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IS NEW AGAIN

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TIM'S THOUGHTS

WHY DO YOU CARRY?

“Why do you need to carry a gun?”

Have you ever heard that question before? It kind of drives me crazy. To me that is such a simple question. It's as easy to answer as, “Why do I wear a seatbelt?”, “Why do I buy life and disability insurance?”, “Why do I wear a motorcycle helmet?”, “Why do I keep a fire extinguisher in my kitchen?”

For me, the biggest reason I carry are the three young kids you see in the picture. They don't ASK me to provide protection for them. It is my job and my duty to protect them. When I



Here I am with my three kids and our foreign exchange student (he's from Germany). We're at the big Cub Scout pinewood derby race.

decided to become a Father, I took an oath of honor. An oath that goes something like this, “Welcome to the world little girl or boy, I am your Dad. I am the one who will provide for you and protect you. You can count on me.”

You know, not ALL Mothers and Fathers are familiar with that oath. But YOU are. I applaud you for being this kind of Mother or Father. Your kids and loved ones are very lucky to have you!

God Bless and stay safe,a



MAY/JUNE 2008 COVER

PHOTOGRAPHER: Bill Robinette

MODEL: Christina Heisler is carrying a Kimber stainless Ultra Carry II .45 ACP in a Dillon leather IHL belt slide holster. After getting a job with a county morgue just outside of Detroit, Christina's work began taking her into some unsafe places. She obtained a concealed carry permit for self protection. Christina has had her concealed carry permit since 2006.



NEW!



357 MAG 44 MAG

357 Mag 140gr. FTX (8" barrel)	MUZZLE	50 yds	100 yds	150 yds
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Trajectory (inches)	-0.9	2.2	0.0	-8.9
357 Mag 140gr. FTX (18" barrel)	MUZZLE	50 yds	100 yds	150 yds
Velocity (fps)	1850	1632	1438	1272
Energy (ft-lbs.)	1064	828	642	503
Trajectory (inches)	-0.9	1.2	0.0	-5.4

44 Mag 225gr. FTX (7.5" barrel)	MUZZLE	50 yds	100 yds	150 yds
Velocity (fps)	1410	1240	1111	1022
Energy (ft-lbs.)	993	768	617	522
Trajectory (inches)	-0.9	2.4	0.0	-9.4
44 Mag 225gr. FTX (20" barrel)	MUZZLE	50 yds	100 yds	150 yds
Velocity (fps)	1870	1637	1429	1255
Energy (ft-lbs.)	1747	1338	1020	787
Trajectory (inches)	-0.9	1.2	0.0	-5.5

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LETTERS TO THE EDITOR

Dear Editor,

I am a USCCA member, and I recently made a trip to the Walt Disney World Resorts in Florida. I've consulted many a website, including USCCA's, and talked to a lot of gun owners as well as searching the Disney websites high and low and never found a published word about their concealed carry policies. Even my brother-in-law who is a Florida narcotics detective could not answer the question for me. I finally located a source within Disney's organization that sent me the attached email. Their policies are quite clear. I thought this might be helpful to other USCCA members.

Regards,
Phil Paonessa

it must either be left in their vehicle, or checked in with security when entering the park. Only on-duty law enforcement officers whose agency has jurisdiction at the Walt Disney World Resort may carry any weapon.

If you have questions or need further assistance, feel free to contact us.

*Sincerely,
Betsy Mayer*

WDW Online Communications

PLEASE NOTE: All information is subject to change without notice and should be confirmed just prior to your visit.

Dear Phil,

Thank you for contacting the Walt Disney World Resort.

It may interest you to know we have a strict policy regarding firearms.

Our policy is that no guns are permitted in our theme Parks or Resorts.

If a resort guest brings one on property, it must be locked up in the safe deposit boxes at the front desk, not in a room safe. If guests visiting our theme parks bring in firearms,

Dear Mr. Jamison,

I enjoy your columns in USCCA. Thank you for writing them. I have been meaning to write to you ever since your July 2007 column, which references 18 USC 930 and the exception you cited.

Until July 2004, I worked for the IRS. After being fed up for too long about having to pass through a metal detector each workday, I did research and found the exception you cited. I confronted the special agent in the building I worked with the information I had found. He paused.

Due to volume received, not all letters can be answered. Letters may be edited for space and clarity.

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Then he said, "Well, I don't know what this exception means. But I do know it doesn't mean what you think it means in order for you to be right."

On other occasions, I was warned by security personnel that if made a big deal about being allowed to carry weapons at work, I would become the subject of an investigation. I replied that I would welcome that. I explained that if I was ever assaulted I would sue the IRS and ask the court to rule that any investigation of me is proof that the IRS was acting intentionally and maliciously in not permitting me to properly defend myself at work.

I wound up quitting anyway. I explicitly stated in my resignation letter why I was leaving.

Please accept my best wishes for your continued success and I look forward to reading additional columns from you.

Michael L. Bane
Philadelphia, PA

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TRUE STORIES

CARRY A GUN... IT WILL SAVE YOUR LIFE.

A REAL-LIFE TUELLER DRILL

A man shot a neighbor after she attacked him with a butcher knife.

Tyrone Woodard fired two warning shots into the ground when Candice Hughes threatened him in his yard. She still charged at him with the knife. Woodard then shot Hughes in the lower abdomen, and Hughes retreated to her home, where police discovered her and sent her to the hospital. Her condition is unknown.

Macon.com • Macon, GA

WRONG GUY TO JACK

A Toledo man was killed after trying to rob a permit holder. Victor Wiggins died in the hospital around 30 minutes after being shot, police said. His intended victim, Rahmaad Jones, was sitting in his car when three males approached and stuck a gun in his face. Jones drew his .40 caliber handgun, and a brief shootout followed. Wiggins was shot twice. Jones was uninjured.

Toledo Blade • Toledo, OH

MAN BEATEN BY WOMAN HE TRIED TO AID

A permit holder kept a victim from being stomped to death by the woman he was trying to help. The victim was outside Falsetta's Market in Ann Arbor

LUCKILY, AN ARMED MOTORIST SAW THE INCIDENT...

when he spotted a man arguing with a woman and trying to shove her inside a van.

The victim asked if everything was okay, and told the woman she didn't have to leave with the man. The man

told him to mind his own business, and left with the woman. The victim then went into a nearby store, called the police and then left in his car.

A few minutes later at a red light, the victim said the man in the van approached him and began yelling.

The victim exited his vehicle, where he was then punched in the head and forced to the ground. Two women, one being the one he tried to help earlier, exited the van and began to hit and kick him.

Luckily, an armed motorist saw the incident, stopped and held the trio at gunpoint until police arrived. The officers determined the motorist had a legal permit and was only trying to help. The attackers were arrested, and the victim was not seriously injured.

The Ann Arbor News • Ann Arbor, MI

GUN VS. BASEBALL BAT

It is not known what prompted the incident, but two vehicles were at the Fredricksburg Road intersection in San Antonio when one of the drivers exited and attacked the other with a baseball bat.

The victim responded by shooting his attacker twice. The attacker died at the hospital. Neither person's identity has been released.

Police say the armed citizen had a license to carry a concealed weapon and will not immediately face charges, as it appears he acted in self-defense.

KSAT News • San Antonio, TX

GUN VS. AXE

Police responded to the Safeway store on Cottonwood Street to discover James Keith Orsini, 47, deceased from multiple gunshots.

What prompted the incident is still under investigation, but a confronta-

tion with James Sherman King, 59, apparently started on the road and continued into the store lot.

Mr. Orsini approached Mr. King with a raised axe, and that's when Mr. King shot him twice.

Cottonwood P.D. • Cottonwood, AZ

DON'T ROB THIS STORE

Charlie Merrell, age 51, was in the checkout line at his local IGA grocery store when Dwain Smith, 19, jumped onto a counter and pointed a .380 at a store employee.

The robber demanded money, and that's when Merrell drew his handgun and demanded the robber put down his weapon. When the robber hesitated, Merrell racked the slide on his gun to chamber it. The robber then placed his gun and the stolen cash on the counter, removed his mask, and lay on the floor.

Merrell held the man at gunpoint until officers arrived. Police say he had a valid handgun permit.

Indianapolis Star • Indianapolis, IA

DON'T MESS WITH TEXAS

Malcolm Abner, 28, and Michael West, 33, were wounded after allegedly trying to burglarize a modular home dealership in Austin.

Chester Stacey, 32, told police the two men came at him when he went to investigate possible thieves on his father's business property.

A responding officer found Stacey pointing his 9mm handgun at the one of the men. The other man had run off after being shot, but later approached and surrendered to the officer.

No charges have yet been filed, and police are still searching for two other men Stacey claimed were on the property.

Courier-Journal • Austin, TX

How would you have handled situations like these? Discuss scenarios and more online in the usconcealedcarry.com forums. Familiarize yourself with your local and state laws regarding self defense.



MR. BILL AKINS AND THE AKINS ACCELERATOR

[BY MARK WALTERS]

For those of you who may not have heard of Mr. Bill Akins, simply put, he is a genius.

He is a man with ideas that most of us could never conjure up in our wildest dreams. Mr. Akins is an inventor, a gifted man with ideas and dreams along the lines of Mr. John Browning, Dr. Richard Gatling, and Mr. Samuel Colt. In my book, that's pretty solid company!

A recent edition of the Tampa Tribune published a story about Mr. Akins and one of his inventions as well as his plight involving the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE). I read his story with fascination and was incredibly impressed with his fortitude. Several telephone calls and a lengthy recorded interview have allowed me to bring his incredible journey to the readers of CCM. You may wish to settle back now with an adult beverage, or use whatever other means you use to relax as you read, for this extraordinary man's plight will anger you as a lawful gun owner.

Mr. Akins has always been fascinated with rapid fire weapons, and spent years reading up on the inventors of such devices. He is a fan of old WWII vintage

television documentaries. While watching footage of US warships firing at Japanese Kamikaze aircraft, Mr. Akins took notice of the barrel recoil on the US twin cannons, noticing especially "how one would come back and then the other would come back." He also observed the barrel recoil on an old 1917 water-cooled Browning machine gun from the front view, and noticed that "the barrel would come back a short distance within the water jacket and then...forward again. That, of course, is what operates the weapon, its recoil."

Mr. Akins wondered if (read this slowly), "the water jacket could be considered a stock, and if the barrel moved back a short distance, compressed the spring and then came back forward again, why couldn't you have any firearm that's trigger attaches to the barrel receiver assembly where it's all one unit, why couldn't that take the trigger back along with the barrel, which would remove the trigger from your finger. If your finger was held against a couple of ridges after it pulled the trigger, your finger was then stationary. When the barrel came back under recoil it would remove the trigger from your finger and then when the spring

pressed it back forward again, the trigger would come back forward and contact your finger again, functioning the trigger once again and firing the weapon. That's how I actually got the idea. That was in 1996."

Mr. Akins took an SKS rifle, some springs from a Crossman BB gun and a Dremel tool, cleaned out the stock, drilled a hole, and—with a lot more intelligence than I have—tinkered some more and, viola! He took the device out to a friend's property where he set up a video camera. Bill put his finger on the tip of the screw, "and when I did, it emptied the magazine...at a rapid rate of speed although it functioned the trigger once for each and every shot separately. I was quite happily surprised." That was the beginning of the Akins Accelerator, a device designed to rapid fire a semi-automatic weapon without turning it into a machine gun under current US law.

Mr. Akins then contacted one of the nation's leading firearm attorneys and asked him for a memorandum of advice advising that his device was not a machine gun, but merely a method for accelerating the rate of fire of a semi-automatic without turning it into a machine

gun under federal or state laws. Mr. Akins was told that his device fell under the same category of some other similar devices that have the same functionality, such as the Hellfire. Having received the information he requested, Mr. Akins went forward with a patent search.

