



eJournal

of the Armed Citizens' Legal Defense Network, LLC

The Eleventh Issue in our Inaugural Year — December, 2008

You Have the Right to Remain Silent

by Marty Hayes, J.D.

DISCLAIMER: The following educational essay, written by Marty Hayes is not legal advice. It is, however, the beliefs and thoughts of the President of The Armed Citizens' Legal Defense Network, LLC regarding one facet of an armed encounter. Before instituting any plan of action for yourself, discuss your concerns with an attorney licensed to practice law in your state. Print out this article and give it to your attorney before this discussion, and together, come to a logical conclusion as to what course of action to take after he or she has had an opportunity to read this article.

It is common advice amongst lawyers and judges that when first confronted by the police after a self-defense shooting, you should say nothing, because anything you say "can and will be used against you" in a court of law. The latter part is true, of course, but the fact of the matter is, if you are tried for an alleged criminal act associated with your use of deadly force in self defense, you are likely going to have to testify in court anyway. I know, you don't have a legal requirement to testify, and most if not all, criminal defense attorneys would advise against a criminal defendant testifying, but here is the rub. Most (the vast majority, in fact) criminal defendants are guilty of a crime, and if they testify, it simply gives the prosecution the opportunity to elicit more information about their criminal act.

In addition, if the attorney reasonably suspects that the defendant did in fact commit the crime, he must not get the defendant on the stand and solicit lies. It is called

suborning perjury, and that is a crime in itself. So, in the typical criminal case, the defendant remains silent (as is his right) and the prosecution must prove that he is guilty beyond a reasonable doubt. It is the defense attorney's job to poke holes in the prosecution's case until the jury has too many doubts to convict. But the roles are reversed in a self-defense case. Let me explain.

First off, as explained in our educational DVDs, which come with membership in the Network, whenever one person shoots another (like you shooting an attacker), they have fulfilled the criminal elements of either murder or assault, whether the person lives or dies. When the police show up, they have "Criminal Law 101" which they learned in the police academy

running through their heads. They look at the dead body with holes in it, they look at you holding a gun. They add up these factors and "murder" flashes up on the screen.

At this time, there is only one way for you to avoid going to jail. That way is to convince the police that there are extenuating circumstances that negate the crime of murder. But if they don't know about those extenuating circumstances, you will be arrested. And once arrested, you will remain in jail until you can make bail, or a kind and friendly judge decides to release you. In many jurisdictions, you will be arrested anyway because you fulfilled the

Continued on page 2

MIRANDA WARNINGS
You have the right to remain silent.
Anything you say can and will be used against you in a court of law.
You have the right to have an attorney present before answering any questions.
If you cannot afford an attorney, one will be appointed for you without cost.

Links to eJournal Contents

Click these links or the "continued on..." links to navigate through the pages of this edition of the eJournal.

Network Membership Growing	Page 3
Defending Self Defense Knife Use	Page 4
President's Message	Page 9

Book Review: "Safe in the City"	Page 10
Editorial: Love the Criminals	Page 13
Network Membership Application	Page 14

Continued from page 1

legal elements of the crime, regardless of any mitigating circumstances. You need to find out what the protocol is when police encounter a self-defense shooting in your jurisdiction.

The crime of murder encompasses the intentional killing of another human being. Only a defense to that crime, will allow the shooter to walk free. If the cops have no information that you acted in legitimate self defense, you are sure to be arrested. I just asked a police academy instructor what they are teaching recruits about the armed citizen and self-defense law, and he said, "Nothing!"

And, if that isn't bad enough, in court, when you are on trial for murder and your defense is self defense, you have to admit to the elements of the crime in order to invoke self defense. In opening argument, your attorney will tell the jury that you killed that man. All the prosecution has to prove is that you did not kill him in self defense. If you don't put on a legitimate case, the jury doesn't have any choice but to convict you of murder. The burden has shifted to you to prove your act was a legitimate case of self defense.

How do you do this?

Actions of an Innocent Person

First, don't act like a guilty man or woman. When the first words out of your mouth are, "I want my lawyer," you have done a surprisingly good imitation of a street-wise criminal. What is any self-respecting cop supposed to think? Dead body + gun + "I want my lawyer" = jail.

If, on the other hand, the officer hears, "My life was threatened, I had to shoot," he forms a slightly different picture. In addition, if he first learned of the incident by a call from you to 9-1-1, and at that time you indicated that you were the victim of a robbery (or whatever crime caused you to believe your life was in danger) then he forms a different picture of the call before he even gets there.

If all he hears is: "Shooting occurred, suspect is still on the scene and armed," called in by a witness, then you will be perceived immediately as a nasty character who needs to be dealt with aggressively.

You need to be the reporting party, if it is possible for you to do that. Win the race to the phone. Most criminal prosecutions start out with a 9-1-1 dispatch tape, to set the mood for the jury. In your case, if you report the crime first, the jury gets to hear you telling dispatch in your own

words, that you were just attacked and had to defend yourself. Then, the police testify about what you said to them, and they report, in the "excited utterance" exception to the hearsay rule, that you told them you were attacked and had to defend yourself. See where this is going?

