

## Putting Training into Context

### An Interview with John Murphy

by Gila Hayes

*A new voice is making important contributions to the world of practical firearms training. John Murphy now offers his Street Encounter Skills classes, once an east coast training opportunity at FPF Training, at a number of host facilities nationwide. He taught at the range next door to me a couple of months ago, providing the perfect opportunity to sit down and explore threats, defenses and training for today's world. I think you'll enjoy his observations, so we switch now to Q & A format and share some of our conversation.*

**eJournal:** I keep running across the term “contextual training” in reference to your work. How does that differ from most training for armed citizens?

**Murphy:** It is a much more holistic approach which takes into account the average citizen's everyday environment. People have interactions with other people all the time. Some are pleasant ones, and then some are less pleasant, and if we are not careful, “unpleasant” can become criminal. You have to understand a bit of psychology, a bit of what you are projecting. I would love to claim that this is all original work, but I have drawn it from so many that I am hesitant to start listing them for fear of missing somebody. I absolutely stand upon the shoulders of giants.

**eJournal:** Still, there's a particularly practical focus to what you teach that is uniquely “you.”

**Murphy:** I have found my niche. In training, we learn to shoot bulls-eyes and silhouettes. I can take that skill and expand it and put that skill into a highly consequential environment. By that I mean, if you take a class from a former special operator, you need to keep in mind they had the full faith and credit of the United States government backing up what they did. It is different for us: if we even touch a gun in public, we will be severely scrutinized.

The big lesson I need to drive home to people is “know yourself.” What sets you off? Don't let people push your buttons! There is a quote from a Roman guy, Epictetus, “If someone succeeds in provoking you, your mind was complicit.” That is really heavy. It came home to me when I had a little bit of a tête-à-tête in an RV park recently where someone pushed a button. I was both shocked and surprised at how quickly my mouth flew in response, when the appropriate response would have been, “Hey, that was an inappropriate thing to say.”

When the gun goes on, the ego needs to go off. I'm sure you have seen it: people let their egos draw them in like moths to a flame, then they find themselves over their head in a conflict. All they have got is their gun and then they apply it wrong. I call it hammering screws. You should have used a screwdriver, but no, you hammered it and now you have a deep, deep problem. There are so many off ramps and potentialities between the point of recognition and the point of action and before that, there's the decision process – like maybe I shouldn't even go to that place.

It is all about the context, all the way from a pleasant, “How do you do, sir?” to, “Pardon me, that is my parking spot!” all the way to “Hey, you blankety blankety, blank, what do you think about this!” and how he is going to mess you up. I try to project all of that beyond the realm of simple marksmanship, manipulation, and malfunction reduction. I have to equip people with a scope of skills to match that spectrum of possibilities. It starts with a bit of verbalization. I am an adherent of pepper spray; I think that it is a fine intermediate discombobulator, as I like to call it. Still, we can't treat that as a panacea any more than we can a .45 caliber bullet.

I am speaking out for a combination of hard and soft skills. In class, I use an illustration of a dial numbered one through 10. I have examples of what each number could look like. One and two is pleasant social exchange; three and four is somewhat awkward social exchange; five and six may be workplace conflict; in seven and eight, words have been exchanged and possibly blows maybe justifying pepper spray; nine is physical violence and ten is lethal force, period.

Now, in the center of this dial, I have a big red button. Sometimes, immediate use of a last resort is called for and you mash the big red button. We go to classes that I call big red button classes where we will practice pushing the big red button for hours on end. In reality, that is a very low-probability, high-impact event. Maybe we should allocate and apportion more from that training time to other eventualities and consequences.



*[Continued next page]*

October 2022

**eJournal:** The consequences?

**Murphy:** I teach a very basic Stop the Bleed class. If there has been shooting, there will be bleeding. If it is on the periphery, we want to have the capacity to take care of that.

Here's another consequence: If an event has a "before" and a "during," then there is an "after." There is going to be interaction with law enforcement. You have certain things to say, and you must have the capacity to understand when you have said enough.

I understand that there is a dichotomy. Some people favor giving a basic statement and then calling for the lawyer, and others advocate asking for a lawyer and shutting up from the get-go. In my classes, I give both sides. I can point to people who gave brief statements to police for whom things went really well; I also know of people who gave statements for whom things went really poorly.

**eJournal:** If we are smart enough and can make decisions well enough to carry a deadly weapon out in public, we had better be able to restrict what we say to the bare facts of what the person who attacked us did. It is very situation-dependent, though. I know a man who got bundled into the back of a police car at the scene and never had the chance to speak before being booked into jail. I mention that because it illustrates how our ability to adapt to various outcomes is another necessary component of going armed.