As he puts it, "I went to the University of South Florida library and did what's known as a poor man's patent search. I searched all through the patent records and much to my surprise nobody had one." Mr. Akins then contacted a patent attorney in Ohio and had professional drawings of his device completed. He applied for a patent in 1998, and in 2000 was granted his patent from the US government. At this point, Mr. Akins had spent approximately \$10,000 of his own funds, not including his own time. With patent in hand, he began contacting various firearms manufacturers in search of someone to build his device. During

not get it to fire more than one shot and that it "wasn't a machine gun." Bill and his partner inspected the returned stock and noticed that there was no damage as described to them by the ATF. In fact, it appeared that the screws in question had been intentionally removed and taped to the stock. His theory is that the ATF "tried to make this not work."

Wanting more clarification, the partners again contacted the ATF and were told that the Akins Accelerator was not a machine gun. The ATF agreed to put its findings in writing, which they did. I want everyone to hear me correctly: **the ATF put into writing their findings that the Akins rapid fire device was NOT a machine gun.** They had written that despite the fact that the screws had dislodged, they fully understood its method of operation and the device was not considered a machine gun.

The letter from the ATF stating that

property up for a \$65,000 loan to produce the molds. The Akins Group had a website, and also began marketing for several months in print ads. The injection molded Accelerators were selling fantastically well. Things were looking up and the company was "in the black" in a very short time.

HERE COME THE FEDS

Things were looking good. Sales of the Akins Accelerator were great. Then the Akins Group received a letter from the ATF in which the company was ordered, under threat of prosecution, to "cease and desist" all sales and to turn over all inventory and their *entire customer list*. Keep in mind, the Akins group was not selling a firearm, only an ATF-approved rapid fire firearm accessory. The ATF was now saying that the device that they *had twice approved in writing* as not being a machine gun was in fact a machine gun. Without a hearing of any kind, the ATF was overruling their previous decision.

Mr. Akins has his theories about what caused the ATF to reverse its original decision and who may have been responsible for the reversal. As this is now a legal case, I will refrain from naming names. Mr. Akins and his partner, after receiving the ATF cease and desist letter, asked the ATF for an explanation. They did not get one, and according to Mr. Akins, they (the ATF) "had dug in their heels."

The Akins Group attorney sent another letter to the ATF asking that they please review their previous findings and find that the device does in fact conform to the letter of the law, and reverse the decision which halted sales of the Accelerator. We can all guess what happened next: The 14 page letter was answered with a one paragraph response stating that the ATF noted the attorney's argument but the ATF's position had not changed.

With money running low, the Akins Group was having a difficult time paying a nationally recognized attorney. But the company pushed forward in its attempts to reason with the ATF. However, the ATF dragged its feet, taking months to respond, thereby effectively shutting down production while the Akins Group was drowning in a cesspool of strong-arm government bureaucracy. Friction



Tom Dotson shooting prototype SKS with Akins Accelerator.

this time, his attorney introduced him to someone on the west coast who was interested in his device and its subsequent manufacture. After lengthy discussions, the Akins Group, Inc. was formed in Oregon.

Based upon the patent application, Mr. Akins and his partner began prototyping. A metal prototype of an SKS rifle stock was made and sent to the BATFE (ATF). The ATF then evaluated and tested the prototype and informed the Akins Group, Inc. afterwards that the test fire had resulted in "several screws coming loose from the stock." The ATF sent it back, claiming that they could

the device was not a machine gun, and the written statements that the ATF fully understood the device's method of operation, satisfied the Akins Group's attorneys, so the partners proceeded with production. An engineer improved upon Mr. Akins's device slightly by reducing some friction, which allowed the device to operate on a firearm that produced less recoil. The company then began producing the Accelerator using a Ruger 10/22 stock. They sold around 200 of the devices.

It was recommended that the partners begin using injection molded stocks, and after much discussion Mr. Akins put his

between the partners of the Akins Group began to worsen, as Mr. Akins wanted to civilly disobey what he believed to be unlawful action by the ATF regarding the disassembly of the device. There were threats against them and their customers. The partnership and the company began to fall apart due directly to a government entity that does not appear to be answerable to anyone.

Bill Akins contacted his senators and US representatives, "who would have low level staffers respond with nothing more than what the ATF had already told us." After complaining to his representative's staff members, he was told that the office would no longer assist him. Of course, Senator Bill Nelson of Florida has an "F" rating from the NRA regarding his support of American's firearms rights. Go figure.

It is important to point out that the ATF approved the device based, not upon the caliber of the weapon upon which it was installed, but upon the device's "method of operation." Mr. Akins contends that the ATF was lying to the senator's and

congresswoman's offices, by telling them the device it had approved was not the same as the one the company was selling—when in fact it was.

The ATF is holding its ground, unilaterally destroying a man and his company with no compensation whatsoever, after it had approved their product two years earlier. Bill now does not hear back from his congressional representative or his senators. As he puts it, "Because it's a firearms issue, they don't want to touch this issue with a ten-foot pole, especially because it's a rapid-fire device." The NRA will offer no support for the same reasons, believes Mr. Akins. It appears everyone is "Chicken Little" about any device that goes rat-a-tat-tat, even though it conforms to the letter of US law.

The ATF did apologize to Mr. Akins through congresswoman Ginny Brown Waite, admitting they had made a mistake, but they claimed their mistake was that the device should never have been approved in the first place. As Mr. Akins puts it, "So we get no due process of law,

no compensation or any hearing of any kind, just arbitrary action."

As it stands now, Mr. Akins and his partner are no longer in business together. With the support of his wife, Mr. Akins has pushed forward in the face of a rogue government agency which decides to make law, rather than to enforce the laws as Congress has written them.

Through this whole fiasco, Mr. Akins has been forced to the very edge of financial disaster. The action taken against the Akins Group by the ATF has cost Mr. Akins hundreds of thousands of dollars and the last 12 years of his adult working life. Mr. Akins is now surviving on what's left of his life savings in his quest to right the wrongs perpetrated upon him. He has finally found an attorney willing to take on this bloated government agency. As I write this, Mr. Akins is pressing forward with his legal efforts against the ATF and gets a "two thumbs up" from me! I'll keep everyone informed as this case winds its way through the cesspool known as the BATFE. ■



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PRINCIPLES OF POINT SHOOTING

[BY GEORGE HARRIS]

As this is being written, the SHOT Show has come to a close.

A lot of new subject lines have evolved from the multitude of new products on display to tantalize the attendees. Of great benefit to the writers and trainers are the people that they meet and the conversations that they have regarding the various viewpoints on the industry. One of the topics that recurred daily was our concept and teaching methodology of point shooting at the Sig Sauer Academy.

One of the most stimulating conversations that I had on the subject of point shooting was with fellow *Concealed Carry Magazine* columnist and psychology professional, Dr. Bruce Eimer. Bruce and his wife had stopped by the Sig Sauer booth to see all of the new pistols, rifles and accessories on display. They did not realize that an area of the booth was staffed with members of the Academy training cadre dedicated exclusively to promoting the courses and seminars offered to armed professional and responsible citizen customers. Once Bruce introduced himself and his wife to me, it became apparent that we

had much to talk about. We had several parallel interests in the world of firearms training. Yes, you guessed it! A major part of our conversation was centered on point shooting and the techniques that we use at the Sig Sauer Academy to teach that method of shot delivery. We quickly realized that our readers might benefit from our perspective, so Bruce suggested that I write in my column

Simply put, each of us has been pointing at the objects of our visual attention since we were in the crib.

about some of the key principles that we teach.

What you are about to read is an example of an age-old concept called by many names but not often understood as to how it is brought to practice and why it works. Point shooting, instinctive shooting, reflexive shooting, target focused shooting, index shooting, etc. are names used to describe shooting meth-

ods that do not rely on the front and rear sights to guide the shot to the target. I'm not going to debate which of the above titles is better or more meaningful than the other but I'm going to tell you what we use and why we use it.

In keeping with the SIG principle of firearms training, "Simple Is Good," we use the phrase *point shooting* to describe shot delivery techniques which require minimal to no use of the sights to successfully engage a target. These techniques utilize an individual's natural quality of eye/hand coordination and vision control of both central and peripheral input to guide the bullet to the target. Of course it always helps to have a gun properly fitted to the shooter's hand (covered in a previous article) to enhance the position of the muzzle on the target as the hand extends naturally to where the eyes are looking.

Simply put, each of us has been pointing at the objects of our visual attention since we were in the crib. This is done with both eyes open and with either or both hands. Anything that we look at, we can point at. Look at the target, point at the target, shoot the target. It's that simple.

Cultivating our peripheral vision and understanding how it enhances our

ABOUT THE AUTHOR:

George Harris has spent over 30 years in the field of Adult Education with more than 17 years at the SIG SAUER® Academy. He has focused his efforts in the arenas of small arms, small arms training and combat skill development. George has evolved from an



Infantry Soldier, Small Arms Repair Technician, and Drill Instructor to become the Coach and Firing Member of the Internationally recognized United States Army Reserve Combat Marksmanship Team. As a competitive shooter, George has the coveted distinction of being Distinguished with both the Service Pistol and the Service Rifle.

As Director of the SIG SAUER® Academy, George is committed to the

safe and successful use of firearms by armed professionals and responsible citizens alike through using the SIG Principle of Training: Simple Is Good!

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ability to quickly and accurately put shots on target is a step that is not often addressed by conventional firearms trainers. In reality, it is not difficult to hit a target using only our peripheral vision. You can test the basic concept yourself by setting up three targets in a row, three feet apart, and moving back to the seven yard line. Concentrate at the very center of the middle target while maintaining a peripheral awareness of the two targets to the left and right. While maintaining visual concentration on the middle target, point your right hand at the center of the right target. Once you perceive that you are pointing at the center of the right target, allow your eyes to move to where your right hand is pointing. You will find that you are pointing at or very near the center of the right target. Direct your visual concentration back to the center target and perform the same drill with the left hand.

For best results when point shooting, the target should be in sharp focus with a peripheral or secondary awareness of the outline of the gun pointed into the

target area. This technique is quite similar to the method a shotgunner uses to hit a flying target. You will discover that point shooting aided by peripheral vision is a very useful tool in putting the shot on a stationary or moving target.

Hollywood is famous for including subliminal suggestions in their productions, but we don't normally think of a shooting tip as being one of them. In *The Patriot*, Mel Gibson told his son prior to ventilating a few red coats with his flintlock, "Aim small, miss small." What this means to the shooter using the point shooting technique is that the smaller the object of visual concentration, the closer the shots will be together and to the desired impact point. Rather than just looking at the target as a whole, look at the specific spot of the desired impact to increase the probability of success.

The question often arises, "At what distance do you transition from point shooting to a more conventional sight picture for acceptable hits on a target?" From our perspective, distance has

minimal impact on whether to point shoot or precision shoot a given target.

The important factor is the visual relationship of the outline of the target as opposed to the outline of the gun. Simply put, if the outline of the gun falls within the outline of the target, put the gun on the target and shoot it. If the outline of the gun obscures the outline of the target, it is time to drop back to a conventional sight picture and deliver the shot. This simple guideline allows the shooter in an instant to make the choice between point shooting or using a traditional sight picture, through the visual input of the size relationship between the gun and the target. There is no need to take the time to calculate distance before making the shot. ■

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"The Gang is a brutally honest look at the Bureau of Alcohol, Tobacco, Firearms and Explosives and how they are out of control. The presentation is shocking yet very professional. The production team at JPFO did an admirable job of assembling a convincing story that shows just what happens with an unchecked government agency. I highly recommend "The Gang" to anyone who still cares about their personal freedoms." — Tim Schmidt - Founder & Executive Director, United States Concealed Carry Association

"Evil needs secrecy and shadow to exist. "The Gang" drags this band of rogue criminals into the light; where we, The American People will judge their evil deeds." — Larry Pratt - Executive Director, Gun Owners of America

Although instinctive point shooting has been around for some time now, there are those out there who would try to convince you that they've reinvented the wheel.