In addition to telling the police that you were attacked, point out any witnesses that saw the incident, or know of any evidence that is likely to be missed by the officers during their investigation. Guilty people don't help the cops. Innocent people do.

Were you injured during the assault against you? If it was a physical altercation, as are most disparity of force situations, there will likely be evidence of that attack on your body. If you are aware of any pain as a result of the attack, ask for medical aid. It is likely that when attacked, you experienced an adrenalin dump. One of the effects of adrenalin is that it masks pain. You may have been injured, but don't really feel it. Those injuries, even if you don't feel any pain, are evidence of an attack. A bruise on the noggin may in fact be a concussion. You need to get checked out at the hospital.

It is pretty tough for a prosecutor bent on putting you in prison to cross examine medical records. You see, in the hierarchy of professionals, doctors trump lawyers, and so a doctor's word is going to be believed before the rantings of a prosecutor. If you just tell the cops you want your lawyer, and don't ask for medical aid, that evidence is lost. You may be a rough, tough guy, "awe shucks, it's just a flesh wound," and it very well may be, but it is also evidence of the attack. Are your clothes dirty, wet or muddy? It's evidence that you were on the ground. Make sure the cops see, understand and document that fact. You see, no one knows what little piece of evidence will be the one that

Continued on page 3

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Continued from page 2

tips the scales of justice in your favor, so you cannot leave anything out.

Know When to Stop Talking

But you also need to know when to stop discussing the event with the cops, and you are at that point now. After establishing that YOU were the one attacked (and it might be a good idea to explain that you want the guy you shot prosecuted if he lives) then this is the time to request your attorney. Say something like this: "Officers, this is a real serious matter, and while I want to cooperate with you fully. I have been taught that it is a good idea to have an attorney present before I give any detailed statements. Can I call my attorney? I have his number in my wallet." What is the cop going to say? No, you cannot call your attorney? Well, he might, and if he does, that's okay, too, but you ARE going to get the chance to talk with your attorney before any more questioning. In the meantime, you should be viewed by the police as being cooperative.

The premise behind this educational essay is that you are innocent of any criminal activity in your legitimate act of self defense. If you go to court and testify, which you will likely have to do, you will be testifying to the truth. Finally, what you tell the cops at the scene is also the truth, so where is the downside? The truth never changes.

People who carry guns in our society do so with the understanding that they have voluntarily accepted a huge responsibility. They need to receive training in the legalities of use of deadly force, decision making, along with how to handle yourself if you have to use a gun for self defense, in addition to the physical skills of how to handle guns safely and competently.

Readers of this article who are not members of the Armed Citizens' Legal Defense Network, LLC need to

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know that we go in-depth in to this and other topics in our educational DVDs, so if you want to learn more, please join the Network.

Membership Exceeds 500

As November drew to a close, the Network quietly surpassed a milestone, processing the application of our 500th member! We probably should have sent member number 0500 some special recognition, but frankly, we were too busy handling the applications from member number 0501 and 0502. Still, we celebrate the growth and success of our fledgling organization of armed citizens, and thank each person who has put their faith in the Network and joined our cause.

And member number 500 is just one step on the path we are vigorously pursuing! We hope to be announcing member number 1000 before too long, and member number 1500 after that. The Network is growing, and with each new member, our ability to defend our own increases.

20 percent of all membership dues goes directly to the [Armed Citizens' Legal Defense Foundation](#), which, after consideration of its advisory board, will make grants of financial assistance to members in legal jeopardy.



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 info@armedcitizensnetwork.org.

Defending Self-Defense Knife Use

Interview by Gila Hayes

We get a lot of questions about how defending yourself with knife affects the legal claim of self defense. Marc "Animal" MacYoung was already on my mind, as the author of the book we review in this edition of the eJournal, so it seemed sensible to give him a call and ask his opinion.

MacYoung is a prolific author, a well-known hand to hand combat instructor, and a man who grew up in gang-infested Los Angeles. That experience coupled with work as director of a correctional institute, body guard, bouncer and security for large public events, makes MacYoung an unusually accurate source of information about criminal behavior. Of his many credits, his identification of the five stages of violent crime deserves more recognition than it receives. His extensive [website](#) shares a considerable amount of his knowledge "for free."

MacYoung began writing about self defense about a decade ago, and since that time has authored well over a dozen books and DVDs, and when I spoke with him recently, he announced plans for an indepth three-part series on behavior of intimidators, pre-attack signals, and control presence.

The interview that follows is distilled from several hours of telephone conversation with MacYoung, and is offered in interview format to preserve as much as possible his explosive and often amusing style of communication.

eJournal: We have a number of experts on the topic of firearms and self defense associated with the Network. Since your expertise is in hand to hand skills, I'd like to use our time to learn more about the realities of using a knife in self defense. With that said, welcome, Marc, and on behalf of our members and readers of the **eJournal**, thank you for your time.