**Murphy:** You have got to be able to maintain your emotional detachment in that moment. You have got to be able to recognize what you should be saying and doing right now. Should you establish the active dynamic? Sure, but there are other times because law enforcement, God love them, already has the idea of what they believe happened, that you can get really balled up and shoved in the back of the car.

You also need to understand that law enforcement can run a game on you. That is part of their profession. I spent some time in the booth with my opposite number in Somalia and in Iraq and I know what a professional, trained interrogator can do. This may be my first self-defense incident, but the cop has been to 10 shootings this month. Can I control my mouth if I am in an adrenalized state?

I default to my number one skill for concealed carry: know yourself. Look back at your best moment and at your worst moment and recognize you are probably going to be somewhere in between. I have seen some armed citizens that were absolutely heroic, and I have seen some of whom I had to say, "I can't believe he did that." We are entering a judicial environment in this country now in which there are definitely two tiers. How it goes is going to very much depend on what jurisdiction you are in. There was a self-defense shooting in Alexandria, VA a couple of years ago which just went to trial. I thought it was awfully darn legit and the prosecutor said, "No, it is not, we are going to trial on this one." Shockingly enough, a jury of 12 of

this man's peers agreed with me and the prosecution was sent packing. Now, that could have easily gone the other way. We could talk about the Rittenhouse trial! Before our moot court in Massad Ayoob's deadly force instructor course, there was a presentation about the things a prosecutor will do to win. When I watched the Rittenhouse trial, what I saw was like they turned the deadly force instructor class Power Point into a check list that the prosecutor followed throughout the trial:

1. Impugn the defendant for invoking his fifth amendment right;
2. Withhold evidence;
3. Modify evidence;
4. Misrepresent the law to the jury.

They went bam, bam, bam, bam right down the list and after the acquittals the prosecutor, Binger, gave a news conference and said something like, "We didn't believe we could get a conviction, but we wanted to take it to trial anyway."

**eJournal:** Trying to get a win turns into a contest. It gets disconnected from the fact that you are lying about a human being; that you're inflicting pain on the defendant – someone who is no different than your dad, mom, brother or someone else you care about.

**Murphy:** Well, by doing that, they shoved that kid through a wringer, and I know that I am not the original person to say that the process became the punishment. Some of these people, I am convinced, derive pleasure from inflicting this kind of pain on people, as if they say, "Sorry about the retirement fund that you had saved up for your golden years. That is all gone now, isn't it? I lost the case, but, well, did I really lose?"

**eJournal:** They also got a platform from which to encourage further rioting and destruction. You're traveling the country extensively. What risks and dangers are you concerned about as a traveler?

**Murphy:** I think we are entering a very interesting time period. All across the country our viewpoints have become so divergent. A few years ago, what could have been a topic for a relatively pleasant conversation now may become cause for blood. You can encounter emotionally-charged environments—the Floyd riots, for instance. After the defund the police movement, people are now shocked that there is a burgeoning crime wave. Some agencies are so swamped and have been beaten down so hard by their political leadership they now just drive through neighborhoods and smile and wave. It used to be that they would have gotten out and talked to people, but now if they get out of the car, they're exposed to God-knows-what. It is an interesting time!

The other thing that I'm watching are incidents of recent armed robberies where the criminal just shot the victim. There was no threatened, "Give it up or I will shoot you!" The robber just shot and took what he wanted. That paradigm shift will impact our

*[Continued next page]*

October 2022

teaching industry a lot. We used to teach what I called malignant compliance. You would say, "Sure! Sure!" and you gave them your wallet and then you got out of it, or their attention was diverted for a moment and then you counter attacked. If a robber just shows up thinking, "I will just blow a hole in this guy and take what I want," that makes this very interesting.

**eJournal:** What are you teaching to avoid mistaking an innocent approach for a shoot-first robbery?

**Murphy:** See it coming and deflate the attack by what I like to term decisive movement. That can be decisive movement out of the area, or decisive movement to your weapon. I will borrow something from Massad Ayoob and add that you are going to have to articulate what you did and why you did it. The phrase I would use when speaking with responding officers would be something like, "The sum of my training and experience led me to believe that I was about to be violently assaulted. My life was at risk, consequently I produced my firearm, and I gave this guy a verbal command."

People have got to understand that there is an element of humanity who will be totally unimpressed with their pistol. Some years ago, I watched a documentary about an ER doctor in Atlanta. In the documentary, he was treating this kid that was shot by Atlanta PD and was losing him on the table. The doc said, "The only thing I've got left is to open up his chest and do heart massage." When they cut him open, his ribs were all wired together from the last time he had needed open heart massage after being shot. He didn't make it, so the doc had to go talk to this kid's parents and they said, "Yeah, we knew it was going to end this way."

