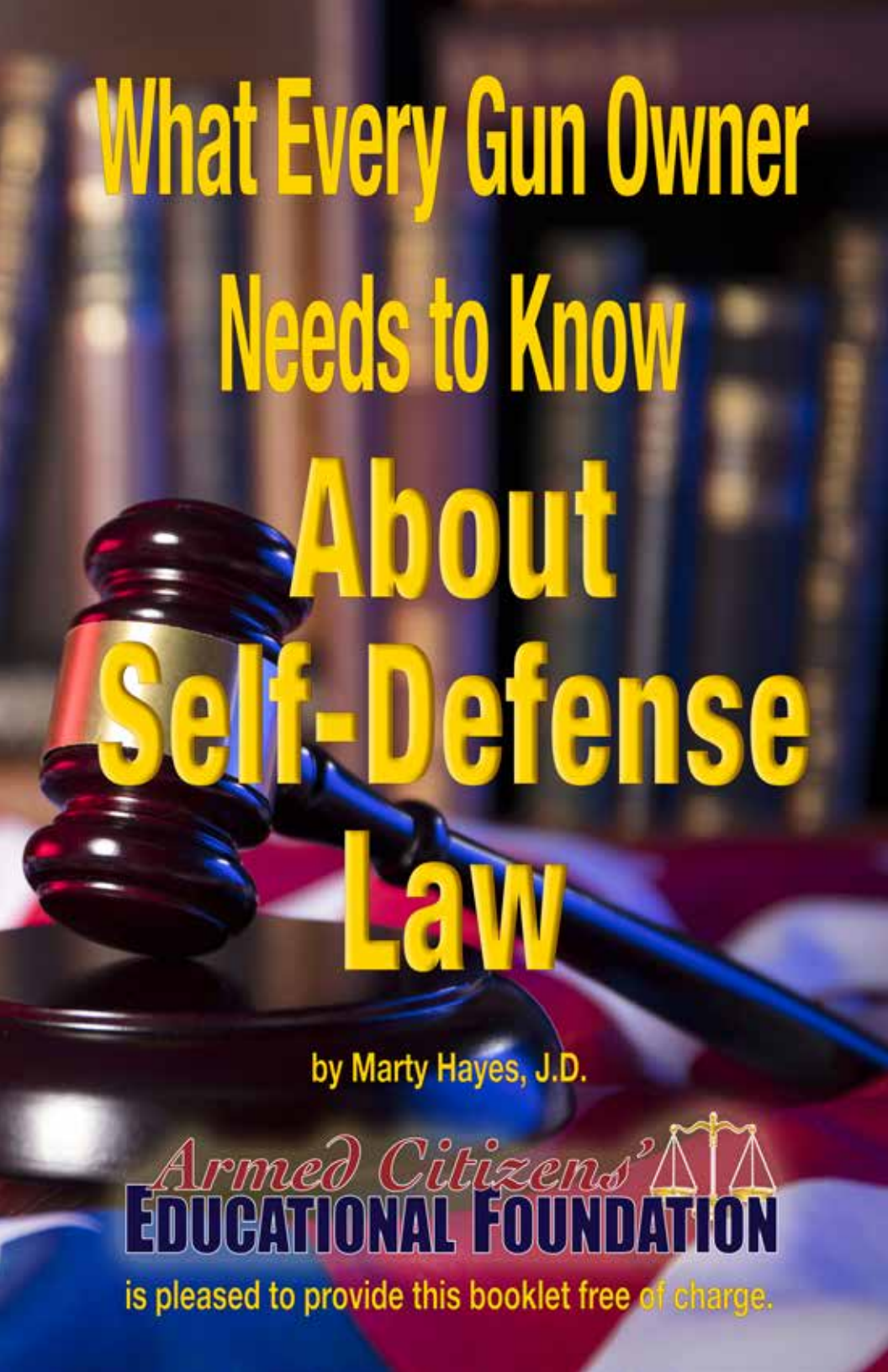
What Every Gun Owner Needs to Know About Self-Defense Law

by Marty Hayes, J.D.



Armed Citizens' Educational Foundation

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Introduction

With firearms ownership comes serious responsibilities. These responsibilities take several forms, including—

1. Responsibility to ensure that your firearms do not fall into criminal hands due to carelessness or neglect.

2. Responsibility to ensure that a child does not get a hold of your firearm, resulting in a tragedy.

3. Responsibility to ensure that when you are handling guns, your actions are safe for all around you.

4. And finally, it is your responsibility to understand the laws regarding use of deadly force in self defense and to be aware of what happens within the legal system when a citizen uses deadly force in self defense.

Let's briefly discuss the first three. The first and second responsibilities are dual responsibilities, entailing both a moral responsibility and a legal one. Because in the past many people have not done their part to secure their guns, jurisdictions are now passing laws making it a criminal act to leave guns unsecured, especially where children have access to them. Do your part and make sure your guns are locked up whenever not in use.

Next, careless gun handling is the curse of the untrained. Even if you know how to load, shoot and otherwise operate your guns, you must also do this safely. Each gun owner should seek out competent training in gun handling and education on safe gun handling.

And lastly, the need to understand the legal system and the laws regarding use of deadly force is the key to making sure you sleep in your own bed the night after an act of self defense, not sleeping on a jail cot. This booklet, offered as a public service by the Armed Citizens' Educational Foundation, serves to start your legal education and begin your journey toward being a safe and knowledgeable gun owner.

