against aggressively defending ourselves?

Wood: We do it two ways: the first is the primary mission of the Network, which is to make people aware of the legal intricacies involved in the use of force in self defense. A lot of the doubt and hesitation are rooted in a poor understanding of what you are allowed to do and what is ethical and what is moral and what is legal. Take advantage of the time you have now to understand the restrictions and limitations regarding use of force so that if you get put in that situation where you may have to use force, there is no doubt as to what you are ethically and legally allowed to do.

In law enforcement training you'll see that most officers do not understand their agency's use of force policy to the level that they should. Unfortunately, that lack of understanding can sometimes lead to hesitation and doubt. Magnify that problem for the armed citizen! It is even less clear when an armed citizen is allowed to use force in self defense. There is a lot less case law about it, there aren't any departmental regulations and policies published for you to study, so I think the first thing that an armed citizen needs to do is understand the legal groundwork regarding what he is and is not allowed to do. Education is first.

Second, it is very important to understand what many of us like to call the "face of the enemy." Armed citizens need to think about the opponent that they will be facing in a life and death confrontation. As socialized and well-adjusted people, we have certain morals and ethics that guide our lives and behavior. When we get into a violent confrontation, we are not operating according to our rules. We're taking a step into the enemy's world, and there is a completely different set of rules there.

It is important for the armed citizen to see that the types of people they'll potentially be in battle with don't have our compassion, empathy or values. They are not like us. They have a different life experience. They think differently in a certain sense: medical professionals have given us some indications that at the physical level their brains operate differently than ours.

These people are frequently sociopaths. They have no aversion to violence and they don't even think of violence as an ethical question. For them it is simply a tool to get what they want. A sociopath who has no aversion to using violence is not going to be stopped from doing what they want if we simply display a weapon or have a weapon available but it is obvious that

we are not intent upon using it or we are not capable of using it. As Massad Ayoob is fond of reminding us, the only thing that they are going to fear is a competent, armed person who is obviously willing and capable of using force in their own defense. These criminals may not have any empathy or compassion, they may not be averse to using violence, but they are averse to getting hurt. An armed citizen mentally capable, willing and ready to defend himself is what will fend off one of these criminals.

So, we need to remove doubt and hesitation through education on the law, and we need to appreciate that there are people out there who will not hesitate to hurt you to achieve their goals, and the only way you can stop them is by being willing to use aggressive violence in self defense.

eJournal: It's clear you have put considerable study into this problem. What are your favorite sources for information about the face of the enemy?

Wood: I think immediately of one of Massad Ayoob's early books, *The Truth About Self-Protection*. In the opening chapter is a character study on violent criminals titled *The Face of The Enemy*. In it, he writes about a felon that he interviewed, his mental and physical preparation to go out and commit crimes and how powerful of a threat this guy was. It is mandatory reading for the armed citizen and was one of the first references when I started to study self defense that tuned me into the idea that we need to think about these people in very, very different terms.

I quoted Rory Miller throughout the Newhall book, because in my opinion, he has done more than any other author to help us understand the world of violence. His books *Meditations on Violence* and *Facing Violence* should be mandatory reading for the armed citizen. You can find Rory at <http://chirontraining.com/Site/Home.html>

I would also recommend Michael Bane's podcasts <http://www.downrange.tv/blog/category/down-range-radio/>. They're wide-ranging and you never know what you're going to get from week to week, but when he starts talking about the dynamics of confrontations with criminals, you need to pay attention. It is excellent stuff. He also blogs at <http://michaelbane.blogspot.com/>

I have a good friend that is a corrections officer and many good friends who are police officers. We spend a

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lot of time talking about their “clients.” If you know a police officer, a social worker, a probation officer or someone that works at an emergency room in a hospital, these people all have frequent interaction with the types of people that we are discussing. There is no better source of information than the people that work with these folks day after day. You will hear some very enlightening things. Talking with people who deal with this every day is a valuable education!

eJournal: You wrote that the Newhall felons fought from a location where they had plenty of room to move around but the CHP officers were tightly constrained in a driveway. What parallel lessons apply to the armed citizen?

Wood: During the Newhall attack the felons were highly mobile, constantly maneuvering around. When they didn't have a good shot, they maneuvered to a space where they could get a good shot. They were very good about using available cover as well as concealment. Twining moved out of the gas station and restaurant lights into the shadows on the fringe edges of the parking lot so that he could flank and maneuver without being seen. These guys were very good at using cover and concealment to press the attack on the officers and they extracted a punishing toll.

Now, if we look at the officers, all of their shooting was essentially done from fixed positions. They might maneuver to a position, but when it was time to start pulling the trigger they did it from a fixed position, whereas the felons were shooting on the move and it made them especially difficult to deal with.