MacYoung: Okay.

eJournal: How do the courts view using a knife compared to using a gun to fight off an assailant?

MacYoung: Wrong question! That is a seemingly logical question, but it isn't within the reality of the situation.

eJournal: What is the reality?

MacYoung: That lethal force weapons are not all created equal. When we get shot with a rifle, the shot to our



MacYoung (left) demonstrates defense against a knife.

nervous system causes a brown out. That's why someone can drop to his knees when shot, because of the shock, and then the system can kick back up and he can get going. Handguns have less of a shock on the system. The problem is, people see movies where they shoot the guy and he falls down.

If you stab or cut somebody and expect them to fall down like they do in the movies, it is not going to happen. The problem with using a knife in self defense is that most people don't know that they've been cut. So you have to hit this guy five or six or seven times and often that won't work to get him to stop. That makes it look like you weren't defending yourself; it makes it look like you were attacking.

The other problem when you're talking about knives and self defense is the limbic system, or what I call the monkey brain.

eJournal: Meaning?

MacYoung: Rory Miller writes


about the monkey dance. His brilliant insight into the adrenal system, is that you don't control the monkey dance, it controls you.

Your monkey brain will look at somebody and if he is in front of you, will see a threat. Doesn't matter which way he's facing, the monkey brain sees proximity and

Continued on page 5

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Continued from page 4

says "Threat!" So, if you're hitting somebody with a knife and he's not going away like you expected him to, you're getting more scared. When he turns to run, your monkey brain doesn't see that; it still sees him in front of you.

I just did a court case where this huge guy attacked a smaller guy and the smaller guy started slashing him. Most of the wounds were on the big guy's back because he turned to run away. When you're talking about self defense, and you're slashing, you're going to start putting defensive wounds on the guy who's trying to run away.

eJournal: Due to a distortion of reality?

MacYoung: No. Primate behavior, because a monkey wants to chase the threat away.

eJournal: In this state, we're not capable of distinguishing retreat or surrender?

MacYoung: You can, but you have to be trained. What I'm teaching is to break away. The reason I'm telling you to break contact and get back into the rational brain is that when you're in your monkey brain, into the limbic system, you are operating emotionally, but you **believe** you're being rational.

eJournal: This has some serious implications for Network members, because a lot of armed citizens also carry knives as a back up to the gun. How reasonable is this practice?

MacYoung: It is reasonable. But when do you teach people to stop shooting an attacker?

eJournal: When threat ceases.

MacYoung: Correctamundo!

eJournal: Does same thing work for knives?

MacYoung: Yes, but because of proximity, **you** have to move yourself away from the situation.

eJournal: Is that retreat?

MacYoung: No. You are cutting your way out of the situation.

eJournal: When you move, does the rational mind regain control?



MacYoung: Yes, especially if you break visual contact with the guy. You break contact and continue mission.

eJournal: Which is?

MacYoung: Get the hell out of Dodge! You want out of the situation where you need to use lethal force. Getting out of range also ceases the threat.

People will ask, "What if he follows me?" Hellooo? Look what just happened! He attacked, you cut and run, he chased. See the blood trail? But there's a really good chance this guy is not going to come after you at all, or he is going to start, then realize something's

way wrong when he knows he's been cut.

All summed up very simply: the wound pattern you inflict must be consistent with self defense, but the monkey brain wants to do the "weed-whacker-of-death."

eJournal: Can that instinct be trained out?

MacYoung: Yes, the first thing you need to do is recognize the importance of a wound pattern that is consistent with self defense, and to **break contact**.

Cut your way out of danger. Do what we call mountain man rabbit stew recipe where step one is to catch a rabbit. For self defense, step one is "don't get hurt."

eJournal: Is that realistic?

MacYoung: Yes, it is. If you hang around and try to fight, you're going to get hurt. The problem with being in close is that he's got a really good chance of killing you. If in knife range, he is a serious danger. You want to get

Continued on page 6

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Continued from page 5

out of that range, otherwise, you will be stuck in a situation where you have to go "weed-whacker-of-death" on the guy.

Self defense means not getting hurt or minimizing the damage. It doesn't mean winning the fight. The monkey brain can be interested in winning. This is why you need to tell the monkey, "Don't get hurt."

eJournal: Can the monkey brain be taught?

Yes, it can, but you need to train with correct goals in mind. Most knife training goes the wrong direction. They will teach you to always reorient on your opponent, to do multiple strikes, and they will not teach you how to close and finish the job. All of that will put you in prison. They never teach you to finish.

What is taught in the U.S. as knife fighting never closes. They stand back and dance around. That's what they teach as the Filipino martial arts in the United States. And that is going to make all kinds of defensive wounds. That training will put you into prison because you inflicted defensive wounds.

A knife for self defense is used to cut your way out of a situation.

eJournal: How do you train for that?