Thank you for taking the time to read this booklet. If you feel it was valuable for you, please consider contributing to the non-profit Armed Citizens' Educational Foundation. Information on how to make a donation will be found at the end of the booklet.

Marty Hayes, J.D.
President, Armed Citizens' Legal Defense Network, Inc.
Vice President, Armed Citizens' Educational Foundation

Chapter 1
The High Cost of Self Defense

Deciding to carry a gun or to arm yourself for home defense is a choice that should be made only after thorough consideration. Many people buy guns with little thought of getting training and without investigating what the legal aftermath may be if they use a gun for self defense.

While a clear-cut case of self defense normally results in no arrest, no prosecution, and no lawsuit, please understand that many, many cases of self defense simply are not clear cut. For example, what if someone a little larger and stronger than you picks a fight with you? Can you shoot him? At what point in the altercation would you have a right to shoot?

What if three people, perhaps pan handlers obviously involved in aggressively begging, surround you and demand money? When you feel threatened by their insistence, can you draw your gun to stop their aggression?

What if someone threatens your life, so you shoot him, but at the instant you determined you had no other choice but to shoot, he twisted or turned away, so one or two of your shots hit him in the back? What if one of the shots in the back is the fatal shot? Do you think you might be prosecuted?

The history of armed self defense is chock-full of incidents in which law abiding citizens legitimately used a gun for self defense and ended up in prison or bankrupt because they were wrongfully prosecuted or sued. Let me explain how the aftermath of a legitimate act can go so wrong.

First, if you are arrested after an act of self defense, you will be provided a public defender or you will have to foot the bill yourself for your legal defense. Most people scoff at the idea of a public defender, but I have met and worked for some very good public defenders. It is very likely that a public defender will be well-respected and well-liked by the courts. That's the good news. The bad news is that in the typical case, there is not much of a budget with which to hire expert witnesses, crime scene reconstructionists and investigators who may be able to track down that one witness who might tell your side of the story. In addition, it is also unlikely that your public defender, or for that matter, a private criminal defense attorney, will have much experience handling legitimate cases of self defense. This is true because most acts of self defense are not prosecuted.

When a legitimate case of self defense (as opposed to a claim of self defense that is offered purely as a legal strategy) comes before the court, it can become pretty expensive, not only in dollars, but also in time and psychological and sociological impacts. For example, if you become the subject of your local newspaper's headline news, your neighbors, your kids' friends and even your professional contacts will likely pass judgment long before a jury does. Your kids may have to face accusations from their playmates that their father or mother is a killer, business associates may avoid working with you, and your neighbors may voice hurtful, ignorant opinions about the actions you took to survive. You might even lose your job because it is pretty hard to work if you are locked up in jail for murder if you cannot raise bail money. Do you think that losing your job and facing mounting legal bills might disrupt your family life, too?

These are only some of the reasons gun owners must understand when it is justifiable to use deadly force in self defense, as well as learning what to expect from the legal system if they are left with no viable alternatives and must shoot an attacker.

Sitting in the witness' chair and at the defendant's table in a courtroom is one of the possible outcomes of being involved in a self-defense shooting.

Chapter 2
When is Deadly Force Justified?

Internationally recognized self-defense expert Massad Ayoob states it best when he explains, "Deadly force is justified only when undertaken to prevent imminent and otherwise unavoidable danger of death or grave bodily harm to the innocent."

If you memorize and live by that one sentence, you should never be found guilty of a crime involving use of deadly force. While nuances of self-defense law differ from one state to another, all states allow the armed citizen to use deadly force against another human being when their life or the life of a loved one or another innocent person is in imminent danger. It is not that simple, however, and several aspects of using deadly force can still land you in court. While one concern entails understanding when circumstances merit using deadly force, the second is making sure law enforcement, the prosecutor's office, and if necessary, a judge and jury understand that you reasonably believed your actions were necessary to protect innocent life.

The Reasonable Man Doctrine

The standard against which your use of deadly force in self defense will be measured is called the standard of the reasonable person. This criterion asks, "Would a reasonable person under the same circumstances, knowing what you knew at the time, likely have used deadly force in self defense?" If you can convince the jury that they would have done the same thing, then you will walk free. On the other hand, if the members of the jury say to themselves, "No, I wouldn't have pulled the trigger under those circumstances," then the verdict will probably not be in your favor.

How do we convince a jury that we acted as a reasonable person would have acted?

The Elements of Ability, Opportunity and Jeopardy

For decades, police officers have been taught that they can employ deadly force only under circumstances in which the elements of "ability," "opportunity" and "jeopardy" are present. The same method of teaching justifiable use of deadly force has been employed in the civilian sector for at least three decades. You won't see any of these terms in the law books and court decisions, however. Instead, you will see something like the following, which is taken from Revised Code of Washington:

RCW 9A.16.050 Homicide—By other person—When justifiable. *Homicide is also justifiable when committed either: (1) In the lawful defense of the slayer, or his or her husband, wife, parent, child, brother, or sister, or of any other person in his presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony*

or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or (2) In the actual resistance of an attempt to commit a felony upon the slayer, in his presence, or upon or in a dwelling, or other place of abode, in which he is.