At the start of one of the chapters, I quoted, “All cover is temporary.” We want to hunker down behind something that is solid. It gives us a feeling of safety and security when we find that good hiding spot. We have to realize that all of those places can very quickly become exposed if our opponent is on the move. We have to constantly be looking around to see how we can improve our position, what the next piece of cover is that we are going to go to.

eJournal: In your opinion, how is modern training doctrine doing addressing skills like shooting and moving?

Wood: I just gave a lecture to officers in Orange County, California, in which I showed firearms training pictures from the Newhall era compared to pictures of current law enforcement training. Look at a line of officers in

their 1960s-era uniforms, shoulder to shoulder on a range, firing their revolvers in single action from the traditional Camp Perry stance with one hand in the pocket, one arm extended. It's all very quaint. We say, that's silly; we don't train like that any more!

Flash forward to a picture of officers training today and everything is virtually identical except for the fact that now they are firing from an Isosceles or Weaver stance. They are still standing shoulder to shoulder on that square range, they are still shooting at a target that is not anatomically correct with scoring rings located in the wrong place, and there's no movement involved. They're shooting from a stance that is unrealistic compared to what's going to happen when the bullets start flying and people start moving.

A lot of those Newhall demons haven't been totally exorcized from firearms training. There are a lot of reasons. There are limitations on what we can safely do with live fire training. That's why I think alternatives like Airsoft and Simunitions are the future of firearms training because that provides a training environment that is more like a fast-breaking, lethal encounter. We can now replicate the dynamics of a real gunfight in relative safety with these tools.

If you look at the video footage from store robberies or cruiser dash cams, when the bullets start flying people don't stand there in a perfect Weaver stance with their feet planted, or if they do, they get killed. Those perfect stances that we practiced on the square range break down and people start running and shooting over their shoulder or running away and shooting with a single hand out behind them.

There is always going to be a place for square range training, but it cannot be the only component of your training. It may not even be the most important part of your firearms training! Interactive, force on force training provides the opportunity to see how things happen once we start moving. Then we start doing things like maneuvering, using cover and moving from cover and using concealment.

eJournal: The murdered officers and their families paid a high price at Newhall for the absence of preparation, training and skills that you've described. Where do we go from here?

Wood: I grew up in a law enforcement family, I train law enforcement officers as a firearms instructor, and I count

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many of them as my closest friends, but I'm not a Peace Officer myself so I'm still an outsider to the profession. I'm allowed a perspective that perhaps an insider could not have, or could not safely verbalize without repercussions. In military aviation, if you have an accident or a crash, it is understood that there is going to be a very, very thorough investigation. The investigating authorities are going to try to identify the causal links that led to the accident and publicize it so that people can learn. It is not a personal thing; it is just very, very business like. That's our culture, but it's not the culture in most corners of law enforcement.

I treated Newhall very much like an aircraft accident investigation. I looked at what happened, got all the facts to really understand to the tiniest detail, evaluated the training of the people involved, evaluated the causal factors in what went wrong, and then identified the best ways we can improve to prevent this from happening in the future.

If law enforcement does this type of post-incident analysis, the conclusions are frequently held very tightly within a very small circle and certainly not done in the public eye. Even the officers on the agency frequently aren't privy to the results of the investigation. So a lot of guys end up hearing rumors and inferences like the story that Officer Pence died with brass in his pocket, but they don't get the benefit of hearing the true "lessons learned." It is important to be honest enough to look at what went wrong, identify the lessons to be learned, and share them widely so we can prevent other people from doing that in the future.

The great tragedy is that we see officers making the same mistakes today that were made by their fathers. On PoliceOne.com we had a video about a year and a half ago that showed an officer in Arkansas making a traffic stop. He ran the identities of the people in the car and one was wanted for an outstanding felony warrant. He was a right-handed officer, and he approached the car with his flashlight in his right hand—in his weapon hand—and reached for the passenger's side door of the vehicle with his left hand. As he opened that door the wanted person inside the vehicle came out shooting.

Fortunately that officer's vest saved his life, but as I watched I had flash backs to Officer Frago at Newhall. It was the same scenario exactly. He had his weapon hand occupied when he was reaching for the door with his off hand to extract somebody and was ambushed as the door opened. 40+ years later, here is a guy making exactly the same mistake that Frago made.

A proper analysis would help highlight those lessons. Because we don't have a culture of doing public post-incident analysis in law enforcement a lot of those lessons aren't emphasized as much as they could be. I'm hopeful this book provides an example of how we could do that. It is not finger pointing. Analysis can be very productive and it can be done by separating the lessons from the personalities involved and in a way that is respectful, that acknowledges that they made mistakes from which we can all learn.