**eJournal:** We expect others to have the same values we do, so that's hard to understand. For what other situations do you find the average armed citizen ill-prepared? What's the most effective way to fill in the gaps?

**Murphy:** The big gap in our training now is mob violence. What's worse is that what we are facing is state-sponsored mob violence. That is something we have not had to deal with for quite a long while. When the police agency is told to stand down, you are well and truly on your own. If you do act on your own behalf, then you can expect to take the full ride. We must do a much better job of keeping a finger on the local pulse and avoiding anywhere a mob would tend to congregate and do their thing.

I don't know how much weight to put on it because I read it on Facebook, but there was a kid saying we need to go out into

the rural areas now and mess with those people because we own the cities. The response was, "Come on out and do that, Bucko! I think you will find we do things differently out here." People need to think about organizing into groups, formerly known as neighborhood watches, because these animals don't know any boundaries. They just don't.

**eJournal:** There is, without doubt, a feral subspecies of homo sapiens. They look like ordinary people, so gentle, decent citizens may not recognize when they're targeted by the kind of predator that kills without compunction. What do we need to know?

**Murphy:** That is a deep question. I mean, there is so much to overcome. We have been operantly conditioned for generations not to fight back. That's particularly true now if there is the remotest chance of a racism charge being thrown at you.

I would say you should watch for young men congregating, moving directly towards you with determination in their eyes. I teach intervening obstacles. If someone negotiates an obstacle in order to get proximity to you, they are telling you an awful lot. What they are telling you is my larger point.

You have got to see it coming. You have got to move and if they orient their movement upon you, you must recognize that they have made a very powerful statement.

**eJournal:** Decisions made on actions, not on how someone looks. That's useful. What else are you thinking we need to focus more attention on?

**Murphy:** We will have to do more training fighting while wounded. That is going to become a big thing. If I am already down, I need to know that it ain't over until the toe tag goes on.

**eJournal:** Stay in the fight! That also echoes what you mentioned earlier about your inclusion of [Stop The Bleed](#) material in your classes. Readers, browse to <https://www.fpftraining.com/fpf-calendar> where Murphy has a very full calendar of training opportunities all across the nation and don't forget the videos he offers at <https://www.youtube.com/channel/UCSV5s-3gY-0WLDewDQ5WbPA>.

---

*About John Murphy: After a 25-year career in the Marines and the intelligence community, Murphy has retired and now travels widely to teach practical self-defense survival that incorporates the best of the many classes he has taken with leading instructors. Learn more at <https://www.fpftraining.com/fpf-instructors>.*



## **President's Message**

### **Purpose**

*by Marty Hayes, J.D.*

Purpose. It is such a simple word, and we all know what it means, but applying it to our lives can be a little more difficult. Driving from WA to AZ this week has given me some uninterrupted time to think about my purpose here on this earth.

When I was young (say up to 25), I think one can safely say my purpose was just to exist. Eat, pay bills, work, etc. I even was married and divorced during that time. I guess my first wife and I did not really define what our purpose was in getting married in the first place, but that is another story.

As I entered my late 20s, I was able to more clearly define my purpose, that being to help others by being a police officer. That worked out okay, but when I was around 30 years old, I became a little disgruntled with working nights, weekends and with the petty politics of law enforcement, so I decided to move on. By the time I was 33, I found another purpose, that being to help others survive criminal attack by teaching them how to shoot and teaching the legalities of doing so. That remained my purpose for over 30 years. I have just recently retired from teaching. I left my school in good hands and will enjoy watching it prosper and grow.

I was able to retire from teaching because 19 years ago, I hit upon another purpose in life. Getting a law degree became a goal; my purpose became assisting my current and former students, along with other law-abiding armed citizens, in the

event they were wrongfully charged with a crime after an act of self defense. While I was in law school, the idea of the Network was born, and when I graduated from law school, I had found it was my new purpose in life. I decided to start an organization that people could join and by being a member in good standing, they would be afforded some peace of mind knowing that there was help in the event they ever had to use the gun in self defense.

Well, that idea turned out okay, and for the past 13 years the Network has fulfilled its purpose by being there for members who need our help. In keeping with how life changes, every couple of years, we freshen up our business model and the ways we can grow to better serve our members. Through it all, we maintain our focus on fulfilling that purpose. That should not change anytime in the near – or even distant – future.

But what about me? What is my purpose now? I find myself at another crossroads, having led the Network to where it is, but I cannot envision myself at the helm for too much longer. Let me explain.