MacYoung: Really easy. You pull the knife, deflect the incoming attack, you hold out the knife and you run screaming like a girl.

eJournal: Just like that?

MacYoung: Except for one thing: by holding out the knife, I've left an 18-inch gash on the guy. All I'm doing is holding my knife out and running past. I only cut him once. I can justify that as a defensive move. He was attacking me with enough force that I needed to use a lethal force instrument to stop a threat.

eJournal: So using a knife for self defense is as simple as learning one move?

MacYoung: Doing it isn't hard. What's hard is knowing when and why to do it. (I took that from the Dresden Files.) Just watch people engaged in the monkey dance. Throw in threat display and posturing. Remember the New York



actress' last words during a mugging, "What are you going to do, shoot us?" A huge part of the monkey dance is threat display. I show you I'm too big, bad and dangerous for you to attack, so you go away. It's an unconscious pattern. So when I'm telling you to break contact, I'm telling you to get out of monkey brain.

The problem when you're dealing with the courts is you need to be able to articulate facts. That, above anything else, is what's going to save you.

eJournal: Do we even know the facts during the monkey dance?

MacYoung: No. This is why we have to break contact. If I can get out of the monkey brain, I can look and see he did this, a known danger. In even the most clear cut case of self defense, if I don't know how to explain what was going on, the prosecuting attorney is going to make it sound like so I killed this man because he looked at me mean.

This is where my DVD "Street Safe" (later released as "Safe in the Street" by Paladin Press) gives you articulable facts, by showing behaviors that are known jeopardy so you can explain, "He did this, then he did this, I tried to counter, then he did this which countered my counter." In the monkey dance, you don't see that.

Let's throw something else on top of this. Being in the monkey dance screws up your judgment. You add to the problem. You become a participant in the creation and escalation of the situation, but your monkey brain tells you that what you're doing is self defense.

Continued on page 7

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Continued from page 6

eJournal: *What about the common advice to trust your instincts?*

MacYoung: You actually can trust your instincts. They are telling you, "I fear him; I want to get away." What you can't trust is your pride. Your pride tells you, "I won't let him tell me what to do."

eJournal: *How does defense with knives sit with juries?*

MacYoung: Knives are a thug's weapons. If you stab somebody and you stab him repeatedly, then you're going to be the bad guy in their minds. It is really hard to get rid of that impression if you've gone "weed-whacker-of-death" on him. I can justify cutting and running a whole lot better.

eJournal: *And training to do that is more a mental preparation than physical training?*

MacYoung: Yes, yes, yes! The fact is, when it comes to knife work, I send people to you. The first step I do is I send them to shooters. Because shooters plan for success.

The shooting world has to plan for success. If you pull that trigger there's going to be legal consequences, so you spend a lot of time focusing when you are justified to shoot, don't you? You plan for success.

Use of force for a knife is the same as it is for a gun. The problem with immediate threat of death or grave bodily injury is that somebody's trying to kill you. That's problem one. You have to do something to stop this. That is "mountain man rabbit stew step one" – make sure he doesn't kill you.

eJournal: *I periodically reread "Safe in the City" and this time through, I was struck by something I didn't remember from before. You make a real distinction between being assertive and being aggressive in communicating, "Back Off!" to someone who is "interviewing" you as a potential victim.*

Isn't it hard for someone who feels threatened to respond with just the right degree of forcefulness?

MacYoung: Peyton Quinn came up with four rules that

are awe-inspiring when it comes to dealing with situations. It's brilliant.

1. Do not insult him.
2. Do not challenge him.
3. Give him a face saving exit.
4. Don't deny what is happening.

People think they're defending boundaries by being aggressive. Again, check the link to [personal and shared space/psychology](#) on my web site for more.

eJournal: *For now, can you offer an example?*

MacYoung: You have the right to get someone off your property. That's assertive. But you never have the right to chase 'em down the street, across their yard and up on to their front porch. That's aggressive.

The problem is, what happens in monkey brain, you're standing on this guy's porch, but you're saying, "I was defending myself." No! The thing that is a real challenge is to learn how to show the individual that you will defend your boundaries with whatever force is necessary but that he's OK as long as he doesn't cross on to your area.

eJournal: *How? It's tough when two people are both operating from their limbic systems.*

MacYoung: Exactamundo! You let his monkey know that he can retreat safely. When I teach cops defensive tactics, I teach that the return trip to good behavior is always free. Behave and there will be no more pain. For Joe and Jane Civilian the key is negotiation. It's always a negotiation, "Stop the behavior and I will let you walk away."

