

Balancing Dangers

An Interview with John Farnam

Interview by Gila Hayes

Last month a Network member asked for instruction on how to make a personal threat assessment to determine what parts of his life require higher levels of vigilance to avoid or survive danger. My mind immediately went to our advisory board members, respected personal safety instructors all, and I determined to ask several how they advised students to evaluate the risks in their lives. As you might expect, the directions the resultant discussions went were divergent, and yet somehow they also dovetailed so well that the question was not who's response to publish, but rather how to present all of the valuable information so our members learn the most! I spoke with Farnam during an industry convention, the SHOT Show in Las Vegas in January. He generously set aside time to answer my questions, and his answers were certainly not what I expected. Farnam is eminently qualified to discuss risk assessment as he has been teaching armed defense for over 40 years. Another Advisory Board member, Tom Givens, was present briefly at the convention too, and while he has agreed to also weigh in on this question, but we must postpone his contribution to this line of inquiry until later.



Since Farnam is a riveting extemporaneous speaker, we'll switch now to the conversational Q and A interview format familiar to journal readers, hoping to share a taste of a conversation with this master.

eJournal: John, you do a superb job teaching principles while not getting mired down in specifics that may not apply to everyone. You teach us how to THINK instead of telling us what to DO, so when a Network member asked for ideas to help him make a personal threat assessment, I wanted to know how you might have answered.

Farnam: Well, we have an expression in our business, "Where you stand depends on where you sit."

eJournal: How does that apply?

Farnam: When you're a good-looking young person and you're out and about and looking for romantic sorts of liaisons, your threat exposure will be a good deal different than when you're married and settled down, don't enjoy nightlife and spend your time at home. Or, when you travel a lot overseas or domestically, stay in lots of hotels and rent lots of cars, your exposure is going to be different than lots of people's.

I tell my students, your life is YOUR life. You make a living however you have to, and things that aren't important to me may be important to you. Within that prison of circumstances, let's see what we can do to lessen your exposure.

eJournal: Do you mean without modifying their current lifestyle?

Farnam: I can't guarantee that there won't be any changes, just as when we talk to women carrying guns for the first time. As you well know, it is far more challenging for women to hide concealed guns than for men, due to fashions, body shape and a number of things that probably aren't going to change anytime soon. Most women I know probably are not going to dress like men so they can carry a gun, so I say, "Look, we are going to try not to turn your life upside down, but when you want to be one of us—when you want to carry—there are going to be a couple of changes you have to make. We'll try to minimize the impact, but if even the slightest change is more than you can bear, then you are going to have to go back to eating grass, because you can't be one of us."

eJournal: Good example, and really it applies to either gender. You have to make some adjustments to carry a gun. What else helps manage risk?

Farnam: Don't go to stupid places; don't associate with stupid people; don't do stupid things. We will add to that, be in bed by 10 o'clock.

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eJournal: That is going to be hard for some!

Farnam: Yeah, and if you didn't like that you are really not going to like this: Have a "normal" appearance. Just look normal. If you have a flashy personality, you are going to attract attention. In my classes, I have had young women who are very good-looking and glamorous who make their living by their appearance. They are accustomed to dressing in a way that attracts attention. You should talk to them some time; have a heart-to-heart. 95% of the attention they attract, they do not want and at some point most of them actually develop a dual personality. Sometimes they deliberately try to look unattractive. They deliberately dress down.



eJournal: Realistically, are you advising us to work for a neutral appearance? Few will really go for unattractive!

Farnam: You might actually have to function on two tiers. When you are going to a debutant's ball, you probably want to look as nice as you can. In what we call a controlled environment like the debutant's ball, there is a lot less risk exposure than if you walked to the supermarket to get groceries. When you are in an open area out in public where you have no control, I think you have to have your alternate appearance, which is less likely to draw attention: less bright color, less flashy jewelry, even something as simple as [avoiding] high-heeled shoes. High-heels are designed to angle the hips in a way—I know it has this effect on me—when I see out of the corner of my eye a woman in high-heeled shoes I turn to look. It is a visceral reaction. I think all us males, whether we realize it or not, are continually assessing the sexual potential of every female we see. Fixing that would be as simple as replacing the high-heeled shoe with a flat that doesn't angle the hips that way and you could probably for all intents and purposes become invisible!

eJournal: Very useful for ladies. What is the parallel for men? Tattoos? Jewelry?

Farnam: In my generation, men didn't wear jewelry. They do now. When things flash and glint, the flash of light turns heads and you ask, "What's that?" It gets people to pay attention. Again, at the debutant's ball, that is fine. Out in public, along with wearing bright colors, it is probably not a good idea. If you could just look normal... *[gestures at his cargo pants and brown vest]* Well, I'm not sure how normal I look...*[breaks out laughing]*

eJournal: You look Western, John.

Farnam: *[With serious expression]* The ultimate compliment would be, "You look invisible," because I like to be the one nobody notices. If I want to get noticed, I will get noticed, but nine times out of ten, I don't. Especially if I am traveling by air, I want to be the one no one remembers. Why? Because it is in my best interest!

However, if I face a potentially injurious circumstance, what is the one question I need to ask myself? What can I do to keep from getting hurt? That's what I need to answer: What can I do to keep from getting hurt?

Well, the best answer is don't be there. Arrange to be somewhere else! That goes to lifestyle, of course, but not every danger is that avoidable so if you see things going down hill, get out of there. It's time to get distance.

eJournal: What hints indicate impending trouble?

Farnam: It is just like defensive driving. When you learn how to drive, you're behind the wheel and your instructor says, "Look down the road." When you are looking down the road you are looking into the future, because you are going to be there in a couple of seconds! As in driving, you learn to recognize what is trouble in the making; in our business we call it pre-assaultive cues: postures, expressions and behaviors that signal that things are very close to getting a great deal worse.