Recently, we in our industry have lost several great people to debilitating disease. Death claimed Chuck Taylor, Jim Fleming and recently, Ed Head. Those losses make a person who is in their late sixties pause and think about the end game.

So, for the next period of time, I will dedicate myself to my next purpose. As it pertains to the Network, that's crafting an exit plan for myself in such a way that the Network endures long after I'm gone and grows even stronger than it is now. While I hope for some time still before that's necessary, one never knows. For those of you who have been wondering what would happen if I were to suddenly be taken from this earth, understand that I am working on it. I enjoy having a new purpose.



## Attorney Question of the Month

The last edition of our online journal discussed carrying intermediate self defense options in addition to a gun or when not carrying a gun. State laws can impose restrictions on possession or use of pepper spray, TASER®s, force multipliers like Kubotans and even hand-to-hand defensive tactics, but those laws vary from state to state. With many Network members already carrying pepper spray and other non-gun defense options, we asked our Affiliated Attorneys to discuss laws affecting private citizens employing alternative defense options in their locales. We asked –

***Do the laws in your state restrict carrying non-gun self-defense devices like pepper spray, TASER®s or Kubotans?***

***What laws affect the private citizen who stops an attacker by using a TASER®, pepper spray or Kubotan?***

***What violations might a member be charged with if authorities don't believe the intermediate weapon was used lawfully?***

### **E. Thomas Dunn, Jr.**

Attorney at Law

Pacific Office Plaza, Tustin

1432 Edinger Avenue, Suite 240, Tustin, CA 92780-6293

714-258-8829

[JusticeisDunn@reagan.com](mailto:JusticeisDunn@reagan.com)

Five weapons that can legally be used for self defense in California:

1. Pepper spray,
2. Stun guns/TASER®s,
3. Certain knives (pocket knives, non-switchblade folding knives, Swiss army knives, box cutters, and other utility knives);
4. Personal alarms, and
5. Certain licensed/approved guns (such as handguns or shotguns).

Some self-defense weapons that are illegal under California law include:

- Weapons that are prohibited under California Penal Code §16590 (e.g., leaded canes or blackjacks, brass knuckles, and certain martial arts weapons);
- Concealed dirks and daggers, illegal under Penal Code §21310; and
- Assault weapons (e.g., short-barreled shotguns, zip guns,

and undetectable firearms), illegal pursuant to Penal Code §30605.

As regards California law on the topic of your inquiry, here's a [website](#) (maintained by the Pepper Spray Store) which appears to state California's requirements for the use of pepper spray correctly.

As regards TASER®s, most California residents have the legal right to buy, own, carry, and use a stun gun for self defense without obtaining a permit. However, there are state laws that prohibit the following individuals from carrying/using a TASER®:

- Individuals previously convicted of a felony;
- Those with a prior conviction of assault or misuse of a stun gun;
- Individuals addicted to narcotics;
- Minors under the age of 16 or, if over 16, minors who do not have a parent's written consent.

A violation of the law by any of these restricted individuals constitutes a misdemeanor (local jail time and/or fines).

As regards Kubotans, no law exists in California making a Kubotan or yawara illegal. However, as with any other object, if one is used as a dangerous weapon for a reason other than self defense, the user could be culpable for an assault with a deadly weapon [Pen. Code, §245, subd. (a)].

Finally, here is a [website](#) that contains a useful summary of items that can be carried and used for self-defense in California. I hope this information is useful to you.

### **Brian Craig**

Law Office of Brian Craig, PLLC

95 West 100 South, Suite 106, Logan, UT 84321

435-760-3101

<https://briancraiglaw.com>

As a general rule, Utah does not restrict a person from carrying a non-lethal weapon or device for self defense, such as pepper spray, a TASER®, or Kubotan. But in some circumstances, a person may face criminal prosecution for improper use of a "dangerous weapon." The facts and circumstances of each case vary.

Pepper spray or another non-lethal defense device could be considered a "dangerous weapon" under Utah law. According to Utah Code § 76-10-501(6)(a)(ii), a "dangerous weapon" may be anything that can cause death or "serious bodily injury" when used in the manner for which it is intended. Pepper spray can cause serious bodily injury, such as shortness of breath. Pepper spray can also cause rashes, blisters, or burns on contact with the skin. Therefore, pepper spray or a similar

*[Continued next page]*

October 2022

device may qualify as a “dangerous weapon” under a variety of Utah statutes.

Utah Code § 76-10-509 prohibits possession of a “dangerous weapon” by a minor under age 18. Any parent or guardian who knows that a minor is in possession of a dangerous weapon is guilty of a class B misdemeanor, subject to a maximum penalty of six months in jail and a \$1,000 fine.