If someone mildly violates my boundaries, I say, "Excuse me; be so kind as to step back." I negotiate. But if someone is intent on violating my boundaries, we will negotiate for a totally different goal, "If you don't cross this line, we both live."

eJournal: *You don't think this is a veiled threat?*

MacYoung: No that's negotiation. This is a win-win

Continued on page 8



Continued from page 7

system. When I say you don't cross this line and we both live, that's not a threat, it is a promise because I'm ready to back it up.

eJournal: *What if we lack the wherewithal to do it?*

MacYoung: Try "commitment" instead of wherewithal. The problem with most so-called self defense is that people are looking for an Omega solution.

eJournal: *What's an Omega solution here?*

MacYoung: Looking for a magic bullet. They screwed up, screwed up, and screwed up. Now they want to know how to come out OK from this long string of screw ups. They're looking for a way to survive Ragnarök, the Viking Armageddon where all but five Norse gods die, a battle to end all battles, and these people want to find a way to survive it!

The way to survive is **not to be there!**

eJournal: *We're not allowed screw ups?*

MacYoung: No. With every stage you let go of control. You lose options. The fact is, the closer you get to Ragnarök, the fewer options you have. And the greater the cost of losing.

Self defense is damage control. By the time you've gotten to self defense, it is not to *prevent* a problem, it is because you *have* a problem. There is no happy answer. It's too late for that.

eJournal: *What if we can't avoid the problem?*

MacYoung: 90% of self defense is what went before. Most of it can be avoided, but when you've been around on the planet long enough, you'd do everything to avoid, to de-escalate, and when it finally gets to that point [requiring lethal force], you can act in full faith. Knowing that you are right is very powerful. He's left you no choice, so you can operate without hesitation and with commitment.

Watch my DVD "[Safe in the Street.](#)" It is a court-tested checklist asking if this man is operating in a manner that is consistent with jeopardy. If I see "a," "b" and "c" is developing, I know without doubt.

Here's a fact: if someone's attacking you with enough force that you're legally justified to use a knife on them, your number one problem is not legal, it is how not to get

killed. Add on to that, the fact that getting out of monkey brain by buying distance also does wonders to keep you from getting killed. It's hard to get killed if you're not there.

That's why I say there's nothing wrong with running and screaming like a girl. Get out of there! That is true monkey dance. Your monkey wants to run like hell. Let your monkey run!

eJournal: *So operating out of the limbic system is not bad thing?*

MacYoung: You don't want the monkey brain driving your car unless you are running away. *You* decide when it's time for the monkey to be driving, but you keep a hand on the wheel. As they say: fear and fire are good servants, but bad lords.

Use a check list that asks, "Is this real, is this actual?" Create a trained monkey, not just a wild monkey. This is where solid, articulable facts are the counter to the monkey brain. And get training that is predicated on FACT that teaches you to react in a certain way. The training has to be toward actuality, not encouraging the monkey dance.

In most situations involving the monkey dance, you're trying to catch up to the threat. But if coming at the situation from lethal force, you are coming in backwards. You shooters start with when is lethal force justified, then begin working your way back.

eJournal: *Back to what?*

MacYoung: To developing a better understanding of different tools, that each has a time and place and when to use it. I send people to the shooting world for "shoot-don't shoot" training. Decision-making is a critical skill that people must learn. But what a lot of people do not understand is how that decision affects somebody's willingness to mess with them.

The biggest paradox in the world is that with willingness to go there [to use lethal force], you usually don't have to. The guy is seeing you coming in from that viewpoint, and he realizes that you aren't messing around.

eJournal: *Marc, this conversation has taken some unexpected twists and turns, but it's been extremely educational. Thank you so much for your time and for sharing your knowledge with us.*

President's Message

by Marty Hayes, J.D.

Thank you to the members of the Network who sent money to aid in the defense effort of Tactical Response Instructor Larry Hickey. On Thanksgiving Day, I caused an e-mail to be sent out explaining the basics of an incident where Larry felt he was forced to shoot three unarmed individuals who were attacking him.

This is known as a disparity of force shooting, and is the toughest to defend. As I write this on Dec. 1, 2008, Larry is still in jail, for what I believe is a justifiable use of deadly force. I admit I don't have all the details, but because I know this industry as well as I do, I think I can read between the lines a little and feel pretty comfortable saying that the shooting was likely justified.

Because Larry basically volunteers his time to help other armed citizens learn how to defend themselves, I felt it was a worthy cause to first advise our Network members of the situation, and to solicit funds for his bail and legal defense. I am not sure how the effort is going, or how close the family is to getting him bailed out, so I wanted to use part of my space this month to give a reminder to all reading this, that he could still use some help.

Larry is a man who works hard to support his family, and who cannot afford much in the way of legal expenses, and certainly cannot raise the \$100,000 bail on which he is currently being held. How many of the readers of this message would be in the same boat? I suspect the majority are. There are currently two efforts going on. The first is a fundraising effort spearheaded by Tracy Hightower, a Tactical Response instructor. He is coordinating a raffle, with chances going for \$5.00 each. This is the fundraising effort I discussed in my Thanksgiving e-mail, with the proceeds



Marty Hayes

first going to bail, and then legal fees. The second effort is for bail only, and it involves a "loan" to the family, as the court repays this money when he shows up for court. It can then be refunded to the person who gave. I would expect larger contributions to fall under this heading.