We need to be brave enough to do the same thing in the armed citizen sector. Sometimes, we let our concerns about liability or offending someone interfere with a solid analysis that could save lives. As an example, there are probably many important lessons that we can discuss from the experience of Joseph Wilcox, the armed citizen who died while bravely confronting a pair of cop killers in a Las Vegas Wal-Mart recently. There is a way we could discuss the scenario and his response in a way that shows respect for Mr. Wilcox's bravery and sacrifice while simultaneously learning from his potential mistakes. If we do that, then we give meaning to his loss, and maybe we prevent other families from going through the same kind of grief as the Wilcox family.

eJournal: Thank you for doing just that, and for drawing further lessons from Newhall and clarifying for us how they apply to armed citizens.

Note: Wood's book, [Newhall Shooting: A Tactical Analysis](http://www.gundigeststore.com/newhall-shooting-a-tactical-analysis-group) is published by Gun Digest Books as both an electronic book and in the traditional paper format. It is highly recommended. Readers can learn more about it at <http://www.gundigeststore.com/newhall-shooting-a-tactical-analysis-group>

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

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President's Message

Hunting Camp, October 2014

by Marty Hayes, J.D.

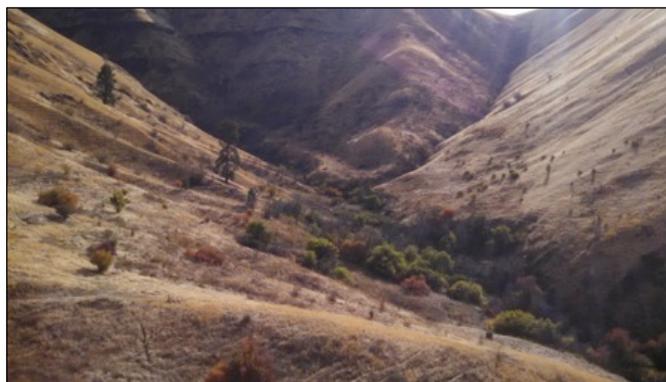
After call forwarding the "Boots on the Ground" phone to a phone a Network leader

answers 24/7, I drove off into the wilds of Eastern Washington (the exact location a secret, to promote the mystique of hunting camp). I was unplugged from the real world, and looking forward to a few days of peaceful bliss. No phones, no TV, and I would not turn on the computer for about four days. That was the plan.

Here it is day two and I am typing my November President's Message! Sheesh... Well, here is my excuse. About an hour ago, just when I was getting ready to go out for the afternoon hunt, it started raining. Pretty hard. And since I have a dry and warm camper, and some Reba McEntire tapes, I put on a little Reba and decided to knock out a column.

I am hunting with two good friends, one a firefighter and instructor at my school, the other an Army officer, with two tours of combat (Iraq and Afghanistan) under his belt, who is also a reserve deputy with his local sheriff's department. One can't get much better guy company than these two.

Interestingly, even though I am about as far from my other life as I can get, I still can't avoid thinking about both my training school and the Network. So, what has Marty been thinking about that prompted this column, written in the middle of hunting camp? Well, it has to do with staring at the shot-up State of Washington sign I found. It has to do with the empty



shell casings we discovered all over the ground upon pulling into camp.

Of course, we will leave a clean camp, but that is not the point. Imagine being a juror on a shooting case, where the last thoughts you had about gun owners were that they are all slobs; people who willfully destroy public property with their guns and leave their empty shell casings next to the fire-pit? I envision your attorney, after you shot and killed an individual, trying to convince that jury that gun owners are regular people, just like them. Good luck with that.

My mind also wandered to my hunting companions, and thought about the type of men they are. One volunteers with his local sheriff's department primarily in the role of a firearms trainer, along with being on call for dangerous assignments. Think his attorney would have a hard time convincing a jury that he is one of the good guys? I think not. And the other fella, well, who doesn't love a firefighter?

This train of thought takes me to George Zimmerman. Remember when the State of Florida was trying to paint him as a "racist wanna-be cop?" His defense attorneys were able to counter the prosecutor's narrative when they revealed that Zimmerman volunteered to tutor black kids in his neighborhood.

Which leads me to my next thought, one that hits closer to home. What have you done for your community lately? What lives do you touch with your volunteerism or philanthropy? How and what do you do to advance humanity, as opposed to just working to advance your own lot in life? You perhaps say that you simply don't have the time, but spend 2-3 hours a night in front of the TV or our latest time killer, Facebook. Or, you are just

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too tired to do anything but collapse when you get home from work? I get it. Been there, done that and got a whole drawer of the t-shirts. If that is the case, you can belong to any number of groups that do good work for people, and you can simply join and be a contributing member. These groups need money to keep going. For example, I am a member of my local Masonic Lodge, and spend at least one night a month attending lodge. But our lodge also does a lot of charity work, along with helping out seniors and other folks in the area. We give scholarships to four different high schools in the area. Now, I don't personally do that, but my financial contributions help out. Okay, enough about making you easier to defend. Let's get back to hunting camp.