They try their best to avoid the words *instinctive*, or *point shooting*, and come up with their own version of combat shooting, and then rename the tactic to try and pass it off as something new. Although we've improved on the invention of the wheel since it was first conceived by cavemen in the Stone Age, it is still a wheel. And instinctive point shooting is still instinctive point shooting, no matter what name you attach to it.

This topic is not even new to the "gun

magazine" world. W. E. Fairbairn, who was the chief instructor for the Shanghai Police Department in Shanghai, China, first wrote about this topic in the NRA's publication, *The American Rifleman*, back in March of 1927. The article was simply titled "Pistol Shooting." The article, and the topic, was as controversial back then as it is today.

You may wonder why there is so much controversy around this one particular topic. It's because people get hung up on the meaning of "instinc-

tive." The one argument that's most often heard is that shooting is not instinctive, because we are not born with a gun in our hands. Although this is true, we are born with innate, instinctive reactions that we cannot suppress, or overcome by training. No amount of training, no matter how many repetitions you perform, will overcome your instinct to survive.

These innate, instinctive reactions are present in all of us. When your startle response, or your fight or flight response, kicks in on you, your body is going to experience all kinds of reactions or changes to your system. One of these instinctive reactions, and the

COMBAT SHO

What Was Once Old – Is New Again

*Under threat, humans
instinctively focus on
the source of danger.*





The vast majority of life-threatening criminal events occur in low-light environments.

SHOOTING:

[BY MICHAEL T. RAYBURN]



Under extreme stress, such as a fight for your life, one of the first survival reactions to kick in is tunnel vision.

one we most often hear about, is tunnel vision. Under extreme stress, such as a fight for your life, one of the first survival reactions to kick in is tunnel vision. This is an instantaneous response that automatically occurs as soon as the brain perceives you are in danger.

Why does this happen? It happens because we are visual creatures. We make decisions based largely on the visual input to our brains. In a fight for our lives, we make life or death decisions based on visual input. Because of this, our brains are saying, “Forget this peripheral stuff that’s going on around us, and concentrate on the source of the threat,” which is the bad guy trying to harm you. It also happens because thousands of years ago we were hunters and gatherers. We hunted our prey and focused in on it intently, because sometimes our prey tried to turn around and make us the meal. Our hunting instruments were rather crude back then, so if you missed, you may indeed become the meal. So we focused in, and concentrated on trying to catch our next meal before it ate us for lunch. Thus, over time we made tunnel vision, this task of focusing in on the source of danger, instinctive to all of us.

Tunnel vision is just one of the vision anomalies that can occur under extreme stress. A couple of the other ones are the loss of near vision, and the loss of monocular vision. The loss of near vision makes it difficult to focus on an object at less than four feet. Because of this,

you’re not going to be able to see the sights on your handgun to get a proper sight alignment picture. Even if you are trained in front sight only shooting, it is still less than four feet from your eyes, and will be impossible to see if you are suffering from a loss of near vision. Unless, of course, you are equipped with four foot long arms.

The loss of monocular vision is again due to the fact that we are visual creatures. Our brains automatically shut out the peripheral things that we don’t need by the use of tunnel vision, and focus in on the source of the danger – the bad guy. Because of tunnel vision, our field of view has been reduced down by almost 70%. Do you really think Mother Nature is going to allow you to close one eye, and reduce your vision down from roughly 30% to around 15% just so you can line up your sights? Of course not. Our brains are looking for as much visual input from the source of the threat as possible. That’s why our vision was reduced down in the first place—to dismiss images of anything in our peripheral view that is not going to harm us. Because of the loss of monocular vision you are not going to be able to close one eye. You’ll be forced to shoot with binocular vision (both eyes open). Under the extreme stress of a fight for your life, you are not going to be able to close one eye to line up your sights. Both of your eyes will be open looking for that visual input to the brain, so it can make its decisions.

There are some other vision problems that occur under the extreme stress of a deadly confrontation. A number of law enforcement officers who have been involved in shootings have reported that it was difficult for them to focus on the bad guy. This is especially true of shootings that occur in low light, which is the majority of all law enforcement shootings. Every year the FBI compiles statistics on officer-involved shootings, and every year, the majority of these incidents occur between the hours of 6 PM and 6 AM, with the bulk of these shootings occurring between the hours of 10 PM and 2 AM. This means the vast majority of these incidents are occurring in low-light environments.

Add to this the fact that after the first

muzzle flash from the bad guy's firearm, you're not going to be able to see much of anything, including your sights. Even when the firearm is equipped with night sights, officers have reported that all they could see was the muzzle flash from the bad guy's gun, so that's what they shot for.

On the other end of the visual spectrum are the cases of extreme focus. Law enforcement officers who have been involved in shootings have reported that they were able to see minute details that would normally go unnoticed, like a button missing on a shirt. Victims of an armed robbery have reported they were able to count the rounds in a revolver's cylinder. Other victims have reported that the gun that was pointed at them "was as big as a cannon," but when the police apprehended the offender

.....
Any shooting stance which requires the shooter to blade the body to the target will not be used in actual shooting.



Photos in this article were safely taken using a remote tripod. No photographers were endangered.

the gun turns out to be a small-caliber handgun like a .25 auto. These people, law enforcement officers included, all suffered from extreme focus. How can you focus on your sights for a "proper" sight picture, when all you can see is the barrel of the bad guy's gun pointed at you?

Combine these vision irregularities along with an increased heart rate from a massive dump of adrenaline into your system, and it's not hard to figure out that any learned skill that goes contrary to your instinctive reactions is going to go by the wayside and be replaced by an instinctive response. When your fight or flight response mechanism kicks in, any skill that is not an automatic innate reaction will not be performed under stress. Does this mean that shooting is instinctive? Of course not, but why not train the way you fight—instinctively? Why train the opposite of what your body is going to do under stress? Why use target-shooting skills (sighted fire) under combat conditions?

These instinctive reactions also carry over to your shooting stance. What this means is that any type of stance that is not instinctive to you will not be used under stress. Any shooting stance that requires the shooter to blade the body to the target will not be used in an actual shooting. We are predators, and as such our eyes are located in the front of our heads. If we were prey, our eyes would be located on the sides of our heads, like deer or birds, so we could see the predators coming. Because of this, we will instinctively square our bodies to address any threat to us.

There are a few other things that we will do automatically with regards to our stance. One is that your feet will be shoulder width apart. We walk, run, and fight with our feet shoulder width apart. This is natural and instinctive to us. Under stress our feet will want to move into this position, so that we can either fight or take flight if we have to. So why not train this way?

The easiest way to find shoulder width for you is to place your feet together as if you were standing at attention. Now spread your toes out as far as they will go, while keeping your heels together. Follow up by spreading your heels out

to the same distance that your toes are at. This will be shoulder width for you.

Besides your feet being shoulder width apart, you'll also bend your knees, and you'll be bent slightly forward at the waist. This is to lower your center of gravity to brace yourself for any type of impact, should you have to fight. Or if you decide to take flight, this crouched stance will enable you to do so with ease. This stance is referred to as a "combat crouch."

The other thing you'll do instinctively is that you'll lock your arms and wrists out straight in front of you. Think back to when you were a kid and one of your buddies threw a ball at you when you weren't looking. All of a sudden you heard, "HEADS UP!" When you heard those words, you knew that a ball was coming your way. Did you duck and cover up? More than likely not; if you did your friends would be quick to kid you about it. Did you catch the ball? If you did, then your buddy was too slow with the throw. What you did was turn and face the ball (threat) coming at you squarely, in a crouched stance, and you locked your arms and wrists out to block the ball from hitting you. You did this automatically and instinctively.

If under stress our bodies are going to revert back to our natural, instinctive reactions, then why not train that way? Why not take what is going to happen to you instinctively under stress, and build your shooting skills from that point forward? Why practice target-shooting skills, for combat use? It only makes sense that you should be training the way you fight—and that is instinctively. Shooting is not, and never will be instinctive, but what happens to your body during a shooting is. So why not train for it? ■

*[Michael T. Rayburn has over 30 years of experience in law enforcement. He is the author of four books: **Advanced Vehicle Stop Tactics, Advanced Patrol Tactics, Combat Gunfighting, and Combat Shotgun**. His video, "Instinctive Point Shooting with Mike Rayburn," is a top seller. Mike is an Adjunct Instructor at the Smith & Wesson Academy in Springfield, MA. He can be reached at www.combatgunfighting.com]*

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BILL ROBINETTE

“A weapon is no good to you if you don’t carry it.”

Bill Robinette is no newcomer to firearms.

When he was eight years old, his father started teaching him how to fire BB guns and .22-caliber rifles. By the time he was in his early teens, Bill had acquired a .410 bolt-action shotgun for bird and rabbit hunting.

Shortly after graduating from his Detroit high school in 1968, Bill enlisted in the Marine Corps and did a tour in Vietnam. While still in boot camp, he qualified as high rifle in his platoon, and received the Leatherneck High Rifle award. Those skills served him well shortly thereafter.

Not long after he arrived in theater, a call went out to combat line companies. There was a need for qualified Marines to attend Scout Sniper School. After attending and passing SS school outside Danang, Bill was assigned as one of his company’s scout snipers. He volun-

teered for, and made, numerous sorties as a member of a four-man “killer team.” On one such patrol, he had the opportunity to use his Colt 1911A1 on two Viet Cong who came into the team’s hide. The two men were so close to the team’s location that Bill had to use his .45 to dispatch them. He reports, “It was a good thing I hit them with the first three rounds, because on the fourth round, the gun jammed—very old gun, rattled a lot. By the time the smoke cleared, we were up and on the move at a very rapid rate back toward our platoon CP.”

Two Purple Hearts later, Bill’s tour was over and he returned to Detroit, where he joined the Detroit Police Department. Out of the Police Academy he was assigned street patrol, then transferred to the Mounted division, and finally to the Police Photographic unit. Along the way, he volunteered for



Regular practice on private property keeps Bill Robinette's pistol skills sharp.

the Underwater Recovery Team, and was assigned to that team as an additional duty for 24 years. He also became a SCUBA/Technical Dive Instructor with the Midwest Technical Recovery Team, a task he still does today, although he retired from the police department after 29 years on the job.

Bill has had a CCW permit since his retirement, and carries his sidearm religiously. He encourages family and friends to do the same, to acquire a permit along with

training, and to do a lot of practice.

One incident happened at his home that caused his wife to want a handgun available in the bedroom. He was out of town on department dive training, leaving his wife at home alone. Around three in the morning, she was lying in bed with the lights out when she heard noises in the house and thought Bill had returned earlier than expected. The noise stopped, then suddenly the bedroom lights flared on, and she saw a stranger standing in the doorway.

The man then flicked the lights out and ran. This scared her half to death! She grabbed the phone and locked herself in the bathroom to call 911. In the closet Bill had a .38 snubnose that his wife was familiar with, but at the time, she did not feel the need to keep it close to the bed. She does now, and also has a 9mm for home defense.

Bill is an avid hunter with bow and firearms, and enjoys the outdoors immensely. He enjoys shooting all types of long guns, as well as his collection of handguns. Bill adds proudly, "I've passed this trait on to my son, who is also a former Marine and served in Desert Storm as a machine gunner. He loves hunting, shooting and fishing more than anything. We both enjoy the shooting sports together."

Bill enjoys going out on private property to stay in practice. He often sets up silhouette pistol targets at various distances and practices on multiple targets. He has also attended some local "Advanced CCW" classes that emphasized shooting and reloading while moving to cover. Taking knowledge



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Bill Robinette after a practice session with fellow members of the Midwest Technical Recovery Team. (L to R: Bill Robinette, Don Schmid, Andrew Donato, .)

from the classroom to the range, Bill practices various shooting positions he learned in those classes. As so many others have observed before him, Bill laments, "I really wish there were more local ranges that allow this kind of training on a regular basis, rather than the static shooting and punching paper that most ranges allow."