So when we are eating in a restaurant and two tables away a violent verbal argument breaks out and people are shouting and exchanging threats, what do we say to ourselves? "Let's go. Let's go!" I don't know these people; I don't know where this is going; I don't want to know. When curiosity overcomes logic, people get in trouble. I've told you, "Get out of there!" Stay, and you may learn far more than you wanted to know. You may get sucked into something and then it may get a lot worse.

eJournal: Some will worry, "Everyone will think I'm paranoid running at the first sign of discord?" or say, "I feel so foolish getting up and walking out on a good dinner?"

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Farnam: Once again, where you stand depends on where you sit. When I gave this lecture in New York City, students told me, "If I got up and left every time arguments take place next to me, I would starve to death!" So maybe in New York City, we would have to modify this for the circumstances.

Of course, you can take it too far! You can be so consumed by this that you forget to live. It is important to me to do all the things that life offers: to have wonderful relationships, to travel and have experiences and a risk attaches to every one of those.

eJournal: For example, you haven't stopped traveling to Africa, which I know is something you love, yet one could say, "John, that is terribly dangerous."

Farnam: Excellent point. Now, if I was a young father with a couple of toddlers I would probably think twice about doing that. My kids are all grown and on their own; when I die they will be fine.

eJournal: Your decision is based on your circumstances, then. Does the same apply to choices, oh, let's say, to drive a Ford or a Mercedes? Are those decisions the kind of risks and rewards you mean?

Farnam: Yes, it is something as simple as your choice of a car. Once again, what is in my best interest? When someone says what kind of gun should I buy and my answer is typically, "Well do you want a gun to impress your friends or your enemies?" You want to impress your friends? Get some flashy piece of garbage and they'll all go ooh and aah. If you want to impress your enemies, get a Glock.

This is the same thing. Why do you want a car? To impress your friends or to impress your enemies? We have to ask these questions. I have had people say, "I live in El Paso, Texas and I drive a Mercedes." I would say that is probably NOT fine, a lot less than it would be in New York City.

In El Paso, those cars are worth a lot of money across the border in Mexico, a lot more money than your life is worth to carjackers. You have to ask yourself how important it is to you to have that Mercedes, or maybe more important, ask why impressing people is so important to you, because a luxury car is going to raise your profile a good deal.

eJournal: Using the El Paso illustration: Recognizing risk requires that we know what crimes are committed and how victims are selected where we are at, since a person in Massachusetts has entirely different concerns than the El Paso resident. How can we get intel on which to base relevant decisions that are sensible for our own circumstances?



Farnam: That is a good question and I am not sure there is a very good answer. I do not know of any directory that shows you the risks, and the things you might imagine would help won't. Imagine that I am going to such and such a state, I'm going to take my gun, so I call the state attorney general. What is the attorney general going to tell you? "Guns are dangerous!" He is not going to give you any useful information. You are not going to talk to him anyway, you are going to talk to an assistant and they are not going to give you any useful information, and the police probably are not going to give you any

useful information unless you know them personally. The best way is to talk to people who live there. You'd say, "I am going to go there, so what do you know about things?" That could be helpful.

As you know, we don't get a risk-free life, and in the end, we are all dead anyway, but violent death and violent injury is not something most of us see every day, but it is probably more common than most of us realize.

eJournal: However, if we are blind to certain hazards that are right in our path, that's a problem.

Farnam: And sometimes we're voluntarily blind because we don't want to think about that and I think actually obsessing about threat is probably not healthy.

eJournal: We need to find the middle path.

Farnam: If someone asked me, "Should I carry six guns, or maybe fifteen?" I'd say, "Far be it from me to tell you what to do, but fifteen? I'm not sure where you are going to put all of those." And "I'm so afraid, I'm just going to sit at home and lock my door and never go out because I don't want anything bad to happen to me," well if someone said that I would probably suggest that they were mentally ill.

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eJournal: But the other extreme is strolling out on the Las Vegas strip at 1 a.m. in the morning scantily clad...

Farnam: Or going to New York and asking some cop, "Where can I check my gun?" I am continually astonished by the level of ignorance of the average American on this subject or a half-dozen others.

eJournal: What are the most prominent stupid things armed citizens naively do?

Farnam: Being out late at night. Nothing good happens out after midnight. If you made no other lifestyle change other than being in bed by 10 o'clock, you would avoid 99% of the bad things that would ever happen to you. Nothing good is going to happen to people who stay out late at night, particularly when you are carrying a gun.

eJournal: I wondered where you would draw the line.

Farnam: We instructors have got to empathize with our students. We give guidance. We try to provide good guidance. There are risks involved in carrying a gun, even for police officers.



eJournal: How do we decide what is a reasonable level of risk?

Farnam: I minimize risk; maximize the reward I get from living. With all the risks that attach, there are still a lot of things that I want to do.

eJournal: That is a good idea, and I think your enthusiasm for life offers a very good example we can look at and say maybe I can do that, too.

Farnam: If Farnam can do it, how hard can it be? *[Laughs]* But I really haven't given you a very good answer to your question.

eJournal: I don't think universal answers exist. Readers can implement the principles you've given. You've given guidance, and lots of things to think about. I appreciate that and so will our readers.

Farnam: While I'm not worried about you doing evil things, but don't do stupid things. Make logical decisions that appear good and right and true and some of them will be right. I do not carry a gun for any other reason other than to give me options that I would not have without a gun in a life-threatening circumstance.

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Please enjoy the next article in this eJournal.]*

PRESIDENT'S MESSAGE

ZOMBIE ATTACK!

by Marty Hayes

That's how I felt when walking by many of the target manufacturers' booths at the SHOT Show. Talk about stupid! The recent zombie craze that has hit the shooting crowd is just plain ill conceived, and if you actually thought about it for more than two seconds, you'd understand that by buying into gun products from the zombie craze is setting yourself up for possible disaster.