To get involved in this effort, e-mail Tracy Hightower, at tracyah@usit.net.

The second part of my message this month deals with the terrorist attacks seen in the former Bombay, India, now called Mumbai. I have been silently predicting and dreading this type of attack coming to the United States, and I can only think that this one was a dress rehearsal for things to come here. I hope I am wrong, but I know that inside police circles, the agencies are working out their plans now to deal with this sort of thing.

Of course, the likelihood that it might happen in America is going to be tempered by our armed citizenry, but even so, the vast majority of Americans do not carry concealed weapons. If an attack comes, it will happen in the schools, churches, synagogues, or even at sporting events. Places where there are lots of people jammed into a small place, and the likelihood of guns being present is nil. But, even the presence of armed citizens isn't going to dissuade the attack, because these terrorists are willing (and look forward) to dying for their cause.

I am on a couple of police-only training lists, as I am still active in that field, and the ongoing discussion is to make sure everyone carries off duty. For those reading this who are casual carriers of concealed weapons, perhaps you might want to think about increasing the frequency of going armed. I'll sign off now, so the meaning of these two messages does not get diluted.

Take care, you first line defenders of freedom and protectors of our nation.

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Book Review

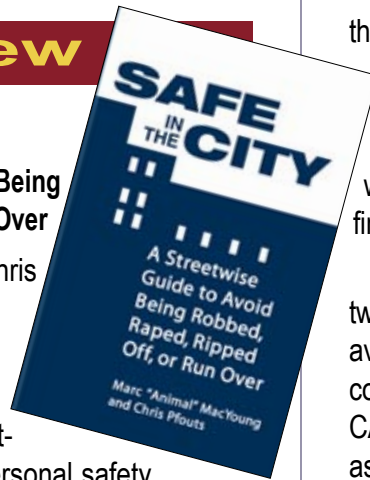
Safe in the City

A Streetwise Guide to Avoid Being Robbed, Raped, Ripped Off, or Run Over

by Marc "Animal" MacYoung and Chris Pfouts

Paladin Press \$30.00 list price

ISBN 0-97364-775-0



"Safe in the City" falls into the category of oldie-but-goodie, on the personal safety book hit parade. The 1994 copyright could mislead the casual browser to conclude that surely 15 year old information is no longer pertinent, but that would be incorrect. Concluding the first chapter, the authors sagely comment, "You'll often find that the same things that were being used to try and rip off our great-grandparents are still being used successfully today...Criminals employ the same kinds of time-tested tools and methods."

In the Preface, Pfouts and MacYoung identify how criminals think and operate as the focus of the book. "A street criminal lives by a very basic philosophy: there are two types of people in the world, predators and food," they explain. The latter fear pain and injury at the hands of the former. The criminal element, however, are influenced by different concerns. "But it's not just physical pain the criminal fears; it's the fear that he may be knocked lower down on the predatory ladder than he is now and become a victim himself. In a world of sharks, a wounded shark doesn't last long." In addition to revealing many common criminal ploys, the book's psychological insights can make a difference in avoiding or fending off assault.

The authors identify five stages criminals go through when committing a crime: intent, interview, positioning, attack and reaction. During the first three, the "attack can be aborted," they advise. Each phase is described, with little scenarios, colorful descriptions and good writing that will lodge the concepts in the reader's mind. On the topic of varied types of interviews, for example, "...a street person asking for spare change, then demanding more money. A request for spare change becomes, 'Gimme a dolla,' then, 'Gimme five dolla,' and so on. The way to halt an escalating interview is to draw a line and be prepared to defend it without hesitation." Or, "A key point with rapists is that they will physically touch the woman they're interviewing. Often

the initial touch is not particularly threatening; rather, it is to see if he can violate her boundaries." While the knowledge in the pages identifying the stages of criminal attack is worth the price of the entire book, the engaging writing style will probably lead the reader through to the final page!

Beyond the preface, most of the book is formatted into two sections in which the authors sort their advice about avoiding or surviving crime by geographical area: Pfouts commenting on New York and MacYoung on Los Angeles, CA. Here, the age of the book detracts a bit, though an astute reader looks for principles, not specifics. For example, on a page about New York City, Pfouts promises, "Awareness is always going to be your best ally in a tightly packed urban situation, and we will show you how to really observe the people around you." They acknowledge that the common self defense advice – maintain safe distance and watch the people around you – proves impractical in a tightly packed rush hour on the subway, or in a crowd awaiting admission to a public event. Ever realistic, the authors advise blending into the crowd by leaving expensive watches and jewelry at home, and behaving like just one more person in the shuffling throng. A later chapter on robbery gives hints for identifying criminal predators working the rush hour from the hurried commuters.

Discussing conditions in Los Angeles opens a discussion of mental illness and later covers drug abuse, a common condition in those with whom we come into daily contact on city streets everywhere. And, the authors note, beyond insanity, the pressures of a heavily populated area heat frustrations to fever pitch. "Even the most well-adjusted, mellow person in Los Angeles is closer to the edge than a normal person from another city," they suggest.