Day Two: I was out at sun-up today, and spent the morning overlooking about 100 square miles of remote Eastern Washington hill country. At one time, as I started to drift off to sleep sitting on top of a precipice (no, I wasn't worried about falling off) I told myself I HAVE to do more of this. For my sanity, if nothing else. It was great listening to nature, with absolutely no human sound except for my own breathing. I saw six does, all in shooting range, but no bucks. For those who do not hunt, you cannot shoot does unless you have a special permit. It is still fun watching them and trying to make antlers appear in front of their ears. I came back to camp a little early for lunch, and to see if that old generator would fire up to charge the camper battery. Getting awakened at 4:00 a.m. by the carbon monoxide detector beeping occasionally

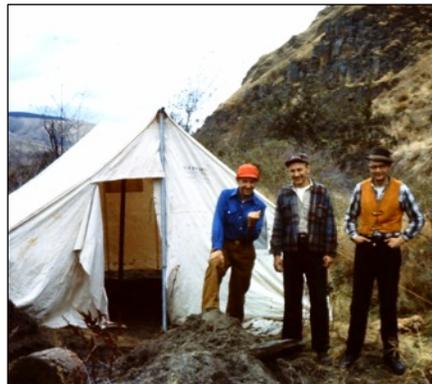


because of lack of 12v power is sure annoying (hence the above napping episode). I did get the generator running, and it is happily charging up the camper batteries, along with my laptop and electronic reader.

It is now 48 hours into the hunt, and so far none in our party has killed anything. And that's okay. Jeff

Cooper said numerous times in print, one does not hunt to kill, one hunts to have hunted. It is kind of like carrying a concealed weapon for self defense. Having the pistol with you doesn't mean you will have an occasion to use it and running across an occasion to use it doesn't mean you will actually decide to pull the trigger. Many variables come into play when deciding to draw a pistol in self defense. There's a common misconception about being an armed citizen. I have heard people say many, many times that if they have to pull a gun, they are going to shoot someone. And while you certainly may, you certainly shouldn't expect to shoot just because you pulled your gun from the holster. In fact, if you find yourself in dire straights sufficiently threatened to have to pull your gun and need to shoot instantly, you likely missed several danger signs coming your way that you should have picked up on earlier.

Both in law enforcement and as a private citizen, I have pulled my gun many times. But I have never had to shoot anyone. If you don't know the difference between knowing when to pull the gun in anticipation of conflict or pulling the gun to ward off deadly conflict and actually pulling the gun to engage in deadly conflict, then you



need to get some serious training under your belt. Perhaps we need some education here in the *eJournal* regarding this. I will suggest the topic to the editor.

Day Three: Hunting camp ended on the third day, with no shootable bucks being seen. During the last hours of camp, I remembered

seeing pictures of my father in hunting camp (above). I never had the occasion to accompany him, as my parents divorced before we kids were old enough to get the hunting bug. But, fortunately, I guess genetics were strong enough to transfer the bug to me anyway. We did get some camping and fishing in with him though, and later in his life, he came to live with Gila and me and helped build The Firearms Academy of Seattle.

When I returned to civilization, I called Gila at the Network office and she reported no member-involved incidents. That was good, of course. Now we just have to figure out a way for us to manage the 24/7 response to member emergencies so she can accompany me.

[End of column.]

Please enjoy the next article.]

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Attorney Question Of The Month

Last month we asked our affiliated attorneys a somewhat hypothetical question about lawsuits and insurance. That one product invites the other action is an idea we hear now and then. We thought it was time to go to the litigators and find out if it is true. We asked—

It has been said that insurance invites lawsuits. Do you believe this is true? Have you any direct experience showing whether or not those with insurance are more likely to be sued for damages?

So many affiliated attorneys responded that we continue with their comments and will need to run into next month to wrap up all the responses to this question.

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Many times a lawsuit is filed prior to an attorney having any knowledge that there is insurance so, inviting a lawsuit, is not applicable. I do believe that a defendant having insurance will affect the value placed on a lawsuit. Further, the fact that defendant is insured is generally not admissible during a trial.

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Insurance is a double edged sword that offers protection even as it invites lawsuits. Every day in my Tacoma law practice our associate attorneys and I decide which civil cases to accept based simply on this bottom line: How much is the case worth, and how likely are we to collect? Insurance coverage factors in heavily roughly 99% of the time as the insurance company's pocket is the only pocket from which we are likely to collect any money, especially if the defendant can bankrupt out of any future judgment.