Imagine being a little old lady on a jury who is deciding your fate after you shot and killed a homeless person who was kind of dressed like one of those zombie targets after that homeless person stepped upon your front porch and made threatening gestures that lead you to believe he was armed and intending to kill you. It is the job of the little old ladies on the jury to decide if you acted as a reasonable and prudent person would when you fired several shots into the torso and head of the zombie look-alike.

Imagine, that the prosecutors admit into evidence the images of the deceased, doing a surprisingly good imitation of a zombie, complete with rags covering parts of the body and bleeding holes in the ragged clothing.

In addition to that evidence, imagine the prosecutors admit into evidence your stash of zombie targets, both shot up and new that the police confiscated after a lawful search of your home.

They got a search warrant after you denied them entry. It was a lawful search warrant because on the warrant, the police listed as possible items of evidence of a homicide, including "guns, ammunition and other evidence related to firearms use." And, because the local anti-gun judge signed it, it was lawful on its face and so the evidence makes it into court.



So, there you are, the only witness to the incident, trying to convince the little old lady on the jury that you are a reasonable person, and only did what a reasonable person would have done when approached and threatened by the raggedy-looking fellow you shot multiple times. All well and good, until the prosecution cross examines you and asks you about the used and new zombie targets that you routinely use when practicing to kill zombies. What are you going to say? It was just all good-natured fun?

How do you answer the question, "How do you kill a Zombie?"

"Ahh, shoot him multiple times in the chest and head?"

Of course it could be even worse for you if you happened to use the Hornaday's Zombie killer ammunition, Z-Max. No, I am NOT kidding. And, please understand I think the privately owned Hornady brand is a great brand, and Steve Hornady is one of the true good guys of the industry. But, this one is a gutter ball.

Okay, enough about zombies. It sickens me to see the subject of honest use of deadly force in self defense taken so frivolously.

This is going to piss you off: As you know, we here at the Armed Citizens' Legal Defense Network take our role in educating our members regarding the use of force in self defense and how to handle the aftermath of that use of force very seriously. In fact, how to handle the immediate aftermath is only second in importance to that of making the correct decision when faced with a deadly attack. In view of this, I try to keep abreast of all trends and issues regarding use of force, be that for the armed citizen or law enforcement.

In fact, because there is much more money spent on the law enforcement side of the issue (training, legal cases, etc.) many of the use of force issues, even for civilian self defense, are first exposed and explored in the law enforcement arena. Because of this, I am on the Force Science Research e-mail list, which recently e-mailed the following discussion.

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Should civilian shooters get the same treatment as OIS [officer involved shooting] survivors?

Ray Meyer, a retired sergeant of the California Highway Patrol, emailed this note to Force Science News:

Don't jump to conclusions on what I believe, but here's a question. We always treat the officer involved in an OIS as if it's a good shooting. Assume a citizen involved in a shooting has a concealed firearms carry permit or was acting in self-defense on his own property and based on his initial statement and initial review of the evidence the shooting appears justified. What would you do if the citizen says he'll give you his firearm when he gets another one on and he tells you he will provide a full statement after he gets two sleep cycles and has his attorney present?

Do you give him a ride home to change clothes before taking him to the station for questioning and/or letting the press see him? Whatever you do for an OIS, would you do the same for a legally armed citizen? Is a team like an OIS team assigned, or are the on-call homicide detective and the standard CSI crew used? Should we care when a citizen with a concealed firearm carry permit is involved in a self-defense or threat-to-life shooting?

Retired after 32 years in law enforcement, I am authorized to carry a concealed firearm and I have a non-resident permit from the state where my daughter's family lives. So I'm curious about how I will be treated.

Dr. Bill Lewinski, executive director of the Force Science Institute, offers this response:

A legally armed civilian and a sworn peace officer are not comparable in the context of a shooting situation.

An officer is acting under the color of law and is generally performing his assigned role as society's representative when a shooting occurs and will likely continue in that role in some format after the shooting - subsequently the replacement of a professional instrument that is a required tool of the job. Further, as part of his selection process, he has been assessed on the basis of background checks, mental health and fitness evaluations, and training. His job performance is supervised and evaluated. He has a track record that is known to his department. He operates under a special duty and special regulations.

A civilian or retired law enforcement officer, even if legally armed, is likely not acting under color of law and may be an unknown entity to the investigating agency. In both cases, the shooting must be thoroughly and fairly investigated. But where an on duty officer is involved, a more specialized investigation is likely to be appropriate.

Because of the probability that it will be involved in a civil lawsuit, the department has a particular interest in the nature of an OIS investigation, apart from concerns about criminal violations. There may be Garrity issues union and policy matters, media and community perceptions, and training considerations that don't apply to civilian actors.

Are officers really treated with the special sensitivity that Sgt. Meyer suggests?

They should be, because of their special status. But unfortunately, they still are not in many jurisdictions, given the same level of consideration of a citizen. To get rest, shower, change clothing and legal consultation prior to giving a statement, for example, all a civilian needs to do is invoke his Miranda rights. The citizen, if they choose, could come back sometime later with their attorney and give a formal statement. For officers on many agencies who feel they are trapped in a pressurized and coercive environment after a shooting, that would be a procedural improvement!"

Quoted from an e-mail sent to the author, by the Force Science Institute, on January 15, 2012.

Isn't it nice to hear that all you have to do is invoke your Miranda rights and schedule an appointment? "Gee officer, I think I will at this time invoke my right to remain silent, but don't worry. My attorney will get back in touch with you for a time when I will come in for a formal statement." Think you might spend the night in jail? Sheesh...