The laws of your own state probably have similarly complicated language, requiring several readings to really understand what the law requires. Still, a careful reading will show the parallels between the complex language of most state statutes and the more easily understood terms of "ability," "opportunity" and "jeopardy" that give us clearly understood language with which to discuss and articulate **why** we had a reasonable belief that our life was in danger.

For example, in explaining a decision to use deadly force in self defense, you might say, "Well, because he had a gun in his hand, which I know is a deadly weapon, I knew he had the **ABILITY** to cause my death. I also knew from my training that a person within close proximity was near enough to shoot me with that gun, in other words he had the **OPPORTUNITY** to shoot me if he so desired. Because he said he was going to kill me, I also believed that he meant to place my life in **JEOPARDY.**"

Would a reasonable person, hearing that statement, conclude that your actions were those of a reasonable person? Likely so.

Now, let's do a better job of putting into context the three elements of "ability," "opportunity" and "jeopardy," as used to justify using deadly force in self defense.

Ability

Ability means that the attacker possessed a weapon capable of causing death or grievous bodily harm. The object in question could be a makeshift weapon, like a beer bottle, a baseball bat, pool cue or even folding chair, if used to inflict a blow. Generally speaking, charges brought against someone for defending themselves or another innocent person rarely center on whether or not the attacker possessed the ability to cause death or serious injury, with a couple of glaring exceptions.

The first exception is when the attacker you shoot does not have a weapon or an object capable of being used to inflict serious bodily injury, but you thought he did. For example, in my home state of Washington a few years ago, a police friend of mine shot and killed an assailant who was armed with a couple of spoons. That's right: spoons. The prosecutor did not press charges against my friend because under the circumstances of the shooting he reasonably believed the spoons were a knife. The critical issue is the reasonable perception that the attacker possesses a weapon.

A related exception is found in the furtive movement shooting, in which an individual is shot when he reaches for something that the defender honestly and reasonably believes is a weapon. Under most circumstances, if the perception is found to be a reasonable one, the defender's response will be ruled justifiable.

The second exception, and the one that lands people in jail time and time again, crops up when the defender uses deadly force against an unarmed attacker, or even to fend off multiple unarmed attackers. This happens with surprising frequency, and more often than not, the defender ends up paying a high price legally. The issue involved is called "disparity of force," and it is a critical one.

When a legitimate self-defense shooting ends up in court, many times the civil litigation or criminal prosecution hinges on the question of disparity of force. After all, if a prosecutor knows the attacker had a deadly weapon and was in fact attacking, he is likely not going to prosecute the self-defense shooter. But what happens when the defender is being stomped to death, choked to death, or otherwise believes a deadly force attack is imminent or underway? And, what if that defender shoots one or more of his assailants, but they claim that they were only beating him up, not trying to severely injure or kill him?

Legally speaking, likely it was lawful for the defender to use force in self defense, but in court the claim is made that he or she used excessive force. Under these circumstances, the defendant will need to show the jury, or a judge

An argument that disparity of force existed may be used when multiple assailants attack.

if the case is heard at a bench trial, that they had a reasonable belief that the attackers possessed the ability to cause death or serious physical injury. For the exact parameters of laws of your local jurisdiction, consult the criminal statutes and the self-defense case law of your own state or consult a local attorney who is knowledgeable about self-defense law.

Opportunity

In addition to showing that the attacker or attackers had the ability to cause your death or inflict serious physical injury, you must also show that they had the opportunity to carry out a deadly force attack. This usually entails showing that they were close enough to use their ability against you.

For example, if the attackers simply have their hands and feet with which to attack, they would have to be very close–close enough to control you and hit and kick, typically within arm's reach. But does that hold true for what is called a "contact weapon," a knife, or another object make-shifted as a weapon, like a beer bottle or a baseball bat?

In the 1970s Dennis Tueller, a Salt Lake City police sergeant, did a study comparing how long it took an officer to draw and fire a handgun with how long it took an average person to run at them from a distance of seven yards and inflict a fatal wound. The times for both drawing and firing and running 21 feet averaged out to about 1.5 seconds. In law enforcement training, that meant the officers faced with a person armed with a contact weapon should draw their weapons much sooner than had been commonly thought. Knowing that a person can close a distance of 15 to 30 feet in one to three seconds should be part of your mindset, too, and before you decide the person possesses the opportunity to use their ability against you, you need to work out how distance and proximity play into the "opportunity" factor, combined with the unique circumstances of the incident.

Jeopardy

If the elements of ability and opportunity are both present in an altercation, you must still convince a judge or jury that it was reasonable for you to believe that your life was in jeopardy. The element of "jeopardy" is also sometimes identified as the element of "intent." Was the attacker or were the attackers intending to carry out an attack? Was your life in jeopardy?

Usually, this issue comes up in cases of unlawful display of a weapon or "brandishing." To successfully defend against a charge of brandishing, you will need to give sufficient detail about the actions of the attacker or attackers to show how their behavior would lead a reasonable person to believe that they were preparing to attack.

Chapter 3
The Affirmative Defense of Self Defense

The Section 210.1 of the Model Penal Code, which is the basis for the majority of murder and manslaughter statutes in America, states:

"Criminal Homicide. (1) A person is guilty of criminal homicide if he purposely, knowingly, recklessly or negligently causes the death of another human being. (2) Criminal homicide is murder, manslaughter or negligent homicide."