CCM: Was there a specific incident that caused you to carry a gun?

No, just grew up around guns and carried them most of my life. I feel very comfortable and safe carrying my gun.

CCM: Have you ever had to use your firearm in a defensive situation?

Yes, my father was involved in an injury auto accident on a major freeway. His car was towed off the freeway and onto a service drive and left there afterwards. I went to retrieve his property from the car. While doing so I was approached by a man who stated he had the keys to the car and wanted \$20 for them. I was able to get close enough to him to grab him and attempt to get the keys. When I did, he yelled out to some nearby friends and they charged me. I released this fellow and pulled out my S&W snub nose .38 and held it at the ready. All of a sudden they all put on the brakes and did an

about face and ran. This was after one of them yelled, "He's got a gun!" I notified the police of the incident immediately. There were several other instances but not as interesting.

CCM: What training methods do you employ? Do you have any recommendations?

The police training was just 'so-so.' I started seeking realistic training and found several instructors that would teach different realistic "street" training exercises. Move, cover, shoot and reload stuff. I took this training and started practicing until I could be very proficient with my carry weapon. I recommend anyone carrying to seek training that is realistic to actual close quarters incidents, not just paper punching. Another training aid is to put out some cans, clay pigeons or other similar objects at different distances and engage them in random order, getting used to your weapon(s).

CCM: How long have you carried a concealed weapon?

I carried a .45-caliber 1911A1 while in Vietnam, and while employed with Detroit Police Department for 29 years. Upon retirement, I received my first CPL and have renewed every

three years (now every five years). So I've been carrying for 36 years now.

CCM: What weapons do you carry?

Kimber Ultra Carry II in .45-caliber, and a Glock 23 in .40-caliber. Sometimes I carry a Kel-Tec P-11 in 9mm.

CCM: What type of ammunition do you carry?

Mostly Speer Gold Dot, or Golden Saber. Sometimes Cor-Bon Pow'RBall.

CCM: What concealment holsters do you use?

Over all the years, so many different ones I can't count. I've gone to the Galco "Ultimate Second Amendment" inside the waistband, and also Uncle Mike's "Side Kick." I have several Fobus holsters I use in the winter.

CCM: What do you do for a living?

I'm now a Medical Examiner Death Investigator, a SCUBA diving Instructor for the Midwest Technical Recovery Team (MTRT) and USCG licensed charter boat captain.

Do you have any advice for our readers?

Don't be self-conscious or worried while carrying your weapon. Most people I know that carry worry that they will be discovered carrying their weapon. Dressing for concealment is very easy with the right clothing, even in warm weather. Using the right holster works wonders; in the waistband holster with a light shirt (light material) with print pattern or dark color shirt works very well. In very warm weather I wear a sleeveless tee shirt and a light button shirt (unbuttoned) over it. In all the years I've carried concealed, I've never been made. A weapon is no good to you if you don't carry it. Conceal it and wear it comfortably, so carrying is no chore and causes no discomfort. ■

[Each issue of CCM contains an article that profiles an everyday individual who carries a concealed weapon. This article is an inspiration to our readers by helping them to realize that they are not alone in their lifestyle decision to always be armed.]

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It's sometimes impossible to maintain a traditional two-handed grip, or even a dominant-side grip on the pistol.



above: Because of the lines of movement sometimes needed in a fight, the ability to transfer the pistol to the other hand offers a crucial advantage.

right: We already know that when moving off line to the left, going one handed facilitates shooting while evading the adversary's gun muzzle.

PISTOL TRANSFER- RIGHT TO LEFT

[BY GABRIEL SUAREZ]

If you study any of the combat martial arts, you will find that they involve both sides of the body.

They will teach you the left side as well as the right side, so you are “fully developed.” We see this in any combat-oriented study from knife, sword, stick—even wrestling. Some systems even teach the less dexterous side first, in an effort to equalize the different sides of the body. Historically, we even read of warriors in ages past who could fight right side or left side as necessary. King David’s “mighty men” are noted to have been able to pull a bow right or left and swing a sword right or left. Even in the gun world, before the onset of modern training, we

see pictures of early gunmen with two guns, one on each side.

Then some time around the two world wars, where the study of arms became compulsory, codified, and not a personal endeavor, we saw for the first time mass training at the level of the lowest common denominator. “Let’s get them through this basic stuff as quick as possible,” seemed to be the over-riding motive, and a checkbox approach developed. And for the first time we saw an oversimplification of material for the unskilled masses. No longer was there a desire to push the limits, but rather

just to meet the minimum requirement. This thought process has continued since the world wars and into the present day. It has been embraced by mass police academy training, and by the civilian training that often emulates it. It is the thinking that gives rise to the concept of “weak side – strong side.”

In my classes I do not teach weak-side — strong-side, but merely right and left. We don't have a weak side, and I teach ambidextrous applications early on. “But Gabe,” I hear the protest, “under stress, how can we possibly use our ‘weak’ hand?” My reply is that your ancestors did it routinely. Are we not the men that they were? I think we are. And I think the perceived difficulty is simply due to hearing that something is impossible for so long, you eventually believe it.

Now I will admit that we all have a more dexterous side, and it is on that side where we will carry our pistol, seeking to use our stronger assets first. However, rather than ignore the other side, we should seek to bring as much parity as possible to both sides of the body. We may never be totally ambidextrous, but we will get pretty good at it by training.

The next question we get is simply “Why?” I believe that in order for a student to realize he needs to practice something, he must understand its relevance to him and his situation. Primarily I began this area of development when we realized that movement off the line of fire sometimes requires firing one-handed, or with only the non-dominant side. Remember, moving keeps you from getting shot. Therefore, moving is more important than a shooting position. Rather than adapting your movement around your shooting position, your shooting “platform” must accommodate your movement.

In our Close Range Gunfighting Series and its close cousin, the Interactive Gunfighting/Force on Force Classes, we establish early on that you must move off the line of attack. In fact, if you do not move—regardless of how fast your combat master draw is—you will get shot or stabbed by the other man. Remember that gunfights do not

happen at ten yards, but rather ten feet and closer, thus the difference between a 1.0 second draw and a 1.5 second draw is not very great. At ten feet, even a neophyte with a rusty Raven .25 Auto can get lucky, and ten feet is a long distance in true gunfighting. Movement off line is key and mandatory to avoid being shot.

In order for the student to grasp the lines of motion involved we use a clock analogy. The student imagines standing



Some might argue against the need to fire one handed or even left handed, but we feel it is an essential part of the gunfighter's development.

at the center of the clock with his adversary at the 12:00. When we move off line, we prefer to move laterally (3:00 or 9:00), or at angles such as the 5:00 and 7:00, or 2:00 and 10:00. We prefer to walk as God designed us to walk: *forward*. The popular sideways “crab walk” will not move you off the line fast enough. Similarly, almost never do we want to move backwards. Again, this is shown in force on force drills when every backpeddler gets literally run over by his adversary.

When moving at these angles it's sometimes impossible to maintain a traditional two-handed grip, or even a dominant-side grip on the pistol. Your goal is always to keep the muzzle pointed at the adversary. You maintain that objective and move your body around that orientation. Sometimes, keeping a two-handed grip will be easy, at other times it will not. Rather than give up the objective of keeping muzzle on contact, you may need to go one-handed.

As an example, take a right-handed

shooter moving to his left. At some point, he will be unable to maintain both hands on the gun and keep the muzzle oriented on the threat as he moves. As the angle between him and his adversary grows, so will the tension in his torso. Eventually he must let go with the support hand in order to keep the muzzle on target. The result? One handed shooting.

Another example is the same shooter moving to the 5:00 angle. At some point

the torso tension from the incompatible desire to keep the right-handed pistol pointed on target and the run to the 5:00, will require he abandon his target, or that he transfer the pistol to the other hand. Again, before some range dude tells us this is impossible, I have had first time force-on-force students (who did not know it was “impossible”) do it on demand at the run and hit the other man.

The easiest and surest way to execute a weapon transfer is to clear the firing thumb from its usual position and bring it up along the rear of the slide. This will create a gap where the other hand's thumb can get into and the transfer of the gun is completed. It is not hard to do and all it takes is a little effort.

In our new DVD: *Advanced Close Range Gunfighting*, we show the pistol transfer at full speed from a concealed draw, on the move. It is not a big deal and is easily accomplished with an open mind about what is possible, and with a little bit of sweat in training.



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Passport Sports #P328 holster tucked into Jean's soft, warm, fuzzy Polartec pants.



[BY STEVE HENIGSON]

PASSPORT S CLIP-ON, INSIDE-

(second in a series of practical, beltless carry options for the mature woman)

We believe that this security is partly due to the shape of a woman's body. It tucks the gun tightly inwards at the top, which materially aids retention during movement. Nevertheless, the J-frame's cylinder pushes Jean's little revolver just far enough from her body that her firing grip is easy to establish and her draw stroke is always quick.

This holster placed the grip of Jean's snubby at an easy-to-grab height above the waistband of her pants. Because the pouch supported her pistol at a point very near its center of gravity, she could adjust the angle at which she carried it with confidence that it would stay put. She toted the outfit just behind her right hip and, since she always dresses warmly, her ever-present jacket or vest kept it neatly concealed. She said it was extremely comfortable to wear, all day long.

The P328 holster's spring clip is both stiff and strongly recurved at its bottom. It gripped her pants tightly and always stayed put. Truth is, because of the clip's shape and strength, this clip-on holster was hard to attach and very difficult to remove. Jean found this frustrating, but

My wife Jean finds wearing a belt extremely uncomfortable.

In our search for beltless, practical, concealed-carry options, we were pleasantly surprised by the P328 inside-the-pants holster from Passport Sports. This inexpensive, Cordura nylon, one-size-fits-many, clip-on holster fit both Jean's Smith & Wesson J-frame snubby and her Charter Arms short-barreled revolver equally well. Further, its spring-steel clip was strong and tenacious, and it clung almost immovably inside Jean's favorite, soft, warm, fuzzy Polartec pants.

The P328 holster is made of tightly woven black Cordura outside, slick and

silky fabric inside, and a thin layer of some sort of foam in between. All its edges are bound with smooth nylon tape, and a band of two inch wide loop Velcro encircles the pouch at about cylinder level. This Velcro band secures the outfit's spring clip, and also serves to attach a set of hook-Velcro-equipped, thumb-break retention straps. Both the clip and the thumb-break are reversible, making this holster ambidextrous.

Jean found that the P328 holster fit her revolver so well that the thumb-break straps were entirely unnecessary, so she removed them. She didn't do somersaults, but her pistol stayed securely in place during normal, everyday activity, including running, bending, sitting, and getting in and out of her car.



The Bodyguard's cylinder snags if Jean doesn't watch it go in while holding the holster open.



PORTS #P328

THE-PANTS HOLSTER

she accepted it as a tradeoff against complete security. The clip is primarily designed to grip a belt up to 1 $\frac{3}{4}$ inches wide, but it's tricky to install and it's almost impossible to remove without first undoing the belt.

Jean noted one other annoying difficulty about using the P328 holster. Since its top is not reinforced, its opening collapsed as she drew her revolver. Reholstering then became a two-hand job that she had to watch very carefully. Jean's pants are soft and are held up by an elastic waistband. She is slim and athletic, so it was easy for her to reach around and squeeze the pouch's top open with her left hand while she wriggled the pistol back in with her right. However, this could be a problem for other users.