Continued on page 11

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Continued from page 10

The chapters following the preface discuss avoiding or surviving crimes of robbery, burglary, drugs, weapon use, con games, rape, gang activity, crimes involving cars and other transportation, and crimes in public spaces.

The chapter on robbery alerts readers to locales in which the crime is often committed, who is likely to be robbed, the criminal's appearance and a substantial list of warning signs for the astute reader. It also identifies compliance as a viable option, noting that first-time robbery victims are often so frightened that they've "turned over all control to the robber." Avoid arguing, don't hesitate to hand over the goods, while remaining ready to resist in case the assailant wants to take you elsewhere, to stage a second crime, the authors advise.

If you've become careless around parking lots, the warning against trying to get to a parked car by outrunning an assailant is a good warning. This instruction continues in the chapter about avoiding crimes like carjacking, which also includes strategies if assailed at a stop light, two truths about being shot by armed carjackers, as well as hints to avoid towing, theft and damage—all in colorful, entertaining verbiage.

Additional anti-theft hints that will prove useful include the proactive advice to separate money and wallet, stash a spare piece of ID at home where it won't leave with your wallet if you are robbed, keep spare keys hidden, and be sure to change all your house keys if your key ring is stolen in a robbery. Finally, and only in my opinion, anyone who uses an ATM in anything but a dire emergency after reading the description of robberies in New York is Darwin award material!

Reading a book by two authors offers the interesting juxtaposition in styles and opinions. The "New York" section on burglary is full of good ideas about shoring up doors against break ins; the L.A. section immediately following opines that "you can't make your house burglar-proof ... the best you can do is make it both noisy and slow for burglars to break in." The truth is probably some where in the middle, but the reader can learn a lot looking for that middle ground!

Lots of good advice follows in the burglary chapter, including how the word gets out that you will be gone, what dogs are really good for, fences, really increasing door integrity, motion activated lighting, retrieving items stolen, locks, securing windows and doors, how to make an empty

house look occupied, and more.

The section on drugs, addicts and related crime is interesting, but one of the most dated of the material in the book, like the section on telephones, since the proliferation of pocket-sized cell phones came after the 1994 publication date. Where the warnings about telecommunications remain valid is to reinforce the understanding that when you need to call for help, you better be ready to provide your own means of communication. That, for example, means knowing whether or not your cell phone has service before taking a chance on a late-night trip to the 7-11 for ice cream or beer when travel has your internal clock off kilter.

The legal grey areas outlined in the chapter on the legality of using weapons is another topic on which things have changed, with so-called castle doctrine statutes and the more recent "stand your ground" legislation passed in some states. Again, reading for the general principles still points out concepts we know as disparity of force, the reasonable man doctrine, as well as the inadvisability of warning shots, creating a safe room in which to weather a burglary, though we'd respectfully disagree with the authors' advice that armed citizens should put an attorney on retainer. In short, read the weapons and legal section with healthy skepticism, and get back to the subject on which the authors have real authority: how criminals attack their victims, and the book is back to that firm ground in the next chapter entitled "Weapons—Realities."

Here we read a good discussion about the timelines that can render even armed defense of limited effectiveness, owing to inattentiveness, reluctance to fight soon enough, the level of determination brought to the incident by the attacker, the influence of our own body alarm reactions,

Continued on page 12

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Continued from page 11

and more. Advice about surviving a shooting in which you are not a participant plants valuable survival strategies in the reader's mind. As the authors split their discussion about weapons in their New York/L.A. format, we are presented with a veritable panoply of items that can be made shifted into defense tools in those times and places where our usual array of guns, knives or aerosol sprays are verboten.

Using public transportation presents its own exposure to criminals, and Pfouts' segment on avoiding victimization by teams and packs of criminals puts people-watching on a whole new level. Seriously, though, most readers should pick up a hint or two to set alarm bells ringing in time to avoid some of the victimization so common on public transportation in any big city.

Public spaces, like plazas, parks, beaches all have their own crime patterns. While the authors discuss what they see in L.A. and in New York, methods are pretty universal when one human scopes out another for victimization, so the lessons carry over time and geography. They also outline common con schemes, sure to generate a "how stupid can you be?" response, but the authors explain that for any con to work, the victim must be convinced to suspend their disbelief. They then go on to describe several time-proven

schemes that have done that over and over again.