What is glaringly absent in the above definition is any mention of self defense. Thus, if you intentionally use a gun against another person and that person dies, you have fulfilled the elements of the crime of murder or manslaughter and can be arrested and tried. Only at trial, do you have the opportunity to claim and proffer a defense of self defense.

However, if you have a legitimate claim of self defense, many prosecutors or district attorneys won't prosecute because they know that it is a waste of taxpayers' money. Unfortunately, some will and do prosecute clear-cut cases of self defense for political reasons. If their community leans towards an anti-gun, anti-self-defense bias, then a politically-savvy district attorney or prosecutor is likely to pursue any gun case in their jurisdiction. As gun owners, this is the reality we face, especially in self-defense cases that are not black and white, but like life in general, have a lot of shades of grey.

Whatever the motivation, if you are prosecuted or sued after a legitimate act of self defense, you and your attorneys will need to prove to the jury, by a preponderance of the evidence, that you were justified in your act of self defense.

In a typical criminal prosecution, a prosecutor must prove guilt beyond a reasonable doubt, and the burden is on the prosecution to bring forth evidence to prove the charges. That means they must prove the elements of the crime. If you are tried in a state that follows the model penal code, it isn't too tough to show that your actions were the same as those spelled out in the crime of murder or manslaughter, because the evidence will easily show that you purposely used a firearm to shoot and kill the deceased.

If you plead self defense, the burden of proof shifts to you and you are required to prove by a preponderance of the evidence (51% or greater) that your self-defense act was reasonable under the circumstances because you legitimately feared death or crippling injury and that the force you used was not greater than what was reasonable and necessary.

Because this small booklet only addresses deadly force issues common to all 50 states, we cannot advise you on specifics of your state's law. In addition, because statutory law and case law are subject to change, you should look up and study the laws of your area or consult with a local attorney who is well-versed in self-defense law to make sure you fully understand the laws in effect where you live.

Proving Your Claim of Self Defense

The armed citizen who has been forced to shoot in self defense faces a conundrum. You see, after a shooting, the police will be called (either by you or another person) and when they question you, anything you say can be used against you in a court of law. If what you say or don't say raises suspicions that you were not justified in shooting, you will probably be jailed until you can get a preliminary hearing in front of a judge. Conversely, if the officers believe you legitimately shot the attacker in self defense, you will more likely than not sleep in your own bed that night. Thus, the question is, how do you explain to responding officers what happened, but still invoke your right to remain silent? The answer is, you cannot. You must make a decision whether to keep silent or to explain what happened. Let's evaluate the pros and cons of both so you can make an informed decision.

If you refuse to talk to the responding officers, it is extremely likely that you will be arrested—maybe not 100% of the time, but often enough that you should plan

There is no simple answer to the question of how much you should tell officers responding to a shooting scene, but that choice has serious implications, so must be considered in advance.

on spending the next several days, and perhaps the next several weeks or months, in jail. While that's pretty bad, at least you didn't incriminate yourself by your own words. That is about the only upside to keeping silent, but please understand that if you live in a jurisdiction that is rabidly anti-gun and anti-self defense, you may likely be arrested anyway, so sometimes a decision to remain silent might make sense. It is your choice.

On the other side of the coin, discussing the incident with law enforcement might keep you out of jail and out of the courts, if you explain to the police officers why you felt shooting in self defense was necessary. This requires that you be a good witness and clearly explain the attacker's actions, telling the responding officers what the attacker or attackers were doing that convinced you that your life was in danger. It means identifying for law enforcement anyone else in the area who saw the incident. It also means pointing out any evidence that the officers might overlook in their investigation. For example, if you knew that the attacker's buddy grabbed his weapon and threw it in the bushes, it is probably a good idea to tell officers that the weapon is in the bushes, and how it got there.

If you are going to claim self defense at trial, this approach is necessary because the police need to know what happened that caused you to shoot.

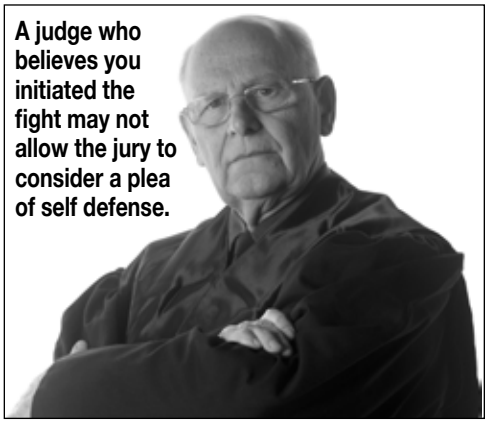
However, being a good witness doesn't require explaining every minute detail about your act of shooting. When you were attacked, you were likely under extreme stress in survival mode and the fight or flight instinct kicked in. Physio-psychological effects known to occur during stressful incidents make you a poor witness about the facts and specifics of the attack. These physio-psychological effects include distorted perceptions of time and distance, plus tunnel vision and auditory exclusion, any one of which can result in an inaccurate report of the event if you try to report specific details.

Instead of going into detail when speaking with responding officers on the scene, I recommend briefly explaining what the attacker did to precipitate your self-defense actions plus pointing out evidence that could be lost or overlooked and identifying witnesses to the event. Next, state that you would like the counsel of an attorney before you give a formal statement, a written statement or even a tape-recorded statement. Once you've said that, keeping your mouth shut is likely the best approach. You have been a good witness and cooperated with the police. You have reported the crime committed against you, and frankly that is as far as you need to go at that time.