Under Utah Code § 76-10-506, a person may be convicted of using a “dangerous weapon” in a threatening manner or a fight or quarrel. The maximum penalty for using a “dangerous weapon” under Utah Code § 76-10-506 is a class A misdemeanor, subject to a maximum penalty of 364 days in jail and a \$2,500 fine. For example, a person who uses Mace® or pepper spray in a fight could face prosecution. A person could assert self defense if the dangerous weapon was used reasonably under the circumstances.

Under Utah Code § 76-10-528, a person can also be convicted for carrying a “dangerous weapon” while under the influence of alcohol or drugs. The maximum penalty under Utah Code § 76-10-528 is a class B misdemeanor, subject to a maximum penalty of six months in jail and a \$1,000 fine. For example, a person who gets arrested for driving while intoxicated who has pepper spray on a key chain can also be convicted under Utah Code § 76-10-528 for carrying a “dangerous weapon” while under influence of alcohol or drugs.

Additionally, carrying a “dangerous weapon” in an airport is prohibited under Utah law. Utah Code § 6-10-529 prohibits a person from carrying a “dangerous weapon” in an airport secure area. If the person knowingly or intentionally possesses any dangerous weapon or firearm in an airport secure area, the person can be convicted of a class A misdemeanor, subject to a maximum penalty of 364 days in jail and a \$2,500 fine. If the person only possesses the “dangerous weapon” in an airport recklessly or with criminal negligence, then the maximum penalty is an infraction punishable by a fine up to \$750.

Furthermore, a restricted person may be prohibited from carrying a “dangerous weapon,” such as pepper spray. A restricted person is a person who has been convicted of certain offenses or is on probation or parole. Utah Code § 76-10-503 criminalizes possession of a “dangerous weapon” by a restricted person.

In *Salt Lake City v. Miles*, 2014 UT 47, ¶ 21, 342 P.3d 212, 219 (Utah 2014), the Utah Supreme Court held that the evidence was insufficient to support finding that the defendant’s folding pocketknife was a “dangerous weapon,” as required to support conviction for possession of a dangerous weapon by a restricted person. The pocket knife, which had a blade approximately three-and-a-half inches long and a thumb stud allowing the user to open knife with one hand, did not bear character of a dangerous weapon as evidenced by any inherent and uniquely weapon-like trait, pocket knife was not used and did not produce any wounds, and pocket knife had other lawful uses,

such as for camping. *Id.* But a restricted person should take caution in carrying pepper spray or other non-lethal self-defense devices. The terms of probation in each case may vary. Along with a possible conviction under Utah Code § 76-10-503, carrying a dangerous weapon could lead to a probation revocation hearing. The court could impose the original sentence for a probation violation. For example, a person who is on probation for assault could have the suspended sentence reinstated upon a finding that the individual violated the terms of probation by carrying a dangerous weapon. A person who is on probation should always check with the probation officer before carrying anything that could be considered a dangerous weapon.

While Utah does not generally prohibit a person from carrying a non-lethal device, some circumstances may lead to arrest, prosecution, and conviction. Individuals who possess any “dangerous weapon,” such as pepper spray or a TASER®, should do so with caution.

**Michael T. Burns**

Attorney at Law

9850 Von Allmen Ct, Ste. 201, Louisville KY 40241

502-400-1810

<https://www.mikeburnslaw.com>

*Do the laws in your state restrict carrying non-gun self-defense devices like pepper spray, TASER®s or Kubotans?*

Kentucky self-defense laws are codified in Kentucky Revised Statutes (KRS) Chapter 502. The use of force in self-protection statutes differentiate between when the use of physical force and when the use of deadly physical force is allowed but do not specify the types of weapons used. Pepper spray, TASER®s and Kubotans are not prohibited by Kentucky law. The only outright prohibition is against weapons of mass destruction.

*What laws affect the private citizen who stops an attacker by using a TASER®, pepper spray or Kubotan?*

KRS 503.050 provides justification for a person’s use of physical force in self protection and KRS 502.070 authorizes the use of force in protection of others. These laws apply to any type of weapon used.

*What violations might a member be charged with if authorities don’t believe the intermediate weapon was used lawfully?*

The most likely violations for the unlawful use of an intermediate weapon would be an assault 4th degree, a class A misdemeanor, unless a serious injury resulted from the encounter. If a serious injury resulted, it would likely be an assault 2nd degree, a class C felony.