NEW ATTORNEYS

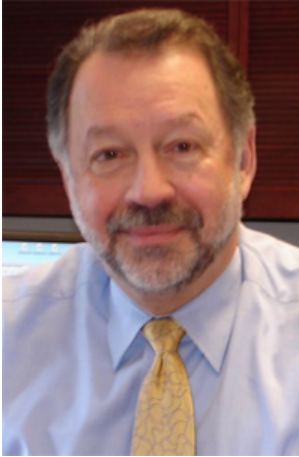
We recently added affiliated attorneys in the very member-heavy areas of Sacramento CA, Jacksonville, FL, Racine, WI, and Phoenix and Flagstaff, AZ plus another each in Massachusetts and Connecticut, too. So, for members of those areas who have been looking for an attorney to represent them if needed, please consult the member-only section of the website and look up your state.

While we are speaking about attorneys, if you have been wondering when we would add attorneys to the list for your state, you might want to check the attorney section of the website (<http://armedcitizensnetwork.org/attorney-list>) to see the progress of this ongoing work.

We still badly need attorneys for North and South Dakota, Wyoming, Maine, New Jersey and Delaware and are always interested in adding more to the states in which we already have affiliate attorneys. If you know of an attorney or even several attorneys that might complement our Network, please let us know, or ask them to consider affiliation (see <http://www.armedcitizensnetwork.net/affiliates>). The Network is only as strong as its members.

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Please enjoy the next article in this eJournal.]*

VICE PRESIDENT'S MESSAGE



SHOT SHOW REPORT

by J. Vincent Shuck

Marty, Gila and I attended the Shooting, Hunting and Outdoor Trade (SHOT) Show in Las Vegas last month. This meeting is the single best place to see just about everyone and everything involved with the firearms, ammunition, hunting, knife and shooting sports industry. Open only to the trade and those involved with the trade, it is sponsored by the National Shooting Sports Foundation (NSSF) of which the Network is a member. Over 60,000 individuals participated, about 2,000 exhibitors displayed their goods and nearly 2,500 media representatives roamed the exhibit floor.

The three of us each had a few specific tasks to accomplish at the meeting. In addition to our chance to look at new product announcements and displays, Marty was interviewed by some of the media representatives, Gila conducted interviews of the industry's luminaries for the eJournal and I focused on expanding corporate sponsorship and contacts. We were successful with our goals and had great opportunities to represent the Network.

We had the chance to renew our relationship with several of our current sponsors and established new affiliations with others. To name a few, our friends at Galco (I'm pictured above visiting with Mike Barham of Galco) and CorBon will be donating items and the new sponsors that we have confirmed so far include Glock and Black Hills Ammunition. A few others are being pursued. Watch for announcements of items from our supporters being listed on GunBroker.com. As a reminder, all income



from these auctions goes directly into the Legal Defense Fund.

FIREARM SALES

Just about everyone at the SHOT Show expressed good news about the industry. We saw enthusiasm on the part of sellers and buyers and most expressed a prospect for a good year ahead. Thanks to our passion for firearms, the \$4 billion firearms and ammunition industry has been a bright spot in a down economy. The industry supports many small businesses, like gun shops and instructors, and helps preserve the 180,000 jobs associated with the shooting sports. President Obama should be complimenting the industry, not considering ways to restrict it.

At the meeting, it was confirmed that more and more law-abiding citizens are choosing to exercise their Second Amendment right to keep and bear arms. Indicators reveal a record-setting sales year in 2011 and a growing interest among citizens, especially women, in owning a firearm for personal and home protection, and they are doing so in a safe and responsible manner.

It was reported at the meeting that first-time buyers represented 20% of the gun consumers during the past year and many sporting goods stores are transitioning from a focus on hunting equipment to self defense products.

To document this trend, December 2011 marked a 19th straight month of background check increases, which federally licensed firearm retailers use to conduct the mandatory background check on purchasers of new and used firearms. Another indicator pointing to robust gun sales is the federal excise taxes collected on the sale of new firearms and ammunition, which have risen 48.3% over the last five years.

Important to this discussion is the release of FBI data showing that violent crime continues to drop and two other important statistics show a historic low level of firearm-related accidents and a record low support for more gun control. To my gun toting friends, this tells me we should keep buying, keep practicing, keep training and keep informing our non-gun-friendly skeptics that we have even more information and facts that prove our point.



Ammunition

The only down side to the positive industry news was a speculation that the November election could produce a reelection of Mr. Obama and thus create an election proof second term for him that would produce new restrictive gun laws, or executive orders if he finds an uncooperative Congress. Of course, that outcome is up to us – we all need to make sure we are doing our part to insure this doesn't happen. More on this at a later time.

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Please enjoy the next article in this eJournal.]

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AFFILIATED ATTORNEY QUESTION OF THE MONTH



Thanks to the generous help of our Network Affiliated Attorneys, in this column we introduce our members to our affiliated attorneys while demystifying aspects of the legal system for our readers. The question currently under discussion grew out of concern expressed by concealed carry licensees that they don't know at which point in a developing confrontation they are allowed to draw and point a firearm at an assailant as one of their tactics to escape imminent attack. In a lot of states, displaying a firearm is termed "brandishing" and is a crime. Armed citizens aren't sure how their claim of "self defense" is invoked to avoid being found guilty of brandishing a weapon.

We asked our affiliated attorneys: "Can you explain your state laws on displaying a weapon to stop an attacker? When does the law allow pointing a gun at an assailant during self defense?" Their answers were so comprehensive that this column is a continuation of answers received and we will continue covering this question next month, as well.

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Florida is blessed with having a legislature that cherishes liberty and the inalienable right to protect life. While not perfect, the law governing when to draw, point, and discharge a firearm is effective.

For starters, Florida makes allowances for unintentional brandishing and display, providing it is not done in a threatening manner. Although this statute hasn't been scrutinized by the courts yet, it is reassuring to honest, law-abiding citizens to know they will not end up in jail for unintentional display while reaching for a can of creamed corn.