Chapter 4
The Initial Aggressor Rule

Even if ability, opportunity and jeopardy were present in the altercation and it was reasonable to believe your life was in danger, if you use deadly force in self defense you could still be convicted of a serious crime. This could occur if you were the one who originally started the altercation. Even if the altercation was not a deadly force situation at the beginning, if it escalates to the point where you actually need to use deadly force to prevent serious bodily injury or death, you will still likely be arrested, prosecuted and probably convicted of the crime of manslaughter.

The initial aggressor principle is not likely to be mentioned in statutory law, but it is contained in most if not all of the common law of the individual states. It is seen as a public policy issue, and the Justices of the state appellate courts are pretty much in agreement that the one who starts a fight should not get off scot-free if they kill someone, even if at the end, that killing constituted legitimate self defense.


A judge who believes you initiated the fight may not allow the jury to consider a plea of self defense.

Issues about the initial aggressor come up in prosecutions for assault if the person survives or in murder or manslaughter cases if the person dies. If the judge trying the case believes that you started the altercation, he or she is allowed by law to withhold a self-defense instruction from the jury. The jury then does not get to decide if you were justified in using deadly force. If you are claiming self defense and the judge refuses to give a self-defense jury instruction, you are pretty much sunk, at least for that trial and subsequent conviction. You might win a new trial upon appeal, but that will likely take several years, during which you will be in prison.

There is one thing that will restore your right to self defense even if you were the initial aggressor, and that is withdrawing from the altercation. Your claim to self defense can be restored if you can show evidence that you reasonably withdrew from the altercation, and then the person you shot came after you and started a new altercation.

Chapter 5
Defending Others

Up until now, this booklet has only addressed the use of deadly force in self defense. Now, we are going to discuss defending others. The right to use deadly force in defense of other people comes from the common law of England, where it primarily addressed a man's defense of his family. Of course, times have changed, and now the logical need to defend other innocent people out in public in addition to family members, is certainly a distinct possibility. There are two legal issues at work here, one based on the common law, and the other based on statutory law, including the model penal code.

The Common Law Approach

In most states, this bit of common law developed over the first two centuries of America's history and came into existence when judges decided whether or not a third person was justified in using deadly force in the defense of others, under the legal concept of "standing in the shoes" of the person you are defending. This means if the people whom you were defending were legally allowed to use deadly force to defend themselves, then it is also legal for you to intervene with deadly force on their behalf, to save them from suffering great bodily injury or death.

In a real world scenario, the armed citizen needs to know enough about the situation in which they intend to intervene to understand whether the person they propose to protect has a legal right to use deadly force in self defense. In other words, if the intended victims had been armed and able to use deadly force to defend themselves, would their actions have been legally justifiable? For example, if you are shopping at the local suburban mall, and someone pulls out an AK-47 rifle from underneath his overcoat and starts shooting innocent people, you would be legally justified in shooting him to stop his murderous attack on the other shoppers. That response would be legal because it is never justifiable to shoot innocent people in a shopping mall, and so a decision to intervene is easily justified.

Let's change the scenario and suppose that you are walking down the street in an urban setting and you come across two people beating up a third person. All three are strangers to you. If you immediately intervene, perhaps by pointing your gun at the people you believe are assaulting the third individual, you might be found guilty of assault yourself, because you didn't really know enough about the situation to stand in the third person's shoes. Do you know if he started the fight? What if a knife is now hidden beneath his body, and moments before you stumbled upon the scene he had threatened the others–the people you are now holding at gunpoint? Depending on

locale, this would likely be prosecuted as a case of second degree assault or assault with a deadly weapon, because the guy on the ground who you thought was an innocent victim is actually the one who started the altercation. He does not have a right to use force in self defense under the initial aggressor rule, which we covered a bit earlier.

You could be arrested for assault with a deadly weapon after defending the wrong person.

Under the Model Penal Code

Alternatively, many states have adopted the Model Penal Code as their guide to statutory law, and in these states, the right to defend others is simply predicated on what a reasonable person believed the situation to be, and what amount of force a reasonable person would employ. There, it is unlikely that you would be prosecuted for pointing your gun at the two, because you reasonably believed you were stopping an aggravated assault.

Intervening in situations containing unknown factors is complicated. When defending others, the best strategy is one that combines requirements from both common law and statutory law into a workable plan in which you intervene only if it is legal for you to use deadly force if you stand in the shoes of the person you are defending and at the same time reasonably believe that the other person's life is in grave danger. Realistically, this means defending only your loved ones or other people about whom you know enough to be sure they are innocent, unless the situation entails an obviously heinous act, like a shopping mall mass murder.

As we close out this topic, let me emphasize that it behooves you to learn about the system of law under which your state operates. Knowledge is power, and when you decide to use a gun in defense of others, the more knowledge you have, the more likely you are to avoid mistakes.