What does insurance do? In certain cases the insurance contract obligates the insurance carrier to defend the

insured and indemnify, or pay damages for, the insured if a court so orders. Incidentally, if your case actually makes it to trial, which is rare, the jury will likely never hear about your insurance protection because there are rules prohibiting mentioning your insurance and any prior claims by or against you.

When I was on the insurance defense side of the law, I would routinely ask the court to remind the ambulance chaser across from me that he and his witnesses could not mention insurance coverage in front of the jury. Again, very, very few cases ever make it in front of a jury as most are settled by the insurance company and the plaintiff well before trial.

Some insurance claims have what's referred to as "nuisance value," which means that even if the underlying case is weak, the carrier might just pay a token amount of money to make a covered claim go away. Nuisance value is generally the minimum amount of money that an insurance defense attorney would charge to defend a case. In Washington State when I was on the defense side of the table in the late '90s the nuisance value of a typical car accident was about \$2,500. This was because of the fact that if I started working on a case, \$2,500 was the minimum amount of money that my firm would bill for my work.

Many weak, meaning "defensible," cases were settled for \$2,500 just to make the plaintiff go away because at the end of the day, that was probably the least expensive way of getting rid of a case with the least amount of risk. Remember the grandma burned by hot coffee who sued McDonald's and got enough money to buy an Eastern European country? So does the average insurance adjuster, and they're still gun shy about it. If the carrier is paying a settlement on your behalf, life is good because that generally ends the case against you.

Unfortunately, what insurance will not do is cover intentional acts such as a self-defense shooting. That means they won't defend the shooter, and won't pay even the nuisance value of a claim to protect him. If you're the shooter in a self-defense case, and you get sued, you'll likely have to pay for an attorney out of your own pocket.

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Let's start at the beginning with how my firm analyzes a case, and what factors we think are important. Our lawyers basically consider four questions along with the existence of insurance coverage to decide whether to take on a case. If we can answer yes to each of these questions, we will likely offer our representation.

1) Duty of Reasonable Care. Was there some reasonable Duty of Care to the victim? The most obvious example of a duty is the duty to stop at a stop sign. We have a duty to stop at a stop sign, and to avoid running into other drivers, even accidentally, to the greatest extent possible. If someone runs a stop sign and smashes into you, that driver has probably violated a Duty of Reasonable Care, which simply means he didn't do what a "reasonable person" would have done to preserve your safety. As shooters, we have a Duty of Reasonable Care to others that requires us to adhere to basic safety standards (e.g. weapons are always considered loaded, don't point at anything you aren't willing to destroy, finger off the trigger until you're ready to shoot, etc.). An accidental discharge (AD), for instance, that injures another person, or damages property might be a breach of the Duty of Reasonable Care.

2) Breach of Duty of Reasonable Care. The breach of a Duty of Reasonable Care occurs when someone has a Duty of Reasonable Care that he knows about, or should know about, but fails to live up to that obligation the same way a reasonable person would. Think of an AD following a shooter's failure to obey basic shooting safety principles that the rest of us obey. If someone is injured as a result of these failures, and the victim was in a place where he belonged and should have been reasonably safe, then there was probably a breach of duty of care. In fact, the law might go so far as to label this accidental shooting "*Res Ipsa Loquitur*," which is Latin for "the thing speaks for itself" meaning someone obviously screwed up, and that that screw up obviously caused damage to an innocent person.

3) Damages. Was the person damaged? To keep things simple we'll just look at damages that include medical bills, pain and suffering, and lost wages. Back to the AD example we can safely predict some possible damages a victim might suffer. He will likely have medical bills, pain and suffering, and lost wages. Medical bills and lost wages are pretty easy to calculate, but pain and suffering can be a little tougher. Obviously, the longer someone suffers, the greater the potential damages, but there are a lot of variables here. The second most important damages consideration is whether they are

substantial enough to justify the investment of my firm's time. The most important part of damages, however, is whether they were caused by the Breach of Duty of Reasonable Care.

4) Causation. Did the breach of duty cause the damages at issue? In the AD scenario, the question is whether being shot caused the damages complained of by the victim. Things get muddled in real life, and cases are rarely perfectly clear, so we sometimes have to spend some time and money figuring out whether the damages were caused by the breach of duty at issue. In the shooting scenario, imagine if the victim had a heart attack the day after the shooting, and the heart attack required an expensive medical procedure. I could find an expert witness to testify that the heart attack was more probably than not related to the shooting and the medical bills should be paid for by the accidental shooter. The other side could likewise find an expert who would convincingly opine that there is absolutely no way to say with any degree of medical certainty that the shooting and heart attack were related. Some witnesses and some cases are obviously stronger than others.