Florida allows its concealed carry licensees to draw and point a firearm to prevent a forcible felony. It is vital to understand that while a person can "use" a firearm to prevent a forcible felony, "use" does not automatically include discharge or lethal force since the presence of a firearm can stop or prevent a forcible felony. Forcible felonies include treason, manslaughter, murder, rape

(sexual battery), robbery (including carjacking and home invasions), burglary, arson, kidnapping, aggravated assault, aggravated battery, aircraft piracy, unlawful throwing/placing or discharge of a destructive device or bomb, or any other felony or misdemeanor which involves the use or threat of physical force or violence against any person.

Discharging a firearm, the use of lethal force, to defend yourself or another can only be just when there is a reasonable fear of imminent serious bodily injury or death.

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In Maryland the good news is that there is no brandishing statute per se. The bad news is that anyone who commits an assault (intentionally placing the victim in reasonable fear of physical harm) with a firearm is guilty of First Degree Assault, a felony punishable by up to 25 years in prison. The law is unsettled as to what role the firearm has to play in placing the victim in fear. Certainly drawing it and pointing it at someone does that. But what about merely pushing your cover garment back to reveal a holstered firearm? There are no reported cases on this issue in Maryland and every case I have defended against involved someone actually drawing the firearm and either pointing it at another person or pointing it at the ground. That being said I could certainly see a zealous prosecutor trying to push the envelope to include a holstered firearm.

This highlights a potential problem: you can be legally justified in drawing your firearm by meeting all the elements of self defense. But what if you draw your weapon where you are not justified in using deadly force? What do you do then once it's out there? For that reason I would recommend that in Maryland a firearm not be drawn unless the person feels they meet all the elements of deadly force self defense.

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In Michigan there are at least two legal theories that are present in a situation where a Concealed Carry (CPL) licensee might need to draw and to point a firearm at an assailant (a use of force situation).

First, there is the doctrine of arrest. In Michigan a private citizen may make an arrest in the following circumstances: 1) for a felony committed in the private

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person's presence; 2) If the person to be arrested has committed a felony although not in the private person's presence; 3) If the private person is summoned by a peace officer to assist the officer in making an arrest; or 4) if the private person is a merchant or security guard of a merchant and has reasonable cause to believe that the person to be arrested has been shoplifting. A private person, before making an arrest, shall inform the person to be arrested of the intention to arrest him and the cause of the arrest, except when [s/]he [the felon] is then engaged in the commission of a criminal offense, or if [s/]he [the felon] flees or forcibly resists arrest before the person making the arrest has opportunity so to inform him [her]. Reasonable force may be used to make an arrest, including the threat or actual use of deadly force.

In the situation described in the question above, a private person would have no duty to inform the assailant that s/he was to be arrested. The private person would have the ability to use such force reasonably necessary to arrest the felon, including the threat or use of deadly force, which would necessarily mean that a gun could be pointed at the assailant.

Second, Michigan has a self-defense act, which reads: "An individual who has not or is not engaged in the commission of a crime at the time he or she uses deadly force may use deadly force against another individual anywhere he or she has the legal right to be with no duty to retreat if either of the following applies: (a) The individual honestly and reasonably believes that the use of deadly force is necessary to prevent the imminent death of or imminent great bodily harm to himself or herself or to another individual. (b) The individual honestly and reasonably believes that the use of deadly force is necessary to prevent the imminent sexual assault of himself or herself or of another individual. (2) An individual who has not or is not engaged in the commission of a crime at the time he or she uses force other than deadly force may use force other than deadly force against another individual anywhere he or she has the legal right to be with no duty to retreat if he or she honestly and reasonably believes that the use of that force is necessary to defend himself or herself or another individual from the imminent unlawful use of force by another individual."

There are presumptions and limitations in the self-defense act and Michigan gun owners need to go to the [Michigan State Legislature's website](#) and read these details.

As applied to the question above, the self-defense act would allow a Concealed Pistol Licensee to point a gun and to shoot an assailant if the Licensee had an honest and reasonable belief that imminent death of, sexual assault of, or great bodily harm to himself or herself or another individual will occur if both of the following apply: (a) The individual against whom deadly force or force other than deadly force is used is in the process of breaking and entering a dwelling or business premises or committing home invasion or has broken

and entered a dwelling or business premises or committed home invasion and is still present in the dwelling or business premises, or is unlawfully attempting to remove another individual from a dwelling, business premises, or occupied vehicle against his or her will. (b) The individual using deadly force or force other than deadly force honestly and reasonably believes that the individual is engaging in conduct described in subdivision (a).

The self-defense act would not apply in a situation involving a law enforcement officer, a domestic violence situation, or where the person using deadly force was committing a crime.

In any situation where deadly force is threatened or used, there will be considerable amounts of stress involving the person threatening or using deadly force. Law enforcement officers involved in deadly force situations have certain advantages over the general public: they have had much more training in shoot/don't shoot situations than private citizens have had in concealed carry training; they are trained what to say in reports; they have counseling available; and the persons doing the investigation of the deadly force incident are other law enforcement officers. Private citizens are on their own when it comes to deadly force situations.

Both the arrest and self-defense theories outlined above depend on what the person threatening or using deadly force was thinking and intending at the time that the threat or use of deadly force occurred. Self defense requires an "honest and reasonable belief" that an assailant will use deadly force and only applies in a limited set of factually specific situations. Arrest is a broader defense but also requires the private citizen to use objectively "reasonable" force.

It cannot be stressed enough that legal counsel be consulted PRIOR to making a statement to law enforcement after a situation where deadly force has been threatened or used. What is said and how it is said matter greatly. Making statements to law enforcement while under the extreme stress involved in a use of force situation invites the possibility of legal troubles.