Jean and I are not sure that Velcro tape is strong enough to fully support holster and gun from the spring clip for years of daily use. However, our fear may be unjustified, since the outfit also is held up by being trapped between body and pants. Another possible problem is that a pistol's hard corners and edges may soon wear through the pouch's thin lin-

ing, causing it to tear and then perhaps to snag the gun. Since Passport Sports proudly bestows an "unconditional lifetime guarantee" on all their holsters, if the Velcro or the lining does fray or give way (and they're still in business when it finally happens) they seem honor bound to do something about it.

Picking these faults with the P328 holster may be a useless exercise anyway. It costs only \$13.95, and at that price it's

functional enough. It was secure, it fit Jean's guns, it was comfortable to wear all day long, and drawing from it was easy. After balancing its virtues against her complaints, she decided that it's good value for the money.

If your local gun shop doesn't carry Passport Sports holsters, you can contact them directly. Their entire catalog is on the web at www.passport-holsters.com. ■



The spring clip hooks around the Velcro tape, and this upward-pointing recurve really hangs onto your pants.



CONCEALED CARRY

When will they ever learn? [BY ROBERT G. HEINRITZ, JR., J.D.]

“Ignorance” can be defined as an absence of knowledge of the facts, or a good-faith belief which more careful study shows to be untrue. Sometimes ignorance is due to sources we generally believe to be trustworthy, but which are mistaken or biased on an issue. Nina Totenberg of National Public Radio (NPR), for example, is one of the better legal reporters in the world. Yet on the subject of the Second Amendment, Ms. Totenberg had the following to say during a report on NPR in 1992:

“There may be a lively debate about whether the Constitution confers on individuals the right to bear arms, but that debate is not going on in American courts, its law schools, or its scholarly legal journals. Indeed, even the National Rifle Association (NRA) could not recom-

mend for this broadcast a single constitutional law professor who would defend the Second Amendment as conferring on individuals the right to bear arms.”

Somehow this didn’t ring true. As a result of my ignorance I decided to research the topic, fully ready to change my opinions based on the data. The following article, first written in the early 1990s and updated in 1996 and again in 1998, is one of many I wrote as a result of that research.

I was later informed Ms. Totenberg flat-out lied about what NRA told her. For that lie, I will be eternally grateful. As a result, I became acquainted with many nationally-recognized constitutional law professors and scholars, many of whom are liberal and formerly anti-gun, who now strongly defend the Second Amendment, not as conferring,

but as *confirming* an individual’s God-given right of self defense.

In this issue, Part 1 touches on the history and current criminological data. Next issue, Part 2 summarizes some of the medical research, medical misrepresentations, legitimate self defense data, and Constitutional cases.

RIGHT TO CHOOSE LIFE

“Self defense therefore as it is justly called the primary law of nature, so it is not, neither can it be in fact, taken away by the law of society.” — Blackstone, Commentaries on the Laws of England.¹

The concept that free people have the God-given right to defend themselves is as old as civilization. From Anglo-Saxon times, the ceremony of freeing a slave included placing a weapon in his hand “as a symbol of his new rank.”²

PART ONE: VALUES, CURRENT DATA, AND THE CONSTITUTION

*"We're all ignorant, just
on different subjects."
—Will Rogers*

AND BEAR ARMS Y SAVES LIVES

Eighteenth and nineteenth century Americans were familiar with classical and contemporary history, including the writings of Aristotle, who wrote that true citizenship included the right to possess arms, and that armed tyrants disarmed the oppressed.³ Our Founders believed being armed for defense of self, family, community and country was more than a right or a pragmatic necessity, but a moral obligation of citizenship. The classical liberal world view held that good citizens must always be prepared to defend themselves and their society.⁴ "This belief, a fundamental value of this country and our Constitution, is based in part on the religious beliefs of our Founders, and their knowledge that Judeo-Christian law approved of self defense to protect innocent life against evildoers, on the basis that self defense is a duty superior to every precept,"

wrote Clayton E. Cramer and David B. Kopel in the *Tennessee Law Review* in 1995.⁵

For the first century of our nation's existence, the right of citizens to carry arms was so fundamental it was not considered worthy of debate. The U.S. Supreme Court stated as a given that the rights of citizens included, among other rights, the right "to keep and carry arms wherever they went."⁶

Americans living a century ago would have been amazed to find their right to have weapons a subject of debate, as this was considered the most fundamental of all civil rights.⁷ It was so fundamental that Congress in 1866 temporarily disbanded the organized militias of the Southern states because those militias were disarming freed black citizens, leaving them defenseless against the lynch mobs. Before Congress did so

it amended the Act to make it clear that in disbanding the organized militias of the Southern states, it was not disarming individuals, either black or white, "in violation of their Constitutional right to keep and bear arms."⁸

"Laws that forbid the carrying of arms...disarm only those who are neither inclined nor determined to commit crimes. ... Such laws make things worse for the assaulted and better for the assailants; they serve rather to encourage than to prevent homicides, for an unarmed man may be attacked with greater confidence than an armed man."⁹

MODERN APPLICABILITY?

"That was then, and this is now," you might say. It turns out modern scientific research supports the benefits of the most fundamental of all rights: the right to defend innocent life against

wrongdoers by keeping and bearing arms for self defense. Roughly 87% of crime takes place away from home. The research proves it is proper, moral, and beneficial to permit law-abiding citizens their right to choose life—to have the means of defending themselves away from their homes. It is also appropriate for all citizens, even those who do not like guns or would never have them around, to support and vote for a “shall issue” concealed carry law, as well as state preemption to make the law uni-

In another restaurant in Anniston, Alabama, in December of 1991, two armed robbers left no doubt they were going to murder all the customers and employees. Fortunately, one of the customers, a civilian named Thomas Glen Terry, with a concealed carry permit, had his licensed pistol in his possession. The result? One dead criminal and one wounded; no crime successfully committed; no innocent people harmed. According to Anniston Police Lt. Ted Northderst, a lone, armed, law-

make guns illegal also campaign against “fists and feet violence?” The issue is not “gun violence,” but criminal violence.

Until the late 1970s there was little objective data, and the pro- and anti-gun factions had little more than bumper sticker slogans to support their respective positions. The turning point came during the Carter administration.

CONCLUSIONS OF CRIMINOLOGICAL AND SOCIOLOGICAL RESEARCH

Sociologist Peter Rossi was on record as being in favor of strict national gun control. He and his colleagues, James Wright and Kathleen Daly, at the University of Massachusetts were commissioned by the Carter administration to research the issue to justify stronger gun control. However, they concluded that there is no convincing proof that gun control curbs crime or prevents criminals from acquiring firearms. They found just the reverse to be more likely, that civilian ownership of firearms deter or reduce crime.¹¹

Since then, there have been many more independent, unbiased, scientific studies. Almost invariably, they conclude:

(1) At least three times more crimes are thwarted by armed law-abiding citizens than by the police.¹²

(2) Firearms are used by civilians to stop or deter crimes far more often than they are misused by criminals to commit crimes.

(3) In jurisdictions with fewer restrictions on law-abiding citizens, fewer crimes are attempted.

(4) Jurisdictions that enact stronger gun control laws experience an increase in violent crime.

(5) States which have enacted concealed carry permit laws have experienced a reduction in violent crimes, with few if any injuries from accidents.¹³

(6) Where law-abiding citizens are encouraged in responsible gun ownership the result is a safer society with lower medical costs.¹⁴

BENEFITS FAR OUTWEIGH COSTS

In Florida, and in the 27 other states which have enacted shall-issue con-

“I blame the deaths of my parents on those legislators who deny me my right to defend myself.”

- Dr. Suzanna Gratia Hupp, referring to the tragedy at Luby's cafe in Killeen, Texas in which a murderer methodically shot 23 people in her presence, including her parents.¹⁰

form throughout the state. Virtually all of the scientifically valid data indicates this will reduce violence.

EXAMPLE #1. INNOCENT LIVES NEEDLESSLY LOST

Everyone remembers the incident at Killeen, Texas. It was widely and repeatedly reported by every news organization in the country. In October 1991, a psychopath knew, and took advantage of, the strict gun control laws in Texas. He intentionally crashed his vehicle through the window of the Luby's cafe in which Dr. Gratia, her parents, and many other law-abiding people were having a meal, then slowly and deliberately began shooting everyone there. Dr. Gratia, in compliance with Texas law, had left her firearm locked in her vehicle. She was helpless as her parents and others were needlessly, methodically, brutally murdered. The shooting went on for twenty minutes, despite the fact that a police seminar was in progress nearby. Twenty-three innocent people were murdered that day.

EXAMPLE #2. INNOCENT LIVES SAVED

There was another equally dramatic incident that you may not remember, because it received little attention from the same news agencies that had such an anti-gun feeding-frenzy at Killeen.

abiding civilian, Mr. Terry, in a crowd of people who were about to be murdered, successfully saved the day. Why wasn't this celebrated in the newspapers and on TV?

Are these merely anecdotes? Are they not representative of the larger society? The data indicates otherwise.

CURRENT DATA: GUNS SAVE LIVES

The data, as developed by scientists, sociologists, criminologists, and law-enforcement officers, overwhelmingly show that U.S. jurisdictions with the strongest gun control laws inevitably have higher rates of violent crimes, while states which permit concealed carry of firearms generally have less violence.

GUN VIOLENCE: A FRAUD

What about “gun violence” in the news? First of all, the term “gun violence” is a fraud. In Mexico, where it is very difficult for ordinary citizens to legally own firearms, the murder rate with knives alone is higher than the total murder rate in the United States. Per-capita homicide in Mexico is triple the rate in this country. Do we decry “knife violence”? In the United States, so-called “assault weapons” account for fewer murders than are caused by fists and feet. Do the groups who wish to

cealed carry laws,¹⁵ the rates of homicide, robbery, and aggravated assault have declined—even while going up in surrounding states. On the other hand, the misuse of firearms by legal permit-holders has been so statistically insignificant that in most states, even the opponents have stopped counting.¹⁶

THE FLORIDA MODEL

After passage of Florida's concealed carry law in 1987, the state's murder rate began declining rapidly and consistently. The decline provided dramatic contrast to the increase in murder rates experienced in the rest of the United States during the 1980s. Florida's murder rate from 1975 to 1986 was between 118% and 157% of the murder rate elsewhere in the United States. By 1991 it had dropped below the national rate.¹⁷

The Florida Department of State "Concealed Weapons Statistical Report" for 10-1-1987 through 8-31-1998, a period of more than ten years, indicates that 490,612 concealed-weapons licenses were issued by the state of Florida—less than 2% of people who were eligible. Of those 490,612 concealed-weapons licenses, only 93—a statistically nonexistent 19/1,000ths of one percent—were revoked because a firearm was used improperly. The majority of those "crimes" were an otherwise lawful concealed carry permit holder inadvertently wandering into a "no guns" enclave, such as a Federal building. At the same time, Florida's firearm homicide rate went down 37% and handgun homicide went down 41%, while similar crime rates went up 15% and 24% respectively in other states. This information is rarely seen in our major media outlets. Why not? If we could have this kind of safety record with automobiles, we would save 45,000 lives and 250,000 serious injuries per year. If we could have this kind of safety record with cigarettes, we would save 400,000 lives per year.

NATIONWIDE BENEFITS

That's the costs side. More important are the benefits. Permitting law-abiding citizens their right of self defense saves lives and deters violence; including over 2.5 million crimes thwarted per year, with less than 0.2% resulting in death. In



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the United States, for every one honest citizen killed by a criminal with a gun, 620 violent crimes—many potentially fatal—are stopped by armed citizens, and two violent criminals are killed by acts of justifiable self defense. The current data proves it.¹⁸

RESTRICTIONS ON LEGAL OWNERSHIP OF GUNS CORRELATES WITH HIGHER VIOLENCE

In the United States there are more than 20,000 federal, state, and local gun control statutes; laws which affect only the law-abiding. None have ever been shown to reduce crime or prevent criminals from getting guns. None! In fact, the data indicates just the opposite. States with more liberal gun laws generally have lower rates of violent crime.