So, let's say that my personal injury attorneys and I have analyzed the case and we think that the tortfeasor (person who caused damages) had a duty to the victim, breached that duty, and that the breach directly caused damages, what do we look at next? Money. What's the case worth, and who's going to pay our client, and us? Although, we occasionally take pro bono cases, that's not a business model that will keep my lawyers and staff paid, so we look for the "deep pockets" we can reach into to extract enough money to make our client whole, and pay our staff for time worked on the case. We describe reaching into deep pockets as performing a "casectomy." Insurance is a vital component of almost all of our deep pocket casectomies.

Deep pocket, incidentally, is an American slang term that usually means "extensive financial wealth or resources." In the personal injury context it is usually used in reference to insurance coverage. Some individuals, and/or businesses are deep pockets, but more often than not, those people/businesses are not going to pay out of their own pockets in any event. As I pointed out above, even if a tortfeasor is reasonably financially successful, he still might be able to avoid paying our client by filing for bankruptcy protection. If, however, there is insurance, then my client will get paid even if the tortfeasor files for bankruptcy protection.

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Obviously, we always want to see insurance coverage for every defendant's actions, so that we know our client will be paid.

Interestingly, however, insurance isn't obligated to pay for all possible claims. Under an insurance policy, which is a contract, the insurance carrier is only required to defend, and pay damages on, very specific types of claims as outlined in the policy. Within the firearms world, the most common coverage issue arises from the "intentional act" exclusion.

Intentional Act Exclusion. Insurance coverage is only triggered by certain non-intentional acts. The exclusion of insurance coverage for intentional acts actually goes back hundreds of years, so there's nothing new here. As a result of this long history, intentional shootings are generally excluded from insurance coverage. An AD, however, would probably be covered by insurance even if the shooter was doing something exceptionally stupid when the hammer dropped. Juggling loaded Glocks with rounds chambered would be stupid, but it might still be covered under a policy if the juggling resulted in injury to someone. If, however, a shooter intends to put a round into a person, the shooter will almost certainly not enjoy insurance coverage for that event. It is important to be very familiar with your policy and ensure that it does not exclude coverage for all firearms events. In other words, make sure your policy is gun friendly.

Here's an example of a shooter I defended after an insurance carrier refused to: A local business owner was assaulted by a half dozen Crips gang members at his Tacoma business. He ran to his van, Crips in pursuit with pool cues and God knows what else. It looked like a bad night for business owner. He barely got to his van ahead of the "gangstas," jerked open the side door, dove in and grabbed his Glock 19 from under the driver's seat as the Crips started pulling him out by his feet. Bad night for the Crips. When business owner pointed his pistol at the young men and warned them that he would shoot, all but one of the thugs did the smart thing by letting go and quickly backing up. One idiot thought the business owner was bluffing right until he saw the muzzle flash. He was lucky to get shot with a single round of ball ammo that didn't kill him. Yes, I had a conversation with business owner about the value of high quality self defense ammo, and last I heard he's a fan of CorBon.

"Victim" gang member somehow found an ambulance chasing lawyer who couldn't evaluate a case the same way that you, the reader, are now capable of. Had the

gangster's lawyer done a simple analysis he would have concluded that the business owner owed no duty of care to the assaulting gang members, so there could not be any breach of a duty. Furthermore, the attorney should have known that insurance wouldn't cover this obviously intentional shooting, and business owner could bankrupt out of any possible, albeit however unlikely, judgment. And we haven't even discussed how my client would present in court compared to the "victim" Crip. I never doubted that we would prevail. I have no clue what the other lawyer was thinking.

Nonetheless, the business owner was forced to hire me to defend him over the course of almost a year before we won a dismissal. This was even more stressful and financially difficult for my client than most people would imagine. If insurance had covered such an event, it would have saved him all of that money and much of that stress. Incidentally, if you don't think this was stressful for him, then you are clearly not married to a woman who tracks family finances. Trust me, that makes a big difference in these matters.

What sorts of cases should you be concerned about? Here are the sorts of shooting cases I have seen:

A) Reckless Shooting. I currently represent a client accused of putting rounds downrange and into a home. My client is a decorated veteran with 22 years of service as an MP, and 13 years of service with Department of Homeland Security. He is a consummate professional who absolutely did not do what he is accused of. For these reasons, I firmly believe he is likely to prevail and beat the criminal case, but he may still be sued. I think he clearly had a Duty of Care to people downrange, but there is no evidence that he breached that duty and is liable for any of the claimed damages. If he is sued, he will submit this suit to his homeowner's insurance. The weak underlying facts aside, insurance coverage could be enticing enough for some unscrupulous lawyer to file a suit hoping to get a "nuisance value" settlement.