Chapter 6

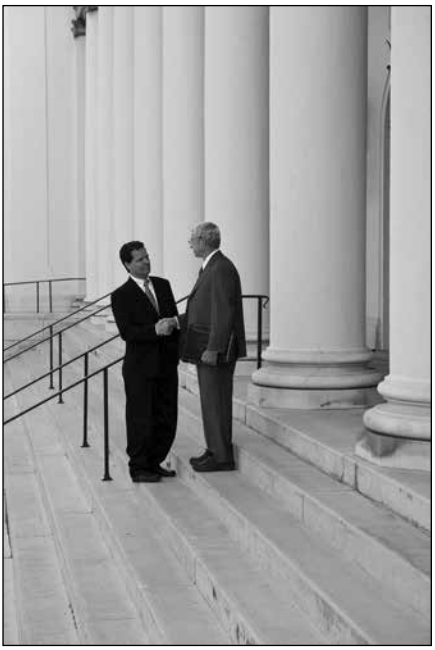
The Castle Doctrine and the Duty to Retreat

During the late 1990s and into the 21st century, a dramatic shift in U.S. self-defense law occurred. Many states passed laws permitting citizens to carry concealed handguns, as well as strengthening laws allowing use of deadly force in self defense. These include what are sometimes called "Castle Doctrine" laws and "No Duty to Retreat" laws. In general, these laws state that a citizen has no duty to retreat from an altercation and if self-defense actions are warranted, citizens can stand their ground and defend themselves.

Before this trend, common law in many states required retreat if it was possible without incurring further risk. Additionally, many states have and others are strengthening the right to defend against criminal attack inside one's home. For example, in 2007, Texas passed what some call a "Castle Law," which in part indicates that the homeowner may presume the use of deadly force is allowed in defense against anyone committing a burglary within an occupied dwelling.

Additionally, some states have even written a provision into their statutory law that releases citizens from civil liability for acts committed in lawful self defense.

Of course, there are practical limits within each different law, so it is imperative that you, the gun owner, research and understand statutory law and case law as it pertains to your individual state. If you cannot do this by yourself, I recommend contacting an attorney who is knowledgeable on this subject and paying for an hour of his or her time to discuss these issues and their specific application within your own city and state.



Legislation about carrying guns for self defense, about shooting if threatened in your own home, and new laws clarifying issues about requirements to retreat if endangered in public are all positive changes for citizens who keep guns for self defense.

Conclusion

Gun Owner Rights and Responsibilities

For the American gun owner, these are interesting times. Our gun rights are challenged by new gun control legislation proposed each time a mentally unbalanced person chooses to commit a horrendous crime using a gun. This will not change in the foreseeable future, and it will take a diligent effort by all of us to continue the fight to preserve the right to armed self defense. In the last decade, we have also seen a new attack from the anti-gun crowd and their accomplice, the anti-gun media. Time and time again, we've witnessed a rush to judgment when a person legally uses a gun in self defense, usually through political prosecution against the lawful gun owner.

The highest profile self-defense case to come down the pike in recent history was *State of Florida v. George Zimmerman.* I routinely testify in court for armed citizens, and I can tell you that the prosecution of George Zimmerman was not an isolated case; it just got the most publicity. In each state of the union, every time an armed citizen uses a gun for protection, that act is scrutinized by prosecutors or grand juries, and many times, an otherwise innocent person is indicted and prosecuted for nothing more than exercising their lawful and God-given right to defend themselves or their loved ones.

Prosecuting innocent people is a serious problem in our criminal justice system. Still, it is not insurmountable. Just like the bite of a venonmous snake can be rendered inert by antivenom, there is an antivenom to the unmeritorious prosecution of an armed citizen. The antivenom is the truth and the reasonable man doctrine.

In order for the antivenom of truth and the reasonable man doctrine to do its work, it must be available and be administered. This is where the Armed Citizens' Educational Foundation comes in. The directors of the Foundation have a mission: to bring solid, pertinent educational materials to the American gun owner. This booklet is a first step, and with your help, we will be able to educate the American gun owner on all the facets of gun ownership and defensive use.

For further educational materials, please visit our website, https://armedcitizensnetwork.org/educational-foundation. Please consider contributing to this effort.

Armed Citizens' Educational Foundation

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Network Members Don't Face the Legal System Alone

Creating a New Way to Protect Armed Citizens

In 2008, Marty Hayes, President of the Armed Citizens' Legal Defense Network, Inc. (Network) completed law school, an endeavor he undertook after 20 years teaching firearms. Hayes could have taken the bar exam and began practicing law, but he decided instead to form the nation's first membership organization dedicated to protecting the legal rights of law-abiding gun owners who use deadly force in legitimate self defense.

Since starting out as little more than a great idea in 2008, the Network has grown to thousands of members, who contribute to the Network's Legal Defense Fund through their membership dues. These contributions are set aside against the day a member needs to mount a complete legal defense after self defense, expenses that can run $100,000 or more. The Network's Legal Defense Fund is up to the task and grows with each new and renewing member's contribution.

Who Is the Network?

The Network consists of thousands of armed citizens across the U.S.A., just like you, who recognize that armed defense has two serious components. The first is tactical and entails making the decision to shoot to save your life and being physically able to perform the skills required. Fortunately, most self-defense incidents are not too difficult to handle. Many, many people have good training and skills, so the majority of the time, the good guy wins the gun fight. The problems arise after the event, making post-incident concerns a very serious element of armed self defense.

Both components are critically important, so from day one, the Network sought out and enrolled firearms instructors and attorneys from all across the nation as part of the organization. The instructors promote the Network to their students, while the attorneys are available to assist Network members after self defense.