We appreciate the generosity of our Affiliated Attorneys who share their knowledge with our members through this column. The Network recommends that members get to know the Affiliated Attorneys in their state. For contact information for those Affiliates, see <http://armedcitizensnetwork.org/attorney-list>. Member log in required.

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NETWORKING



by Brady Wright

Each month, I spend a lot of time on the phone and the computer playing solitaire...no wait!...I spend that time talking with many of our members, gun shops, affiliates and instructors! Yeah, that's it!

It's great to get to know you folks and

hear some stories about what's going on in your work to spread the word on firearms safety, concealed carry, and the various legal aspects of going forth armed in this world. Believe me, we humble folks at the Network really appreciate having you in the family.

Case in point is a conversation I had with Harold Wakely, of Pine Island Guns aka PIG, in Cape Coral, Florida, a relatively new member. During the call I mentioned that I had checked out his Facebook page, where there is a picture of his store truck. There is a photo attached here so you can see why I said, "Nice paint job." He said, "The truck is even funnier if you know that I am also a deputy, hence Pine Island Guns aka PIG." This qualifies Harold for the Sense of Humor discount! You can check out his classes and other offerings at his FaceBook page or call him direct at 239-283-0000.

I want to do a shout out to the people at Blackwater Tactical at <http://www.blackwatertactical.us> They send out a regular newsletter to their clients and it comes your way whenever there are new class dates, updates, or events affecting your rights as a legally armed citizen. For folks in or near the Portland/Vancouver corridor, they are a great resource.

Lots of times, there are businesses that focus on a specific area of the armed public arena and, even if that focus is to the side of our main thrust at the Network, it may be a great resource for our members. The Survival Podcast is one of those businesses. Their website is www.TheSurvivalPodcast.com and they are VERY professional at keeping people informed about that topic and everything that relates to it. As a long-time



promoter and communications fan, I really appreciate a business that takes the time to know the needs of its target clientele and keeps them informed and updated on everything necessary to serve them. Consistency and professionalism are the keys to this, and the Survival Podcast has that in spades!

If you haven't joined the Network Facebook page, consider doing so. In addition to the general great discussion of all things ACLDN, it gives members and FB fans a chance to share things of interest to all. The advantage of Facebook, in case you aren't aware, is that a post on our page may also show up on the pages of the members making the post...hence it is viewable by all of HIS friends. That can be a powerful marketing and promotion tool all by itself! As an example, our friend Rob Grumman, who is a software engineer, found an example of some excellent tips for new (and experienced) concealed carry permit holders in an article from the Examiner in Detroit. He shared it on the FB page; <http://www.examiner.com/firearms-in-detroit/advice-to-new-concealed-carry-permit-holders> and we liked it so much that I wanted to put it out to the folks who read the column here. Thanks to Rob for finding the original piece.

Many of you have noted in our conversations that February 14, Valentine's Day, is being set up as a potential 'make your point' day by the National Gun Victims Action Council. They are calling for a boycott of Starbucks on Valentine's Day because Starbucks refuses to ban legal citizens from exercising their constitutional right to carry a firearm in their establishments. In a statement, Starbucks simply said that they would support the laws of whatever state they operated in and not get involved in 'causes' either way.

Smart, in my humble opinion. It might be a good day to simply go to Starbucks as a simply show of support and thanks for their stand. Besides, any day is a good day for a cup of coffee!

Finally, now that SHOT Show is finished, we are all getting back to the business of improving the Network and making sure that each of you

get the personal attention you deserve. Marty, Gila and Vincent met and spoke to hundreds of old friends and new folks at the show and we are now working through the new memberships, material orders and conversations that resulted from those few days in Vegas. To all who stopped us in the aisles to chat, Thanks! See you next month.

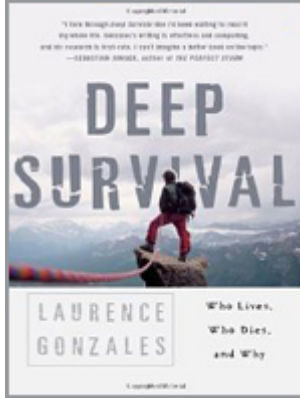
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BOOK REVIEW

Deep Survival: Who Lives and Dies and Why



By Laurence
Gonzales
W. W. Norton &
Company (October
17, 2004)
ISBN-13: 978-
0393326154
318 pages, softbound

*Reviewed by Gila
Hayes*

In past journals we've
reviewed a wide

variety of books and DVDs on topics ranging from tactics to training to science. Combining a little from all those genres, *Deep Survival* is an extremely readable treatise about the mental aspects of survival memorably illustrated by adventure stories. It is a great way to absorb inspiring lessons.

Raised on the legacy of his bomber pilot father's miraculous WWII survival, author Laurence Gonzales grew up intrigued by what he calls the "psychology of risk taking and survival." Introducing his topic, he suggests that survival is less tied to material or physical preparations, than to the emotional makeup of the survivor.

Gonzales pessimistically estimates that only 10-20% of people can remain calm, think effectively and adapt quickly in an emergency. He cites examples of skilled outdoorsmen who ignored various hazards to their extreme detriment. Why? Trying to understand, Gonzales studied night landings on an aircraft carrier, mountain climbing, fire fighting, and other high-risk endeavors. Survivors are not "immune to fear," he stresses early on, explaining that fear is important to survival. The trick, he explains, is not to yield control to the fear, quoting an officer on the aircraft carrier Carl Vinson who advises pilots that once fear "is out of the bottle, you're on a runaway horse."

Controlling fear requires a partnership between intellect and emotion, Gonzales theorizes. "Reason is tentative, slow and fallible, while emotion is sure, quick and unhesitating." In addition, humor keeps people in touch with reality when fear makes understanding complex instructions impossible, he continues.

Laughter activates the left prefrontal cortex, the author writes, explaining, "That stimulation alleviates anxiety and frustration. There is evidence that laughter can send chemical signals to actively inhibit the firing of nerves in the amygdala, thereby dampening fear."