In a 1993 report published by the Missouri Citizens for Civil Liberties, the variables which influence violent crime were compared state-by-state between jurisdictions without concealed carry laws and jurisdictions with concealed carry laws. The report concluded that,

collectively, the rate of violent crime was 50% to 250% higher in states with strict gun control laws. Further, the comparison matched pairs of states with similar characteristics, the only exception being that one state of each pair had concealed carry laws and the other did not. In every case, the state with the right of self defense had lower crime, as measured by the FBI Uniform Crime Report data.

THE VERMONT MODEL

In that same report, Vermont is a dramatic example of the wisdom of the Second Amendment and America's cherished common-law doctrine "innocent until proven guilty." For over 200 years, anyone in the state of Vermont has had, and still has, the right to carry a concealed firearm without any license or permission from the government. It is illegal to use a gun for crime, but not to carry it. After comparing the rates of homicide, aggravated assault, and robbery, the analysis concludes, "Vermont is probably the safest state in the union in which to live."¹⁹

2.5 MILLION CRIMES PER YEAR DETERRED BY ARMED CIVILIANS

Even more impressive is the ongoing research from Professor Gary Kleck, School of Criminology and Criminal Justice, Florida State University, showing that in the United States as many as 2.5 million crimes are deterred or prevented each year by armed law-abiding citizens. The criminal is killed in less than 0.2% of those cases. At the same time, research has proven that defense with a gun results in fewer injuries to the defender (17%) than any other method including evasion, physical force, or not resisting at all.²⁰ This kind of data appears time and time again.

In Orlando, Fla., for example, the police responded to a rape epidemic by embarking on a highly publicized program to train 2,500 women in firearm use. The next year rape fell by 88% and burglary by 25%. Better still, not one of the 2,500 women actually fired her weapon. The deterrent effect was enough.

The most convincing and conclusive analysis now comes from an economist,

1. Wm. Blackstone, Commentaries on the Laws of England, Bk. 3, Ch. 1

2. Don B. Kates, Jr., "The Second Amendment and the Ideology of Self-Protection," 9 CONSTITUTIONAL COMMENTARY 87, 94, Winter 1992 – quoting A. V. B. Norman, *The Medieval Soldier* 73 (Thomas Y. Crowell Co., 1971).

3. ARISTOTLE, POLITICS 68

4. Kates, 87, 89

5. Clayton E. Cramer and David B. Kopel, "Shall Issue: The New Wave of Concealed Handgun Permit Laws," 62 TENNESSEE LAW REVIEW 679, 724-730, Spring 1995

6. *Dred Scott v. Sanford*, 60 U.S. (19 How.) 393, 417 (1857)

7. Joyce Lee Malcolm, *To Keep And Bear Arms: The Origins of an Anglo-American Right*, Harvard University Press, 1994; and Stephen P. Halbrook, *That Every Man Be Armed: The Evolution of a Constitutional Right*, The Independent Institute, 1984.

8. Stephen P. Halbrook, "Personal Security, Personal Liberty, and 'The Constitutional Right To Bear Arms': Visions of the Framers of the Fourteenth Amendment," 5. SETON HALL CONSTITUTIONAL LAW JOURNAL; and Robert J. Cottrol and Raymond T. Diamond, "The Second Amendment: Toward an Afro-Americanist Reconsideration," 80 GEORGETOWN LAW JOURNAL 309, 1991.

9. Thomas Jefferson carefully hand-copied this passage into his personal journal from renowned 18th century criminologist Cesare Beccaria, *On Crimes and Punishment*, 87-88 (Henry Palolucci trans., 1964) (1764). Beccaria is generally regarded as the founder of criminology.

10. Dr. Suzanna Gratia Hupp, referring to the tragedy at Luby's cafe in Killeen, Texas in which a murderer methodically shot 23 people in her presence, including her parents.

11. Wright, Rossi, & Daly, *Under The Gun: Weapons, Crime, and Violence in America*, Aldine de Gruyter, New York, 1983.

12. Estimates for citizen defensive gun use (DGU) range from around 1 million up to around 2.5 million occurrences annually. There is one study, the National Crime Victimization Survey (NCVS), which in 1993, estimated only 108,000 DGU's annually; that study is in direct contradiction to at least 14 other studies. See also <http://www.guncite.com/kleckandgertzttable1.html> and <http://www.guncite.com/gcdgklec.html>

13. "More Guns, Less Violent Crime", Professor John R. Lott, Jr., *The Wall Street Journal*, August 28, 1996, (The Rule of Law column).

14. <http://www.nraila.org/Issues/FactSheets/Read.aspx?ID=18> and BJS (<http://bjsdata.ojp.usdoj.gov/dataonline/>) and FBI

(http://www.fbi.gov/ucr/05cius/offenses/violent_crime/index.html).

15. At the time this article was originally written, there were 28 shall-issue states. As of March 2008, there are 36 shall-issue states, and 48 states which allow some form of concealed carry.

16. F.B.I. Uniform Crime Report, 1996

17. Clayton E. Cramer and David B. Kopel, "Shall Issue: The New Wave Of Concealed Handgun Permit Laws," 62 TENNESSEE LAW REVIEW, No. 3, Spring 1995, pp. 679, 693.

18. See *Self-Defense Laws And Violent Crime Rates In The United States*, Missouri Citizens for Civil Liberties, P.O. Box 9140, Richmond Heights, MO 63117

19. See *Self-Defense Laws And Violent Crime Rates In The United States*, Missouri Citizens for Civil Liberties, P.O. Box 9140, Richmond Heights, MO 63117

20. Prof. Gary Kleck, Ph.D. and Marc Gertz, Ph.D., *National Self-Defense Study*, School of Criminology and Criminal Justice, Florida State University, 1993; and Gary Kleck, Ph.D., *Point Blank: Guns and Violence in America*, 1992

21. John R. Lott, in "MORE GUNS - LESS CRIME: Understanding Crime and Gun Control Laws," (University of Chicago Press 1998)

John R. Lott, in "More Guns-Less Crime: Understanding Crime and Gun Control Laws."²¹ The Lott-Mustard study used multiple-regression analysis of F.B.I. crime data from every county in the United States over a period of 16 years (1977 to 1992 inclusive).

Lott's data scientifically confirms that:

(1) States which have adopted self defense laws which permit concealed carry experienced a significant reduction of violent crime, no increase in accidental deaths, and a slight increase in property crime. As Dr. Lott summarized, "Criminals respond to the risk of being shot by substituting less risky crimes."

(2) Concealed carry has the greatest effect on the violent crime rate in larger-populated counties where crime rates are higher. For example, homicide down 8.5% in rural counties; homicide down 13% in urban counties and cities. In addition, the benefits are much greater for women, the elderly, and the disabled, who would otherwise have few alternatives against violent felons.

Concealed carry results in external benefits to society in general. People

who do not carry firearms also experience the benefits of lower violent crime. Rarely does more than 1% to 2% of the eligible population carry firearms, yet the crime rate affects the entire society.

The cost of not adopting self defense laws is very high. Dr. Lott's data dramatically confirms if the seven states that did not permit concealed carry had done so, in 1992 alone they would have avoided over 1,500 murders, 4,000 rapes, 11,000 armed robberies, and roughly 60,000 aggravated assaults.

SELF DEFENSE EQUALS NON-VIOLENCE!

As for safety, data from the FBI and other sources confirm that against criminals, citizens are more successful gun-users than the police. When police shoot, they are 5.5 times more likely to hit an innocent person (11%) than are civilian shooters (2.2%). The data also shows armed citizens stop at least two to three times more crimes than the police, and that an armed civilian-population unquestionably serves as a deterrent to crime. Criminals are far less successful against armed citizens. If a citizen re-

sists with a gun, the probability of a successful crime or the citizen getting hurt is lower than for any other response. In short, when law-abiding citizens use guns they generally do so responsibly and effectively, notwithstanding the anxieties of gun control advocates and an irrationally biased media. ■

NEXT ISSUE!

Part 2 of "CONCEALED CARRY SAVES LIVES" summarizes pertinent medical research, medical misrepresentations, legitimate self defense data, and Constitutional cases supporting your right to self defense.

[Bob Heinritz is an honors graduate in management, economics, and law, and a member of the Bar of the states of Arizona, Illinois, and Missouri. He is a former trial lawyer, and now a business attorney and management consultant, specializing in strategic planning, productivity, business turnarounds, and preventive law.]

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COST PRACTICE

Those of us who chose to lawfully carry a firearm have an obligation to practice gun handling and marksmanship on a regular basis.

[BY DUANE A. DAIKER]

Skills deteriorate and muscle memory fades without regular practice. Unfortunately, in the last year or so, ammunition costs have been skyrocketing. Depending on what you purchase, ammo costs can be double what they were a year or two ago. While ammo costs may stabilize, costs are unlikely to go down to the price levels we saw a few years ago.

If you are like me, these dramatic price increases can impact your shooting habits by reducing the number of rounds you are launching downrange. However, just because you are putting

fewer rounds through your carry gun doesn't mean you can't engage in effective practice sessions. This article will explore some of the ways to practice necessary skills without breaking your budget.

DRY PRACTICE

A lot of what you need to practice can be done without even engaging in live fire. Nearly every aspect of shooting technique can be practiced without firing live ammo. The majority of firearms appropriate for concealed carry can be safely dry fired. When in doubt, check

your firearm's manual or check with the manufacturer. Engaging in dry fire practice can be very useful to practice sight alignment, trigger press, and more. The main thing missing from dry fire practice is the recoil impulse; also the associated need to recover sight alignment for follow-up shots and the feedback of knowing where the bullet would have been delivered. Of course, dry fire practice is somewhat easier with guns with a true double-action mechanism that allows successive "shots," as opposed to pistols like a Glock that must be partially cycled to tension the striker, or a 1911 that must be recocked. If you intend to use your carry gun for dry fire practice,



you **MUST** be exceptionally careful. Keep in mind that dry fire practice is an intentional violation of at least three of the Four Rules of Firearms Safety.

When engaging in dry fire practice, you must follow a routine. Always set aside a specific time and place for practice:

(1) Remove all live ammo from the practice area.

(2) Check, double-check, and triple-check to ensure the gun is unloaded. If possible, have another person verify the gun is clear.

(3) NEVER violate Rule 4—always point the gun in a safe direction, even when you are sure it is unloaded. This way, even a series of mental mistakes won't have tragic consequences. More than a few televisions have been mortally wounded by negligent shooters who thought they were snapping the hammer on an empty chamber.

(4) When you are finished, make a mental note that the practice session is over, reload and holster the gun, and leave the practice area.

If you don't want to use your carry gun for dry fire practice, there are other alternatives. Gun handling involves much more than just pulling the trigger. Skills like a proper drawstroke, acquiring a firing grip, flashlight techniques, and handgun retention can all be practiced without necessarily needing to work the trigger, and can be practiced with complete safety using a non-firing training dummy. Ring's Manufacturing makes the most impressive line of firearms simulators on the market. These simulators are referred to as "Blue Guns" because they are crafted from steel reinforced polyurethane in "law enforcement blue" – a color widely recognized as a safety color. The detail on the Blue Guns is amazing—right down to the texture on the grips and the engraved lettering on the slide. As a result, the Blue Guns feel like the real thing and fit holsters just like their real counterparts. Flashlights and lasers can even be attached to the Blue Gun's equipment rail. Ring's gun list is quite large and chances are good that you can get a Blue Gun to replicate your current carry gun. To check for availability, or to order a Blue Gun, contact Ring's Manufacturing via the web at www.blueguns.com, or call (321) 951-0407.

Using a firearms simulator like a Blue Gun has the distinct advantage of making dry practice entirely safe. Just be sure to put your firearms and live ammo away when the Blue Gun comes out for practice. Regardless of how you choose to implement your dry fire practice, be safe and use your head. With adequate precautions, dry fire practice can be a valuable addition to your practice regimen that is virtually cost free. Even if you purchase a Blue Gun, the investment is less than the cost of 50 rounds of premium ammo, and it should last forever.