*Thank you, affiliated attorneys, for sharing your experience and knowledge. Members, please return next month for more interesting commentary from our affiliated attorneys on this topic.*

October 2022

## Book Review

### Spotting Danger Before It Spots You

By Gary Dean Quesenberry

YMAA Publication Center (June 1, 2020)

<https://ymaa.com/publishing/book/spotting-danger-it-spots-you-build-situational-awareness-stay-safe>

172 pages, 6x9 softbound

\$18.95 paperback; \$9.99 eBook.

Reviewed by Gila Hayes

At least once a year, I like to refresh my threat detection skills, get input on emerging risks, and learn some new ways to make decisions based on all the visual, audible and the more subtle inputs our busy world provides. After all, what good is any of our skill training if we don't see danger before it strikes? In September, I turned to Gary Quesenberry's *Spotting Danger Before It Spots You* and liked its phased learning and workbook approach.

The book's author, Gary Quesenberry, introduces situational awareness as, "the ability to identify and process environmental cues to accurately predict the actions of others." An Army veteran, he became a Federal Air Marshal after the 9/11 attacks, a career move that furthered his study of violence and predatory behavior. Now retired, he draws on his background in domestic and foreign counter-terror training in his books and curriculum.

Quesenberry's "system of situational awareness will help improve your general understanding of how, when, and where violence occurs" intended to "increase your chances of successfully detecting and avoiding danger no matter where in the world you may find yourself." We must move beyond "preconceived notions about what constitutes a danger," he writes, if we are to "accurately anticipate the actions of others." He identifies money, ego, territory, and emotion as the leading motivations behind criminal violence, stressing, "it's crucial that you have a good idea as to why you may be targeted" in order to "accurately identify and correct your own vulnerabilities."

"Target selection," Quesenberry estimates, can take as little as seven seconds during which the predator assesses a victim's confidence and alertness revealed by posture, gait and other body language. Predators choose targets based on perception, risk, observable value, and defenses. Would attacking you be risky? Most criminals will take pains to avoid getting hurt. Do your valuables (purse, computer, phone, jewelry and other things) justify risking an attack? He doesn't advocate driving a ratty car or dressing down, but suggests, "if you have anything of value on your person that's visible to others, it's a good idea to display more outward signs of security by moving with purpose, minimizing your distractions, and staying alert to your surroundings."



We're often told to stay alert and Quesenberry gives "how to" advice, including comprehension, planning, intuition and visualization. He explains that "Experts often remind us that 'the body will not go where the mind has not been,'" stressing the importance of visualization, sometimes called mental rehearsal. He compares mental preparation to chess, in which predicting beyond three or four moves increases possibilities to "millions of possible reactions...Much like the beginnings of a violent encounter, it can be overwhelming. Now imagine being able to look at the board before all of that chaos and map out a solution that would always improve your chances to win. That is situational awareness: the ability to fully comprehend a situation before the first moves are made and plan your solutions well in advance."

He teaches recognizing and evaluating baselines so our preconceived notions about appearance, gender or ethnicity won't blind us to threats. "We live in a world full of patterns, and we all have a pretty good idea of what is considered normal in the areas we frequent. One of the most critical factors in good situational awareness is understanding these standard behaviors and being able to spot the things that fall outside of the established baseline," he writes, then teaches how to scan and decide what's "off."

How can you determine if an unusual situation is dangerous? "To form a basis for action, you need to understand that just one unusual behavior isn't enough," so only one element out of place requires you to pay closer attention, but not necessarily react. If three or four elements arise together "your best bet is to remove yourself from the situation and alert the police," Quesenberry explains. Being able to articulate multiple factors that alarmed you justifies a response, reduces indecisiveness, as well as providing explanations required if you use force against another person. He later points out that not all baseline disruptions are malign. Someone following you may be returning something you dropped – or maybe not.

Invest the effort to learn the baseline for "normal" where you are and be alert to normalcy bias that can blind you to danger. Did something distract you? Stop, recalibrate, and analyze your surroundings if you've slipped into unawareness, he writes. Engage your creative side with what-if mental rehearsal and visualize various options you can exercise. Later, he teaches "counting" games to stay plugged in. Entering a new room? Count and identify the exits; count the people inside while watching their hands. On the street, count the people who appear to watch you use a cross walk; count the numbers of people sitting in cars; how many of those cars are running?

[Continued next page]

October 2022

Scan for what's out of place and pay attention if there are deviations. If something unusual crops up, make it the subject of a mental rehearsal "what if" game that addresses avoidance, de-escalation and confrontation, the options to which you may resort if the abnormal turns out to be dangerous. "The more you practice these steps the more natural they become. Over time you'll notice that you're taking in more information faster, and without even thinking about it," he encourages.

Physiological cues of impending attack include –

- Sudden deep breaths,
- Puffing up to appear threatening,
- Pupil dilation and other physiological reactions that support your concern about the person you're watching.