B) Brandishing a Firearm. In many states it's illegal to unlawfully brandish a firearm in a manner that causes fear in another person. That means that if you pull a firearm for no purpose other than to intimidate someone who hasn't done anything that justifies showing a weapon, then you could be charged with this crime, and sued for any emotional distress caused by the event. Insurance would not likely cover this event as it is an intentional act. Incidentally, the amount of compensation for emotional damages in this sort of claim would be so

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low that most attorneys wouldn't waste any time on it. Sadly, there are some lawyers who would take this sort of case.

C) Negligent Entrustment. Loaning a firearm to a person known to do stupid things with firearms might expose you to liability for acts done by that person with your gun. I don't advocate entrusting a weapon to anyone even a degree less responsible than you. If you're giving lessons to kids, have a system in place before you get to the range, follow the systems and the rules diligently, and assume that the kid is going to do something stupid that you must prevent. Even with all that, you might still be liable for something the kid does with your firearm. As an aside, I'm curious to see what will happen with the nine year old Arizona girl who accidentally shot her firearms instructor with an Uzi. I suspect the range will have some liability for the kid's emotional trauma as the event arguably comes close to *Res Ipsa Loquitur*. Before you all send me hate mail about this, I'm not passing judgment or blame. This was a heart breaking tragedy that has devastated two families. I'm only offering the range's potential liability as a possible example of negligence. You can be assured that a slew of other attorneys are doing the same thing right now in anticipation of potential litigation. If you are sued for negligently entrusting a firearm to someone, your insurance might cover this claim.

D) Failure to Secure. This is similar to Negligent Entrustment, except that instead of giving the firearm to someone untrustworthy, you simply leave it where a known untrustworthy person accesses it and does something stupid with it. You can expect to see more criminal charges and more civil suits against parents who leave a firearm accessible to a child who uses the

weapon to accidentally injure another person. The gun grabbers love these stories and they have allies in many prosecutors' offices and law firms. Nonetheless, insurance might cover this type of event.

E) Intentional Assaults. As pointed out above, intentional assaults are not generally covered by insurance policies. Nonetheless, if you are sued for any sort of offense, your first task would be to speak with a lawyer before anyone else. Your second task is to call your insurance carrier. Interestingly, if the attorney suing you has any experience at all in such suits, he will allege facts that should trigger insurance coverage by alleging that your acts were negligent, or reckless instead of intentional. Like I said, we all want to be able to perform a cashectomy on an insurance company because those are the deepest pockets to pick.

There are as many potential firearms issues as there are firearms owners, but the above represents my experience as a Tacoma criminal attorney and personal injury lawyer. Although, we generally won't take a case unless there is insurance coverage, I don't want you to think that you are safer from a lawsuit without insurance. You aren't. The main reason for this is that there are a lot of lawyers who are dumb enough to take a bad case, but smart enough to make your life hell for quite a while. I'm insured and you should be, too.

A big "Thank you!" to these Network affiliated attorneys for their helpful responses to this question. Readers, please come back next month for the final responses to the interesting insurance question.



News from Our Affiliates

Compiled by Gila Hayes

In contacting Network affiliated instructors and gun shops about supplying our booklet *What Every Gun Owner Needs to Know About Self Defense Law*, I've received updates from all across the country. Here are some highlights—

Looking for a reason to go to Arizona in December? Chuck Taylor is teaching his *Special Advanced Tactical Handgun Course* on December 13-14 at the Ben Avery Shooting Facility north of Phoenix. Sounds like a great chance to enjoy some winter sunshine and log two meaningful days of training that includes many skills challenges. Find details and contact info at <http://www.chucktayloramericansmallarmsacademy.com> When you're at class, be sure to thank Chuck and Gail for their support of the Network, because a number of our California and Arizona members report that they first learned about the Network while training with Chuck.

Just because the winter rains have started in Oregon, don't write off our Affiliated Instructor Steve Eichelberger! His November schedule includes *From Fundamentals to Fighting Skills* and *Low Light/Night Fire* training. <http://www.firearmsinstructor.us/Home.php> is a good place to get started checking out training you can get with him this month. Steve is a former prosecutor, and attorney, firearms instructor at the Oregon Police Academy and decorated Vietnam combat veteran.

Affiliate Jim Burgess and his crew at Armed Citizens Network of Wisconsin are giving copies of our booklet to students in their Wisconsin Concealed Carry Licensing courses. A WI license is recognized in 26 states, according to <http://acnow.us> where we also note that they have several CCL classes scheduled in November. If you haven't got your Wisconsin license yet, give them a call. ACNOW also teaches the class required for the Utah non resident concealed carry license and notes that their program satisfies Florida's carry license training requirement. They can even organize a class in your home or a gun-friendly business location.