Meet the Network Advisory Board

The Network is fortunate to receive guidance from an Advisory Board made up of of the most prominent and respected trainers and legal experts influencing armed citizenry today. The Network deeply appreciates the suppport and endorsements of our Advisory Board members, briefly profiled below:

Massad Ayoob: Prolific writer, expert witness in self-defense cases, and one of the best recognized, respected firearms trainers in the business. Founder of Lethal Force Institute, he is now director of the Massad Ayoob Group. When thinking of legal issues and self defense, Ayoob's name comes immediately to mind.

Marie D'Amico: Attorney, retired Deputy County Attorney for Monroe County, NY, serves on Board of Directors for National Shooting Sports Foundation, New York State Rifle & Pistol Assn., and SAAMI. D'Amico is Corporate Counsel for Kahr Arms.

John Farnam: President of Defense Training International, a training company which he and his wife Vicki Farnam operate, travelling around the nation sharing their skills and wisdom with thousands of armed citizens, law enforcement officers and military personnel yearly, as they have done for over 30 years.

Tom Givens: Former law enforcement officer and owner of RangeMaster, one of the nation's most successful training programs. Givens' students have prevailed in over 60 self-defense shootings and hundreds of confrontations that did not rise to the level of shots fired.

Emanuel Kapelsohn: Attorney and expert in firearms and use of force, Kapelsohn is a well-recognized figure in police training circles, and a sought after expert witness in use of deadly force in self defense, through his consulting company, Peregrine Corporation.

Karl Rehn: Owner and chief instructor of KR Training near Austin, Texas, Rehn is graduate of over 3,000 hours of training with over 80 instructors. He is an accomplished competitive shooter, who, before retirement, managed research projects for the University of Texas.

Dennis Tueller: Famous for creating the Tueller Principal, he is a retired homicide detective from Salt Lake City, who after retirement worked as a contract law enforcement instructor, having earlier been a staff instructor for Gunsite. Now fully retired, he focuses on his family and church.

The Network's Founders

Marty Hayes, J. Vincent Shuck and Gila Hayes started the Network in 2008 with little more than a great idea and a large helping of determination to make the Network a vital resource for armed citizens.

Marty Hayes, J.D.

Marty Hayes is a former law enforcement officer, expert witness in self-defense trials, founder and former director of the Firearms Academy of Seattle, and President of the Network. In 2003, Marty decided to pursue a law degree with the expectation of working in the legal arena, and during this time, the idea of the Network was born. Upon graduation in 2007, he set out to form the structure of the Network, along with working with other top firearms training professionals to ensure the success of the Network.

Vincent Shuck

Vincent Shuck was recruited to establish the structure of the Network, due to his 30-plus years managing membership organizations. He serves both as an ex-officio member of the Network's Advisory Board and as President of the Armed Citizens' Educational Foundation, publisher of this booklet.

Gila Hayes

Gila Hayes holds multiple instructor certifications, is author of three books and many magazine articles on armed self defense for women. She manages day to day operations of the Network, including our monthly journal published online.

Services to Members

Network members receive many unique member benefits, starting with an unrivaled educational program. New members receive educational materials, including a 332-page book and a series of video lectures comprising over a dozen hours of education in the use of deadly force in self defense, lectures about handling the legal aftermath of a deadly force incident and much more. This is serious legal education, with many of the Network's advisory board members serving as primary presenters. Through the book and video lectures, member education is documented and ready to be used in court in the event a jury needs to hear and see what our member knew at the time of a self-defense incident.

Beyond the educational benefits, the primary benefit of Network membership is financial assistance after a self-defense incident. If you are a member and are arrested after a self-defense incident (and unfortunately, that is the experience of many gun owners), we will immediately come to your assistance in several ways.

First, if you don't have a pre-selected attorney to call, we will immediately help you, even to the extent of one of our leadership team getting on an airplane and flying to your location to help you connect with an attorney. Upon validation that it was a legitimate case of self defense, we will pay a deposit against legal fees to the attorney of your choice, to make sure you have legal representation in the first critical hours and days after an incident. This benefit is available for the member whether or not the member has been arrested after the incident. If the member is arrested and jailed, the Network provides assistance with bail, upon review of case facts to be sure a crime was not committed.

If the member faces prosecution after a self-defense incident, continued funding for legal defense is extended. There is no arbitrary cap on the amount of legal fees we will pay on behalf of a member, only a practical limit of retaining a healthy balance in our Legal Defense Fund to assure funding for the next member's legal needs. This benefit is drawn from our Legal Defense Fund of over four million dollars. Since opening the Network in 2008, we've drawn on the Legal Defense Fund thirty times to pay legal expenses on behalf of members after self defense. We have paid 100% of the costs of each of those members' legal defense.

Your Cost

Network membership dues are a very reasonable $150 for the first year, and $105 per year for subsequent renewals. Compare the cost and the credibility of the Network and those supporting it–our Advisory Board, Network Affiliated Instructors and Network Affiliated Attorneys–and you'll understand why so many armed citizens have chosen to become part of the Network family. To join, call 888-508-3404 during business hours, join online at https://armedcitizensnetwork.org/join or complete and mail the membership application on the next page.

Please join the Network. We would appreciate the chance to help educate you further and to help you protect your right to use deadly force in self defense.

Paid Advertisement

Network Membership Application

Name _____

Add'tl. Member's Name* _____

Mailing Address _____

City _____ State _____ Zip _____

Phone _____ - _____ - _____

E-mail _____

APPLICANT'S STATEMENT:
With my signature, I hereby attest that under the laws of the United States of America, I am not legally prohibited from possessing firearms, that I am 18 years of age or older, and that I legally reside in the United States. I understand that any grant of benefits is limited to lawful acts of self defense and is subject to discretionary review by the Network and without contractual obligation.