Predators also give off predictable hints which he lists as –

- Hidden hands,
- Inexplicable presence,
- Target glancing,
- Sudden changes in movement,
- Inappropriate clothing,
- Maneuvering into a position of advantage,
- Blocking your movement, and
- Unusual chattiness, of which he comments, "Attempts at small talk are often the predator's last move before the attack."

"Pay attention to your intuition," is common advice. Quesenberry suggests that people ignore danger signs "because it's too hard for us to cognitively connect the dots between what we see and the risk that lies ahead." His plan of action?

1. Identify the problem,
2. Determine your goals,
3. Assess the alternatives,
4. Choose a solution.

The process is facilitated by regular decision-making practice with visualization to avoid "the devastation being caught off-guard can have on your decision-making process."

Better still to never be selected by a predator! Quesenberry teaches ways to blend into the crowd. Be polite, and smile when appropriate but avoid small talk. Mimic clothing choices appropriate to the locale, carry yourself "like you know what you're doing and where you're going even if you don't," he writes. Orient yourself and study the map in advance. If working with unfamiliar foreign currency, organize your money ahead of time so handling it doesn't distract you in public.

Move with the crowd instead of isolating yourself at the edge, he advises, compromising instead "between the outskirts of a room or group and the dead center, [where] you're giving yourself a buffer from those direct-center attacks while maintaining your anonymity and proximity to possible escape routes."

Escape techniques include diverting the attacker's attention away from you, putting obstacles between you and the danger, and knowing locations of and routes to safe spots. Did escape fail or is it impossible? De-escalation is Quesenberry's next topic. Communicate from a safe distance, out of reach but close enough to exude respect and empathy, projecting confidence but not trying to intimidate. Allow the attacker a way out. Watch for subtle changes in body language and watch your own body language to keep it congruent with your message. Did it work? Disengage and leave.

Did it fail? If escaping is not an option, a successful counter needs surprise, speed and aggression, Quesenberry summarizes. A chapter titled *Reinforcing Your Defenses* gives instruction on how to "improve your mindset, learn to minimize distractions, control fear, and build confidence through practice and understanding." No one wants to consider failure, but he insists we study its cause – failure to prepare – and accept errors as important lessons from which one moves on and builds stronger defenses. "Your level of success in life will be directly proportionate to your ability to learn from your mistakes, so never be afraid to fail."

Build self confidence by increasing your "knowledge of how things work," he continues, repeating that self confidence is a leading reason predators de-select some and victimize others. Another aspect of genuine self confidence (not bluster) is acting without hesitation. An element in decisiveness is a thorough knowledge of the skill and its ramifications, like use of force law. Quesenberry writes, "Take it upon yourself to become an expert in the federal and state laws that govern the use of force in your area. Always stay up to date on local and governmental changes that affect those laws. Confidence in your understanding of the law removes a substantial psychological hurdle when it comes to taking decisive action."

Quesenberry's closing chapter will make a great periodic review for people across the spectrum of training from those just getting interested in ways not to fall prey to violent crime up to lifetime practitioners of awareness and those skilled at various self-defense methods. He writes candidly about the problem of complacency and how to stay sharp. By breaking down self-assessment as well as honest consideration of locations we go to and mental exercises that are fun ways to remain alert, *Spotting Danger Before It Spots You* encourages habitual awareness.

Quesenberry concludes, "Awareness is a state of mind; it's a way of living that has to be cultivated, not only in your own life but in the lives of those you care for...The ability to keep yourself safe during a violent encounter is not based on some internal superpower that shows up when you need it. Success is based on your mindset and your willingness to practice what you have learned."





## **Editor's Notebook**

### **To Encourage Law Breaking**

by Gila Hayes

That's the reality in calls and messages telling the Network to open up the Legal Defense Fund to pay legal expenses if a member knowingly breaks laws restricting gun possession then uses their gun in self defense. As responsible stewards of the Legal Defense Fund, we have to compare calls for us to pay those legal expenses against requests to fund legal defense if other laws are violated during an incident of self defense.

Where, on this slippery slope, are we to draw the line? Consider parallel requests to join the Network from applicants with felony convictions, some from the War on Drugs, felony DUI or past domestic violence. The applicants feel that rising crime dictates they must possess a gun illegally or risk being killed. Also recognizing their legal peril, they want to join the Network in case their fears materialize and they use their illegally-possessioned gun to stop an attack.