LIVE FIRE ALTERNATIVES

No matter how valuable dry practice may be, a certain amount of live fire is necessary both for the actual practice and for the reassurance that your practice is working and bullets are hitting where you want them to hit. Of course, practicing with the premium defensive loads you use in your carry gun can

EFFECTIVE PRACTICE:

COMBATING THE INCREASING PRICE OF AMMO

Follow all the firearm rules of safety! Is your gun really unloaded when you're about to do some dry-fire drills?



be very expensive. Most high quality defensive loads are about \$20 for a 20 round box in a major caliber.

An obvious alternative is to shoot a less expensive round for practice. While 9mm ammo is generally cheaper than just about any other serious pistol caliber, even the costs of 9mm ammo have been increasing significantly. In order to obtain significant cost savings, you have to step down to a rimfire cartridge like .22 Long Rifle. Although .22 LR ammo has increased in price too, it will always be far less expensive than centerfire pistol ammo.

Numerous varieties of .22 LR ammo are readily available. Even the most expensive brands will currently top out at about \$5 per 50 round box, and some brands are significantly cheaper. If you are going to use .22 LR for practice, you have a few alternatives. Perhaps the easiest is to purchase a dedicated .22 caliber handgun for practice. Obviously the more the practice gun resembles your carry gun in form and function, the better. This can be easy if your carry gun is a revolver or a 1911 because many similar models are available in .22 caliber. However, even if your carry gun is significantly different from your practice gun, the basics of combat marksmanship—sight alignment and trigger press—are the same for any gun. The other gun handling skills can be practiced dry with your carry gun, as discussed above. Pictured with this article is my Smith & Wesson Model 22A, a very accurate and dependable .22 LR target pistol. The S&W 22A is available in a variety of configurations, and can be had at street prices as low as \$250 new. For more information on the Model 22A, visit www.smith-wesson.com or call (800) 331-0852, or simply contact your local firearms dealer.

If your carry gun is a 1911, or a Glock, or one of a few other popular semi-autos, you may be able to purchase a .22 caliber conversion kit. A conversion kit replaces the top end of your semi auto (slide, barrel, and guide rod) and the magazine, thereby converting your carry gun into a .22 caliber practice gun. The beauty of this, of course, is that the trigger pull is identical to your carry gun, and you can utilize your actual



Using a .22 conversion kit can help keep costs down while still using the same gun.

FOUR RULES OF FIREARM SAFETY

Developed by Colonel Jeff Cooper

RULE I:
All guns are
always loaded.

RULE II:
Never let the
muzzle cover
anything you
are not willing
to destroy.

RULE III:
Keep your
finger off the
trigger until
your sights are
on the target.

RULE IV:
Be sure of
your target
(and what is
behind it).

carry holster, mag pouches, and other gear.

In preparation for this article, I spent some time with Kimber's .22 caliber Rimfire Target Conversion Kit for the 1911. The Kimber kit replaces the top end on any mil-spec 1911 and comes equipped with excellent adjustable target sights. Ammo is fed from ten round magazines that resemble skeletonized 1911 mags. My sample kit fit perfectly on a Kimber 1911 frame, but wouldn't fit a Taurus PT-1911 frame. The kit was somewhat ammo sensitive, as Kimber had warned, but I found several varieties of high velocity .22 LR ammo that the gun would eat flawlessly, including Winchester Thunderbolt .22 LR. This kit was amazingly accurate, and makes for great fun plinking when you are done with the serious practice session. The Rimfire Target Conversion Kit costs \$314

plus shipping direct from Kimber. One nice thing about conversion kits is that they do not qualify as "firearms" under federal law, so the kits can be shipped direct to you via regular mail with no transfer fees or the like. The Kimber kits are available in silver or black, and Kimber recommends that you buy a conversion kit the opposite color of the slide on your carry gun, so you never mistake the two; Good advice if ask me. For more info on the Kimber Rimfire Target Conversion Kit, or to purchase one, visit www.kimberamerica.com, or call (800) 880-2418.

One word of caution: Practice all you want with your .22, but don't forget to put in some trigger time with your actual carry ammo to maintain familiarity with how it feels and how to shoot. In fact, I would suggest that you end every practice session with *at least* one maga-

zine full of your actual carry ammo. Shoot a magazine of your oldest carry ammo, and refill the magazine with fresh carry ammo before hitting the street. This serves multiple purposes of testing your actual carry ammo and magazine, staying familiar with the performance of your carry ammo, and keeping your carry ammo fresh.

LOWER COST PRACTICE AMMUNITION

To the extent you want to use your actual carry gun for practice, you may wish to use some lower cost ammunition. Rather than shoot 100 rounds of premium defensive ammo, it makes sense to shoot 100 rounds of lower cost ammo and just a few premium loads. This assumes, of course, that you have already shot enough premium defensive loads through your carry gun to ensure it functions properly with that load. If nothing else, you can certainly practice with lower cost full metal jacket loads that will have similar ballistics to your jacketed hollow point carry loads. Often lower cost “target” ammo costs the same for 50 rounds as premium defensive ammo costs for 20 rounds. A common source for value ammo all across

the country is Winchester’s generic looking “white box” target ammo sold at Wal-Mart and other retailers around the country. You should also watch for ammo sales at on-line sources. If you buy 500 or 1,000 rounds on sale, the savings can be significant, even after taking shipping into account. For increased savings, you can also purchase commercially remanufactured or reloaded ammo in bulk. Many companies offer remanufactured ammunition by mail, or you can save the shipping and buy at a local gun show or a local reloading facility. Be very careful using reloaded ammunition! Only buy from established and reputable sources. Never buy from some guy loading ammo out of his garage. Reloaded ammunition can be dangerous if not loaded properly. A double charge of powder in a round could ruin your firearm, ruin your day, and maybe ruin a part of your body. An under-charged round, or “squib load” as they are called, can cause a bullet to stop in the barrel of the gun. This creates a serious problem if the next round is fired without first clearing the barrel of the obstruction. Also note that the use of reloaded ammunition can void your firearm’s warranty. Certainly any

problem caused by improperly loaded ammunition will not be covered by the factory warranty.

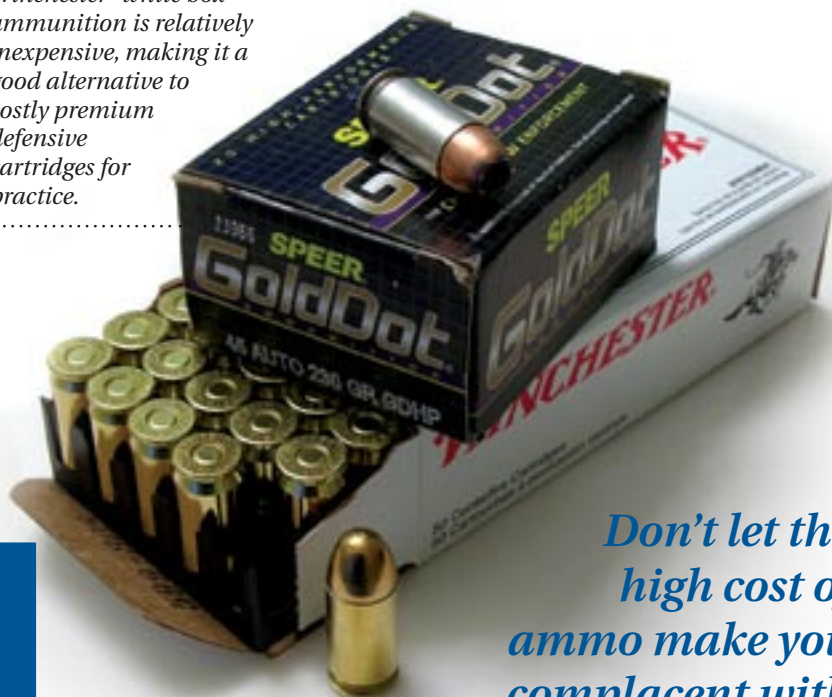
One other alternative is to reload your own practice ammunition. Reloading and the economics of reloading are far beyond the scope of this article. However, you can achieve significant savings by loading your own ammunition since you are investing your own time rather than paying for someone else’s time. However, there is an initial cost to obtain the equipment and a steep learning curve. If you want to start reloading, seek the assistance of an experienced and competent reloader for training, follow all the safety rules, and only load to established specifications. Reloading can be very rewarding, not just because of the cost savings, but because of the ability to really tweak your loads to your gun and your particular shooting needs. However, developing reloading competence is not something that you can take lightly, and does not happen overnight.

WHATEVER YOU DO, PRACTICE!

As you can see, there are many alternatives to cost-effective practice, even as ammunition prices continue to rise. Don’t let the high cost of ammo make you complacent with your training. A lot of meaningful practice can be undertaken without any monetary costs. And, with well thought out purchases, live-fire practice can be made to fit just about any budget. However, *always* follow the Four Rules of Firearms Safety, and maintain familiarity with your actual carry load. Your practice sessions have to be a significant investment of your time, but they don’t have to be a significant investment of your money!

[Duane A. Daiker is a Contributing Editor for CCM, but is otherwise a regular guy—not much different from you. Duane has been a life-long shooter and goes about his life as an armed, responsible, and somewhat opinionated citizen. Duane can be reached at Daiker@RealWorldCarryGear.com. Additional RWCG columns can be viewed at www.RealWorldCarryGear.com.]

Winchester “white box” ammunition is relatively inexpensive, making it a good alternative to costly premium defensive cartridges for practice.



Don't let the high cost of ammo make you complacent with your training.

The large base of this potted plant, filled with dry sand, can double as a safe unloading barrel.

The result of a range experiment which found that .357 Magnum penetrated less than a foot into a tightly-packed bookshelf. The shot was fired from a distance of approximately ten feet.

[BY KATHY JACKSON]

IS IT SAFE TO DRY FIRE?

“Is it safe to dry fire my handgun?”

When people ask this question, they are almost invariably asking about the mechanical function of their firearms, not about the physical safety of human beings. But the lives of shooters and their loved ones are far more important than the mechanical life of even the most expensive firearm. To give a brief answer to the mechanical concern: most modern centerfire handguns will not be harmed by dry fire without snap caps. Check your owner's manual or call the manufacturer if you're unsure about your particular model.

The related safety issue, too often ignored, requires a longer and more exact answer:

First, the unpopular truth: **DRY FIRE IS VERY DANGEROUS**. It is, by nature, a dangerous activity. Every year, far too many shooters embarrass or injure themselves, or injure others, while engaging in dry fire. An unlucky few even manage to kill someone.

Those who suspect I'm overstating the danger are invited to run an online search for the phrase “negligent discharge” (ND) and note how many unpleasant stories from otherwise re-

sponsible shooters involve combining dry fire and complacent safety habits to create an embarrassingly noisy mistake.

Nor is simple embarrassment the worst that can happen.

A depressing number of ND stories involve severed appendages, bloody leg wounds, and dead loved ones. Of course, on the internet, the discussions which follow often devolve into sometimes-amusing blamefests about the firearms type (Is pointing the muzzle at your firstborn child *really* part of the take-down procedure suggested by the



Despite the danger, dry fire remains popular because it can be incredibly beneficial.

owner's manual for that polymer handgun?). But there's nothing funny at all about lives being ruined by careless gunhandling.

Despite the danger, dry fire remains popular because it can be incredibly beneficial. Practice with an empty firearm allows a shooter to learn and then to perfect a smooth, safe, draw stroke. This can be particularly important to people who carry in non-traditional (pocket, ankle, or purse carry) holsters, which even very permissive ranges often disallow. Dry fire practice can help shooters smooth out a trigger pull, over-

come flinching, explore unconventional stances, and learn important gunhandling skills. Whether the difficulties are financial, legal, practical or simply a matter of convenience, dry fire work often meets needs that simply cannot be met by live practice on a traditional range.