_____
Applicant's Signature(s)

Membership Type

Please Mark One

❑ $150.00 1-Year Individual Membership
(Renewals discounted to $105 per year for returning members)

❑ $340.00 3-Year Individual Membership

❑ *Add $70.00 Per Year for Each Additional Household Resident Joining With You.

Dues Rates Effective 1/1/2024

- - - - - - - - - - - - Payment Details- - - - - - - - - - - -

❑ Charge my card ❑ Check enclosed

CREDIT CARD CHARGE AUTHORIZATION

I, _____
(Print name as it appears on credit card)

hereby authorize Armed Citizens' Legal Defense Network, Inc. to charge

$_____ on my VISA – MasterCard – American Express – Discover (circle one)

_____/_____/_____/_____
Card Account Number

Expiration Date _____/_____ CVV** _____

Full billing address (if different than above mailing address):

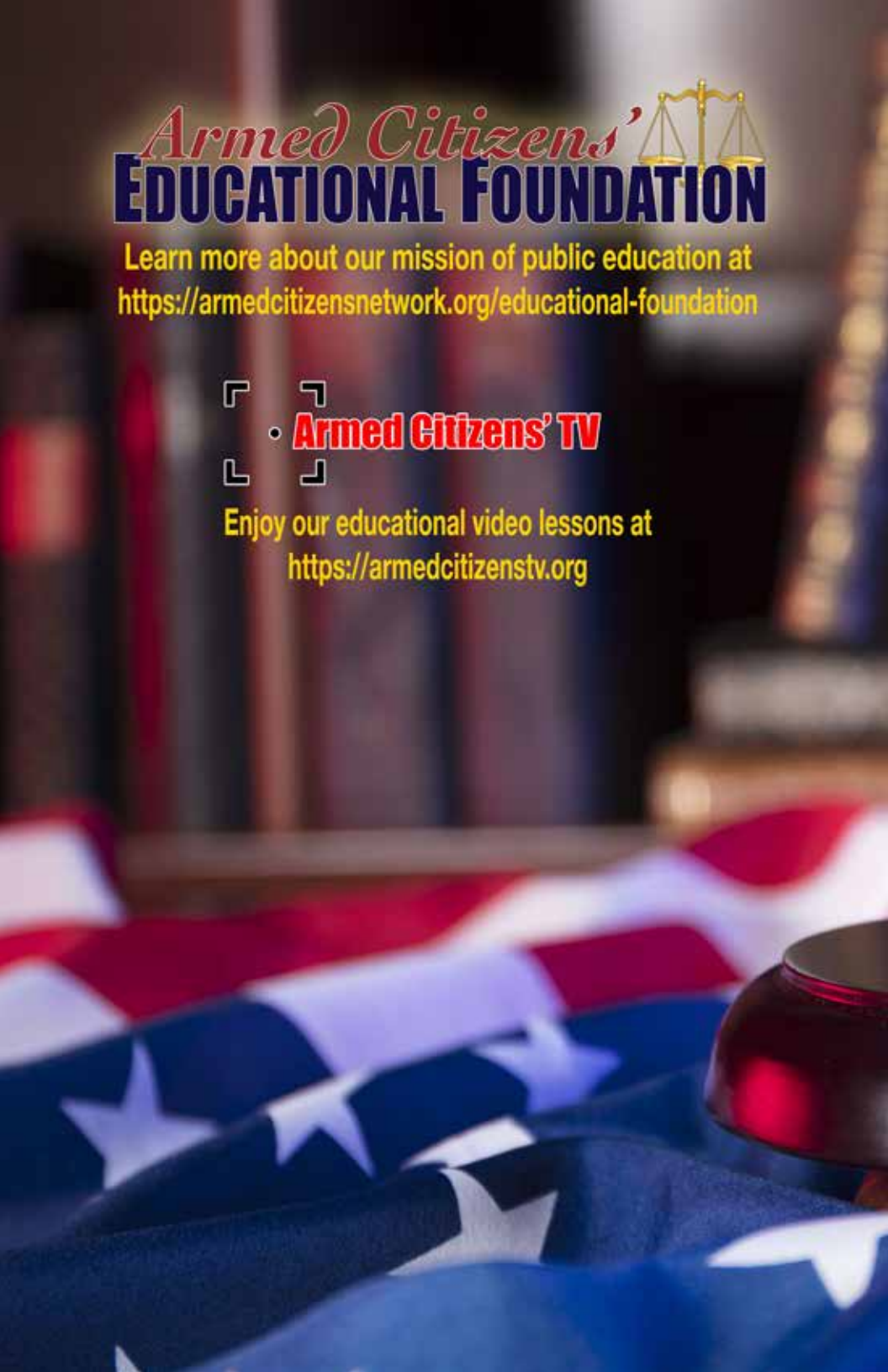
_____
(Street Address or Box Number, City, State and Zip Code)

Booklet Received from

I agree to pay the amount indicated above.

_____
(Signature authorizing charge)

Mail to: **Armed Citizens' Legal Defense Network, Inc.**
P. O. Box 400, Onalaska, WA 98570 • fax 360-506-5172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EDUCATIONAL FOUNDATION
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