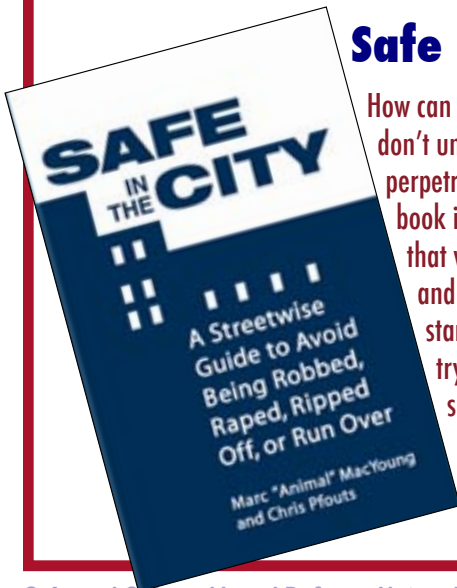
The book closes with a discussion of sexual assault prevention measures, which begins with understanding the crime of rape. The five stages of crime are here but the order can be unpredictably mixed, the authors explain. Understanding how a sexual predator approaches gives valuable warning to the would-be victim. These approaches and tests of ease-of-victimization are studied in the context of different types of rapists, identified as those motivated by anger, power and sadism. Women's safety training is discussed, but the author's strongest message is the need for individual self-respect and strong boundaries.

Additional valuable instruction identifies the difference between assertive verbal warnings and aggressive verbalization – a well-defined line that few self-defense programs manage to recognize, let alone teach.

That condensed information in the final chapter is just one example of the timeless safety principles making up the backbone of "Safe in the City." In my library, it is considered a classic, and if you've not read it, I believe you will find it worth your time.

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Gila Hayes

Editor's Notebook

Love the Criminal

Sometimes it seems to me that society harbors warmer feelings toward the predators stalking its members than it does toward people who are prepared and determined to keep criminals from causing harm. How do we turn around a society that mistrusts individual self defense? The topic was gnawing at the edges of my mind earlier in the fall, but was eclipsed by the circus of the general election.

With the outcome of that race, I'm even more worried about what got me thinking this way in the first place: the twisted reasoning concealed in an [October 14th report in USA Today](#) bemoaning an increase in self defense killings. The reporter quoted leading minds from Northeastern University and Carnegie Mellon University deploring what they called a "shoot-first" mentality and a "greater willingness" to act in self defense.

Logically, a willingness to act in self defense indicates that an attack of some kind was underway. A preferable alternative to self defense would be ... what? Rape? Robbery? Murder? Kidnapping? Having your house burnt down with your children inside?

I might have been appeased had the report suggested that the killings occurred because at least an equal number of violent crimes had taken place in that time period. Statistically, we have enjoyed about a decade in which violent crime decreased, though property crime climbed. I'm sure anti-gun advocates praised their gun control initiatives at the same time those of us in favor of self defense were suggesting that advances like more states granting rights to carry concealed guns had borne fruit.

But apparently 2007 broke the mold, and if USA Today is to be believed, 254 criminals were killed by private citizens acting in self defense (the most since 1997), while 391 police officers were involved in justifiable killings (the most since 1994). NRA executive vice president Wayne LaPierre got in a couple of good quotes, proposing that citizens are not willing to be victims, though his thoughts are relegated toward the bottom of the article.

A few weeks after USA Today put its spin on violence in the United States, the [Miami Herald's](#) website had an interesting article, reporting that their fair city made it through the month of October with not one homicide. Of

course, Miami is only a fraction of Florida's overall population, but I suspect the good Florida citizens who carry their licensed handguns for their own defense are inhibiting the criminal population.

The report suggests a different reason. At the end of the article, the Miami Herald offers this explanation: "Homicide detectives credit ever-improving emergency care with saving people who, perhaps 20 years ago, might have met their demise."

USA Today inadvertently revealed their rather gruesome preoccupation with death, failing to make even the slightest mention the uncounted instances in which an armed citizen simply stands up to criminal victimization and bloodlessly prevents completion of the crime.

The report illustrates the media's investment in painting guns as weapons only used for killing and gun owners as killers teetering on the edge of sanity. We feel the influence of this slanted article and the innumerable others like it in our day-to-day dealings with co workers, teachers in our kids' schools, health care professionals, and people in many walks of life. They've bought into the lie.

What image do we portray to these folks to counteract their false beliefs? When they see you, do they see a gun nut loudly holding forth about using a gun to blow away a trespasser or do they see a citizen who will use their firearm to preserve innocent life? Our conversations, the kinds of jokes we tell, our metaphors, similes and allusions have the power to either increase distrust or encourage confidence in armed citizens.

With the political situation currently against us, now is the time to give our public personas a good cleaning. Talk about guns by all means. Talk about owning guns with anyone who will listen! But if you care about having guns for self defense, take a hard look at the way you speak. Eliminate from your vocabulary the things you say simply for shock value. Replace them with intelligent comments on true defensive use of firearms. Instead of whooping, "good shooting!" if a criminal falls to gun fire, point out that their intended victim faced death, too, and survived because of their preparation and will to live.

You don't need my advice to recognize the times our words make us sound like a dangerous spin-off from the characters in the movies ["Kill Bill."](#) Next time the words rise to your lips, please stop and ponder the impression you are making. Is it one that makes carrying a gun look like a threat to society, or does it impress upon listeners the value of an armed American citizenry?

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