Suppose the Network gave in to the pressure we're getting to pay legal expenses for those willfully violating the law. How long would it be before entities hostile to the very concept of armed self defense declared our services to members to be against public policy and fined or sued the organization into oblivion? As Network leaders, we bear the burden of nurturing and growing this resource for legal defense of our law-abiding members. I cannot imagine the shame of admitting we risked and lost the ability to provide that core element of our service to you. We must not irresponsibly endanger the organization's long-term viability and larger purpose by taking the easy way out and knuckling under to poorly thought-out demands that, if granted, would encourage lawbreaking.

### **Pondering Civil Disobedience**

Wishes to ignore unconstitutional laws raise the question of what justifies civil disobedience. I read a [speech](#) at Fee.org by the late Morris Leibman, an attorney and winner of the Presidential Medal of Freedom, who said, "While the idea of civil disobedience may evoke sympathy where the claim is made that the cause is just, once we accept such a doubtful doctrine we legitimize it for other causes which we might reject. This society provides more than any other for orderly change; where every minority—including the minority of one—has been protected by a system of law which provides for orderly process for development and change. I cannot accept the right to disobey where, as here, the law is not static and where, if it is claimed to be oppressive or coercive, many effective channels for change are constantly available." The process for change recommended by Leibman is, of course, fraught with hardship.

## **Orderly Change**

Despite being bombarded with insurrectionist rhetoric, I do not believe we are at the cartridge box phase of Frederick Douglass' word picture that "the liberties of the American people were dependent upon the ballot-box, the jury-box, and the cartridge-box." We have much hard work ahead of us before even considering that an option.

We must return honest elections to America so we can rebuild liberties progressive politicians have destroyed. At the grass-roots level, that requires electing sheriffs, prosecutors and judges who trust working-class Americans' common sense.

It falls to us to educate the public about legitimate use of force, including deadly force and justification to resort to it in defense of innocent life, so that Americans understand what they are dealing with when asked to sit in the jury box and judge a fellow citizen who had to decide whether to use force in self defense or be killed or crippled by a violent criminal.

I cannot see any path by which civil disobedience by individuals, or encouraged by organizations like the Network, or promoted by political parties, would set our nation back on the path to liberty and justice. I have to agree with Kurt Schlichter, whose book we reviewed last month, that there is little to be gained and much to be lost by civil war. If he's wrong and it is time for insurrection, then for Heaven's sake take action openly, not covertly. What is gained by sneaky end-runs around the rule of law instead of openly declaring a cause and pledging your life, liberty and resources to fight for change?

Are demands that the Network lower its standards just emotional outbursts fueled by frustration or have those callers and correspondents genuinely committed to revolt against lawfully constituted authority? If so, are they willing to bear the expense of their actions or are they hoping the Network will pay the bills, freeing them to violate the law instead of working to change it?

Our all-too-human tendency to say, "Someone ought to relieve me of this burden (so I don't have to personally suffer)" becomes a real concern when expressed inside an organization of like-minded men and women who are dedicated to standing together when one is targeted for malicious prosecution or lawsuit after defending self or family. 14 years of exchanging ideas with members shows that a great majority of members factor in gun laws when choosing where to vacation, recreate or work and live if their convictions as self-sufficient men and women are at odds with the laws of the destinations or locations they're considering. Some have given up close ties to friends, access to cultural events, and walked away from successful jobs to move to conservative states where laws better reflect their beliefs. This is how they lived their lives long before they joined our Network family. These men and women gravitated to us in the same way people who share core values and beliefs have formed communities both virtual and literal since time immemorial. The direction the Network takes must honor their values.

## ***About the Network's Online Journal***

The *eJournal* of the Armed Citizens' Legal Defense Network, Inc. is published monthly on the Network's website at <https://armedcitizensnetwork.org/our-journal>. Content is copyrighted by the Armed Citizens' Legal Defense Network, Inc.

Do not mistake information presented in this online publication for legal advice; it is not. The Network strives to assure that information published in this journal is both accurate and useful. Reader, it is your responsibility to consult your own attorney to receive professional assurance that this information and your interpretation or understanding of it is accurate, complete and appropriate with respect to your particular situation.

In addition, material presented in our opinion columns is entirely the opinion of the bylined author and is intended to provoke thought and discussion among readers.

To submit letters and comments about content in the eJournal, please contact editor Gila Hayes by e-mail sent to [editor@armedcitizensnetwork.org](mailto:editor@armedcitizensnetwork.org).

The Armed Citizens' Legal Defense Network, Inc. receives its direction from these corporate officers:

Marty Hayes, President

J. Vincent Shuck, Vice President

Gila Hayes, Operations Manager

We welcome your questions and comments about the Network.

Please write to us at [info@armedcitizensnetwork.org](mailto:info@armedcitizensnetwork.org) or PO Box 400, Onalaska, WA 98570 or call us at 888-508-3404.