Rochester, NY Personal Defense under the guidance of our affiliate Dave Jenkins has a full November schedule with programs ranging from qualifications for retired law enforcement under HR 218, concealed carry license classes, basic pistol, first aid/CPR, concealed carry for women and a lot more. Dave's group has a class or three scheduled every weekend. Check out <http://www.safeinrochester.com> for training.

Our affiliated instructor Steve Camp has an interesting blog at <http://ravelingroup.com/wordpress1/blog/> with the latest post discussing .22 LR pistols for training. Like all of Steve's posts, the latest is illustrated with nice photos and links to supporting info. Whether you are close enough to train with Steve in Addison, IL at classes he teaches or when he hosts our Advisory Board Member John Farnam and Vicki Farnam as guest instructors at Ravelin Group (see <http://www.ravelingroup.com>), you can learn from what he has written on a variety of topics.

Frank Sharpe has published a good article on carrying a second gun at <http://www.gunssavelife.com/?p=14044> a website operated by our affiliated instructor in Illinois, John Boch. John and his team also have a lot of personal safety classes, concealed carry licensing classes, pistol and rifle classes and more scheduled at <http://gsldefensetraining.com>. John is a lifetime shooter with a passion for teaching new armed citizens gun safety, self defense tactics and legal considerations.

Network members, support these affiliates and all the others linked at <http://armedcitizensnetwork.org/affiliates> because they help the Network grow by giving clients a copy of a Network brochure or our Foundation's educational booklet *What Every Gun Owner Needs to Know About Self Defense Law* while explaining the value of Network membership for armed citizens.

Affiliates, please notify me about programs, classes, open houses and other events you have scheduled in December and January so we can encourage members to attend. In addition, if you are getting toward the bottom of your box of our booklets or brochures, email me at ghayes@armedcitizensnetwork.org or call 360-978-5200 so we can support your efforts to tell your clients about the values of Network membership.

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

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Editor's Notebook

Mid terms

by Gila Hayes

Used to be that the word "mid-terms" was one that struck fear into the hearts of students in institutions of higher learning. Now, it is

cause for worry among freedom-loving people because without a presidential candidate on the ballot, mid-term elections attract lower voter turn out, and we really drop the ball by failing to vote to protect our freedoms.

The Washington Post has predicted that nearly \$4 billion will be spent this year to sway opinions prior to Election Day. That may not be enough to move the youngest voters to participate, I've read, and that is, perhaps, because many 20-somethings lean toward more liberal politics at a time when the election may be favoring Republicans. Apathy or defeatism is certainly not limited to our nation's younger voters, though. I understand: I'm tired of voting for the least odious alternative, too! Still, that does not mean that we can afford not to vote.

If your state has a race between Democrats and Republicans vying for a House or Senate seat in Washington, D.C., even if you are lukewarm on Republican politics, please understand the damage the President can wreak on gun owners if his party continues to control the Senate. Ruth Bader Ginsburg is 80 and she looks pretty frail to me—will her Supreme Court seat come vacant before Obama departs Washington, D.C.? If it does, we'll be praying we have enough friends in the Senate to keep the Supreme Court balanced between liberal and conservative leanings. And don't trust the polls, some of

which are predicting that Republicans will take back the Senate. Go and cast your vote for our rights, even if you're being told it isn't much of a contest.

Even states without serious challenges for the House or Senate seats—and thus little opportunity to be part of putting conservatives back in the driver's seat—have other issues on the ballot that need our influence. In Washington State, for example, we are battling a barrage of lies and misinformation from promoters of Initiative 594 attempting to put severe limits on transfer of firearms from one lawful owner to another—and transfer doesn't mean a change in ownership, either, it means allowing another to have control—no matter how brief—of a firearm.

Washington's dueling initiatives have received a lot of publicity and may be to blame for that \$4 million I mentioned earlier...well, not all of it, but with Bloomie and his buddies trying to impose gun control through big spending on Washington's Initiative 594 campaign,

liberals can no longer justifiably snark at the NRA for allegedly buying elections.

If the gun rights fight seems less crucial in your state, take a quick gander at the National Shooting Sports Foundation's useful research tool at <http://nssf.org/gunvote/capwiz.cfm?elections> to be sure you understand issues on your ballot that may influence gun rights. Use the tidbits of information there to further research the issues before November 4th rolls around.

Understand the importance of casting your pro-gun ballot in this mid-term election. Cast your vote. Do not fail us.

*[End of November 2014 eJournal.
Please return for our December 2014 edition.]*



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About the Network's Online Journal

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

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