Reasoning suffers when fear activates the brain's survival response, and the [amygdala](#) takes charge. When it's in control we are driven by implicit or unconscious memories, not abstract principles memorized in training. Cortisol released into the blood stream inhibits hippocampus function and clear, thoughtful problem solving goes out the window as the amygdala takes over. With the prefrontal cortex no longer processing inputs and making decisions based on perceptions, "You see less, hear less, miss more cues from the environment, and make mistakes," Gonzales explains.

Gonzales credits emotion with decisions requiring leaps of logic, gut feelings and actions done on autopilot. "The emotional system reacts to circumstances, finds bookmarks that flag similar experiences in your past and your response to them, and allows you to recall the feelings, good or bad, of the outcomes of your actions. Those gut feelings give you an instant reading on how to behave. If a previous experience was bad, you avoid that option." The bookmarks work seamlessly in day-to-day life, he notes, but they also explain cases in which scuba divers remove breathing apparatus in deep water, apparently panicked that they cannot breath with mouth and nose covered. Here bookmarks failed badly in "unexpected or unfamiliar hazards."

When the bookmarked experience urges the wrong response, reason must step in to "constrain action" or disaster ensues, but intellectual knowledge can fail because, "We think we believe what we know, but we only truly believe what we feel," the author writes. Blame that darned amygdala! The neo cortex controls "your analytical abilities," Gonzales explains. "But the amygdala stands as a sort of watch dog for the organism," reacting to perceptions that come first to the thalamus, traveling to the middle layer of the neo cortex for processing. "Before all that can be completed, a rough form of the same sensory information reaches the amygdala by a faster pathway. The amygdala screens that information for signs of danger... if it detects a hazard, or anything remotely resembling one, before you're even conscious of the stimulus, it initiates a series of emergency reactions," he writes.

What's a poor neo cortex to do? Recognize when an emotional response is underway, Gonzales advises. "Read and perceive circumstances correctly...to override or modulate the automatic reaction if it is an inappropriate one...to select a correct course of action." The best survivors expect rapid changes and train themselves to change tactics. Much later in the book, a story about an injured mountain climber shows how a determined shift to neocortex-based thinking can be accomplished, though it is a difficult task. This story is told in the thirteenth chapter and is perhaps the most profound and inspiring of Gonzales' many instructive examples.

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Remember that implicit information is stored in and delivered through a different part of the brain than explicit information. "As complex as the brain is, the world is more so. The brain cannot process and organize all the data that arrive. It cannot come up with a reasonable course of action if everything is given equal weight and perceived with equal intensity," Gonzales explains. The brain copes by creating models from previous experiences to estimate details about the current situation.

Unfortunately, the model tells you what to expect, so you think proven responses are appropriate, whether or not they are. Worse, the brain disregards information that does not fit into its model, so fatal decisions can result. "The difficulty begins when reality does not match up with the plan," Gonzales writes. The brain's imaginative power is so strong that when a plan doesn't match with reality, "revising such a robust model may be difficult. In an environment that has high objective hazards, the longer it takes to dislodge the imagined world in favor of the real one, the greater the risk." Training is one way to revise a scripted plan, he later writes.

Studying a hiker lost in the wilderness, the author details stages of self-delusion, wrong decisions, acknowledgement and attempted corrections. While not specifically applied to armed self defense, the discussion of mindset provides principles does apply.

"There are great survivors and helpless victims on the curve of human ability. Most of us are neither. Most of us fall somewhere in between and may perform poorly at first, then find the inner resources to return to correct action and clear thought. If the object of the game is survival, that will do," Gonzales writes. Later he adds, "Some give up and die. Others stop denying and begin surviving. You don't have to be an elite performer. You don't have to be perfect. You just have to get on with it and do the right thing."

"Survival is not about bravery and heroics...Survivors aren't fearless. They use fear and turn it into anger and focus," he continues. Gonzales describes a group of survival trainees so exhausted, cold, wet and fatigued that they succumbed to apathy, sit down and give up. Exhausted by a panicked all-out run for safety, when their energy was drained, they gave up. Fatigue is as psychological as it is physical, he asserts.

Gonzales discusses applications of trained skills. Chapters about survivors who were well-prepared are even more revealing. "Survival starts before the accident," Gonzales observes, relating preparations a solo sailor made that helped him survive the loss of his boat. In addition to physical preparation, cool headedness opens senses to critical information, unlike the tunnel vision of utter fear. Turn fear into focus, he advises, quoting the sailor's memoirs, "I do not want the power from my pumping adrenaline to lead to confused and counter productive activity...Focus, I tell myself. Focus and get moving."

Humans are intensely verbal, and during duress, may lecture or voice verbal commands as did the sailor. Other times, survivors repeat mantras, verbally coaching themselves to do what is necessary, Gonzales writes. On the other hand, a story of a man who breaks his leg on a treacherous mountain descent teaches of the danger of verbalizing despair. Both the victim and his climbing partner believe that a broken leg is a death sentence, and as despair overwhelms him, the climber recognizes that if those thoughts run rampant, he will die. He looks for what he CAN accomplish and his partner does the same.

Both know the broken leg is a death sentence; neither voice the reality. They simply get to work salvaging what they can. Gonzales quotes Al Siebert's *The Survivor Personality*, "The best survivors spend almost no time, especially in emergencies, getting upset about what has been lost, or feeling distressed about things going badly...For this reason they don't usually take themselves too seriously and therefore are hard to threaten."

Neither do good survivors deny how bleak their situation is, Gonzales writes. They acknowledge reality, and with earnest hope, plan how to mitigate the problem, he writes, adding, "They know safety is an illusion and being obsessed with safety is a sickness. They have a frank relationship with risk, which is the essence of life. They don't need others to take care of them, they are used to caring for themselves and facing the inherent hazards of life...When they are in deep trouble, it is just more of the same and they proceed in more or less the same way: they endure."

Personality traits cultivated by survivors long before crisis include stoicism that reins in runaway emotions, Gonzales asserts. No one is coming to save you; survival is up to you. "A survivor builds up an account of commitment over a lifetime. The more he invests, the more he has when trouble comes," he writes. Ultimately, the survivor must alone control his or her emotions and shift decision-making to the rational mind. "Our survival kit is inside us. But unless it's there before the accident, it is not going to appear magically at the moment it's needed," Gonzales warns.

While this review can outline most of Laurence Gonzales' theories about reason, emotion and survival, what you've missed is the stories that drive home and clarify the learning points. *Deep Survival* is well worth its cost and the time you'll spend reading it.

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Please enjoy the next article in this eJournal.]

EDITORIAL

A Network of Individuals



by Gila Hayes

Americans seem to be increasingly confused about how individuals can pursue life, liberty and the pursuit of happiness without running afoul of one another. With little trust for our fellow citizens, we enact laws, trying to legislate all loss and risk out of life, or

more specifically, we pass laws to be sure that I don't harm you while I'm exercising my rights. Ayn Rand more succinctly put it in an essay published in the early 1960s, "A government is an institution that holds the exclusive power to enforce certain rules of social conduct in a given geographical area."

In fact, Rand posited that the "only proper purpose" for governmental bodies was to protect individual rights. In light of how government behaves today, that seems a funny contradiction to me. Seems to me that the individual is expected to support a government fully willing to squash the powerless individual, while naively believing that the government is necessary to protect the individual.

Even 50 years ago, Rand and thinkers like her, had become pessimistic about American's understanding of the true role of government. Prophesying current conditions, "the government is free to do anything it pleases, while the citizens may act only by permission" that philosopher opined that such an upside-down situation was not surprising, "made possible by the altruist-collectivist morality under which mankind has had to live through most of its history." Of course, this is the classic stuff of Ayn Rand, and you can find these particular gems and many more at [this link](#).

To read Rand's philosophy today is to conclude that in 2012, America has deteriorated into the very conditions the Founding Fathers fought, bled and sacrificed to overthrow! American individuals need to regain the power over our most precious resource, our intellect, and the work product growing out of that intellect, be that inventions, creative works, or just a simple life spent efficiently earning food and shelter for the family.

Looking back to how Americans lived 50 years ago it is easy to see why few citizens were worried that the government would step in to restrict basic rights like self defense. Can you imagine trying to start up our

organization, the Armed Citizens' Legal Defense Network, Inc., in 1962? That line of thought makes me wonder what legal threats the Network will need to grow to address in the next fifty years!

Now, in 2012, the government has become a tremendously overwhelming power that can easily crush the individual. This is the entire reason armed citizens need the Network. In the kinds of problems the Network solves, the problem primarily comes from the enormous power of government in even the armed citizens' home town and county. The citizen fights off criminal assault, solves that problem, then finds to their amazement that they are facing overwhelming expense for legal representation during questioning, may need to post bail if jailed, and must figure out how to pay for the quality of defense that can show a judge and jury the necessity of why they defended themselves. Balance those expenses and pressures against a government that employs a stable of prosecuting attorneys who specialize in dissecting citizens' actions and getting convictions for the crimes they think the citizen committed, in this case, assault, manslaughter or murder, all which are serious charges.

If the citizen can afford to keep an attorney on the job for six to twelve months of regular work to get charges either dismissed or obtain a court decision there is no basis for the criminal charges, well, the government can probably put in six years of aggressive prosecution to try to put that citizen in prison without even putting a dent in their department budget. If the citizen feels fortunate to be able to hire one attorney supported by a skeleton staff to defend him or her, the government even in rural counties usually has a half dozen prosecuting attorneys, amply supported by paralegals, secretaries, researchers and interns ferreting out details of the citizen's life and actions that they'll use to paint him or her as a threat to society.

Thus beset, the ruggedly independent individual desperately needs a way to also wield the power of many. That is the concept driving the Network.

The Network provides a structure for individuals to join together, so each wields a force we hope one day will grow to equal or exceed what citizens face from their government at the district court level where most of these cases are adjudicated. At 4,700 members and over \$165,000 in the Legal Defense Fund the Network is just beginning to see the outlines of the force for good the Network will be at double and quadruple its current size.

And while accumulating power for defense of the individual, the Network must never lose sight of the individual for whom it exists. The Network has a vigorous educational facet that distributes lectures on DVD to help members better understand justifiable use of force in self defense and its aftermath.

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While members are strongly encouraged to study, take notes and make the occasional review of the lectures, there are no tests or other competency requirements. We have to trust one another to take their preparatory responsibilities seriously. You are doing your due diligence, aren't you?

The Network is always working to increase the availability of Network Affiliated Attorneys (now at 220, that list is up 100 from January 1, 2011 number and still growing). Although we are very proud of the men and women from the legal profession who have agreed to affiliate with the Network, we do not force members to obtain their representation from an Affiliate. Our members are free to choose their own attorney either from our affiliates or from outside that list if they prefer. The relationship between the member and their attorney is strictly off-limits as far as the Network is concerned, and beyond urging members to have a

relationship with an attorney, we will never interfere with a member's decision about their legal representation. That's another individual choice the individual member must make.

When you become part of the Network, you become part of a growing power for good, an ever stronger force to counter the power of the government, the muscle of prosecutors, the criminal justice system, and the plaintiff's bar should a law suit be brought seeking damages from a member who defended himself or herself. But in joining with 4,700 other armed citizens, you only enhance your strength as an individual; you do not sacrifice your individual choices.

We believe that is of utmost importance.

*[End]
Please come back next month
for another edition of our eJournal.*