A SAFE DRY FIRE RITUAL

Dry fire is not inherently safe, but it can be done safely. Dry fire practice is done in the form of a ritual. It is a ritual because it must be done the same way every time. Doing it the same way ev-

ery time may help prevent a tragic goof when tired or distracted, and can build redundant layers of safety into your gunhandling skills. Here is one form of safe dry fire ritual:

- 1. No interruptions!** Turn the ringer off the phone and make sure the front door is locked. If you are interrupted, start again from the beginning rather than picking up where you think you left off.
- 2. Unload** your gun.
- 3. Check** that the gun is unloaded. Use

A penny balanced on the front sight easily demonstrates smooth trigger pull.



DRY FIRE AND THE FOUR RULES

Some say that dry fire always violates the Four Rules of safe gunhandling. Does it? Not by my lights.

Rule One: All guns are always loaded.

This first and most essential rule of gun safety teaches us that *the safety rules always apply*, no matter what you intend to happen when you pull the trigger. When you follow this rule, even after you have just checked to see that your gun is unloaded, you still never do anything with it that you would not be willing to do with a loaded gun.

Rule Two: Never point the gun at anything you are not willing to destroy.

As it applies to dry fire, this means you must choose a reasonable direction for practice. Do not aim at your dog, at your best friend, at a family heirloom, or at anything else you cannot replace. In the worst-case scenario, an unintentional discharge, the worst consequence should be minor property damage and a little embarrassment.

• Please note that the word *willing*, as used or implied in the first two rules, does not mean that you really *want* to destroy the expensive Kevlar vest you hung on the study wall, or that you have a burning desire to blow a bucketful of dry sand to smithereens in your bedroom. It simply means that you are aware that your other safety measures may fail and that you are *willing* to sacrifice these things if you make a mistake. It means you reasonably believe that only minor property damage—not physical or emotional tragedy—will result if you err.

Rule Three: Keep your finger off the trigger until your sights are on the target.

What's a target? A target is anywhere you have *deliberately chosen* as the best place for a bullet to land. It can be a piece of paper, a criminal intruder, or a falling steel plate. It can also be a particular spot on the living room floor, a thick stack of phone books, or a painting hung on a basement wall. The important thing is that the target is *deliberately chosen*. Never put your finger on the trigger for dry fire or for any other reason, including disassembling the gun, until you have deliberately chosen the best place for a bullet to land in that situation.

Rule Four: Be sure of your target and what is beyond it.

This rule means that you are not going to dry fire at a flimsy interior wall which you know would never stop a bullet, or at your own reflection in the bathroom mirror while your baby sleeps in the room beyond. You won't aim at a flat screen TV or at any other object with dubious bullet-stopping potential. Instead, you'll set up a backstop which definitely *would* stop a bullet if one somehow sneaks into the gun you intended to dry fire. If you cannot set up a safe backstop in your home, you must not dry fire there. ■

both your eyes and your fingertips. Lock the action open, and then run your pinky into the empty chamber to be sure it's really empty. If you have a revolver, run your finger across each hole in the cylinder. Count the empty holes to be sure you touched them all.

4. Remove all ammunition. Get it out of the room and out of sight. I even go so far as to lock the door to the room where the ammunition is kept so that it takes several deliberate steps to get the ammunition back together with the gun.

5. Choose a safe backstop. A backstop is anything that will reliably stop a bullet from the most powerful load that your gun is capable of firing. Never dry fire without a solid backstop.

**No interruptions!
Turn the ringer
off the phone and
make sure the front
door is locked.**

6. Place a target in front of your backstop. To avoid a "just one more" mishap, do not dry fire directly at anything that will remain in the room. Use a target which will be taken down when you are done.

7. Double check that the gun is still unloaded.

8. Mental shift to practice. Say to yourself, "This is practice. I have checked and double-checked the gun. Ammunition is not present. This is only practice." Say it out loud, and if you find yourself wondering if it's really true, go back and check again. (Yep, that's obsessive. So?)

9. Dry fire. Ten to fifteen minutes is as much dry fire practice as most people can safely handle. If your mind begins to wander, stop immediately. That's a sign that you are not paying attention to what you are doing—an important red flag.

DRY FIRE PRACTICE

What can be practiced in dry fire? More than most casual shooters would believe!

Start by practicing a smooth, controlled trigger press with the sights continuously aligned on target. When you think you've got that basic trigger press mastered, place a penny flat atop the gun's front sight. See if you can pull the trigger without causing the penny to fall to the ground.

Practice a good follow through. Rather than immediately removing your finger as soon as the trigger is tripped, mentally count one-one-thousand, two-one-thousand before relaxing your finger or allowing the sights to waver. On the range, your goal will be to keep the trigger to the rear until your sights are re-aligned, which will eventually allow faster follow up shots without flinching or yanking.

Wear the clothes you ordinarily wear (not ratty range grubbies), in the condition you normally wear them (everything tucked in as if you're walking out the door), with the holster you generally use (not your competition speed rig). Can you get to your firearm smoothly and safely? How efficiently can you align the sights when drawing from deep concealment? Find out, and then improve.

What is prohibited at your range? Moving while shooting? Shooting around barriers? Kneeling? Do all these things in dry fire. Practice retreating from the target, shooting around obstacles, or working the angles from your designated safe room. Every time you are tempted to grumble about something your range does not allow, take it as a challenge to figure out how you can effectively practice it in dry fire. No, it's not necessarily as good as doing it live, but it's a darn sight better than not doing it at all.

Try setting up a video camera to watch yourself draw. Do you have any wasted motion? Are your hands swooping up to the target, or thrusting the gun straight toward it? Are you rearranging your hands at the last moment, or did you get a good firing grip on the gun while it was still in the holster? Did you commit any safety violations, such as sweeping your non-dominant hand while reholstering? All of these are much easier to assess when you see them on video. ■

10. Take the target down immediately, before leaving the room and before reloading the gun. *Never leave the target up after you are done practicing.* As you take the target down, say aloud, "Practice is over. No more dryfire. Practice is over." This helps you make the important mental shift back to the real world, and prevents the infamous "just one more" mishap.

11. Put your gun in the safe, or if you are unwilling to lock your defense gun away for an hour or two, at least get yourself out of the practice room. Stay out of that area until your conditioning to pull the trigger there has been replaced by conscious thought.

12. Reload out loud. When do you reload the gun, say aloud, "This gun is loaded. It will fire if I pull the trigger.

This gun is loaded." Say it three times, and say it out loud. This allows you to think, speak, and hear that the gun is no longer in dry fire condition.

And here's the bottom line: Dry fire is by nature a dangerous activity, but it can also be tremendously beneficial when shooters ingrain good shooting techniques by regular practice within a safe dry fire ritual. ■

CREDITS

The safe dry fire ritual presented in this article was heavily adapted from a ritual created by William Burris, firearms instructor at the Pierce County Sheriff's Department near Tacoma, Washington. The author first learned of it through a class given by Marty and Gila Hayes at the Firearms Academy of Seattle, www.firearmsacademy.com



The Shotist Appendix Carry Holster.

REAL WORLD CARRY

[BY DUANE A. DAIKER]

More and more you can see the influence of the concealed carry movement on the marketplace. The growing army of licensed and legally armed citizens is creating a demand for high quality and innovative concealed carry products. This month's column includes a variety of excellent products that are definitely real world carry gear.

SHOTIST APPENDIX CARRY HOLSTER

Thirty years ago it seems like everyone I knew who carried a concealed firearm (mostly cops), carried inside the waistband in the appendix position in a flimsy leather holster with a spring metal clip. By the time I started carrying a gun regularly the trend had moved to inside the waistband holsters worn just behind the strong side hip. Now it seems to me that there is a resurgence, at least as far as small guns are concerned, of Appendix Inside the Waistband (AIWB) carry. Various trainers, including some featured in the pages of *CCM*, are advocating the benefits of AIWB carry for good concealment, good security, and fast presentation. I decided it was time to try AIWB carry. After reading some positive reviews on the Internet

I ordered a Shotist Holster. The AIWB model is a minimalist black kydex rig with a single black rubber strap for attachment to the belt. The strap is adjustable for belt widths from 1.25 inches to 1.75 inches, and has a "one way" metal snap closure. The holster can be set up for left or right handed use, and the depth of the holster in relation to the belt can be adjusted to three different positions. That is a heck of a lot of adjustability for a small holster! The whole rig is very well built and well molded with an appropriate amount of retention.

After a little bit of an adjustment period, I really began to like AIWB carry with this holster. This method of carry is not ideal for extended sitting, like long drives, but is otherwise very comfortable. I do like the security of having the gun right in front of me where

no one is going to snatch it. I also think that concealment is better because your cover garment is less likely to pull up in front, and people are less likely to stare at the front of your pants as opposed to watching you from behind.

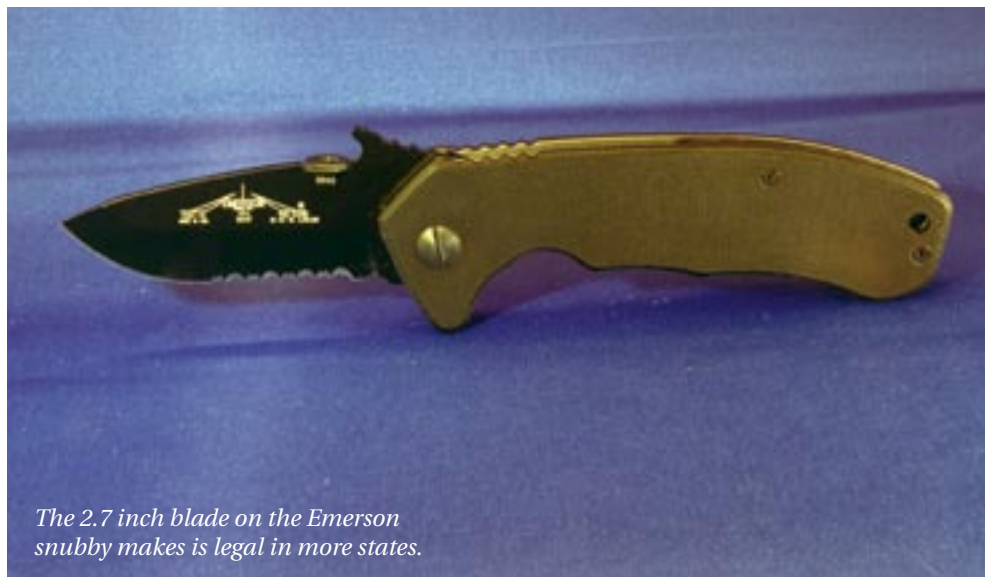
If you are ready to try AIWB, the Shotist holster is an excellent choice. Shotist is a small operation with a lot of personal customer service. This holster is priced at a very reasonable \$55, and all orders have to be paid by money order. That might not be the easiest way to place an order, but the personal attention you get from a small business is worth the extra hassle. You can view Shotist holsters at www.shotist.com.

SUREFIRE X-300 WEAPONLIGHT

In prior columns I reviewed SureFire's previous generation of weaponlights,

the X-200A and X-200B. The difference in those lights was the beam pattern, with one throwing a tightly focused beam and one throwing a wider flood-like pattern. The new X-300 replaces both units in the product line, and offers the best of both the older products—a tightly focused central beam with a large surround beam to light up peripheral areas. Now you don't have to choose!

The X-300 now features a 110 lumen electronically regulated LED that will provide more than two hours of tactical level light on two lithium 123A batteries. As with previous models, this weaponlight has a tough aerospace aluminum body with a hard anodized finish. The unit is waterproof to 22



The 2.7 inch blade on the Emerson snubby makes it legal in more states.

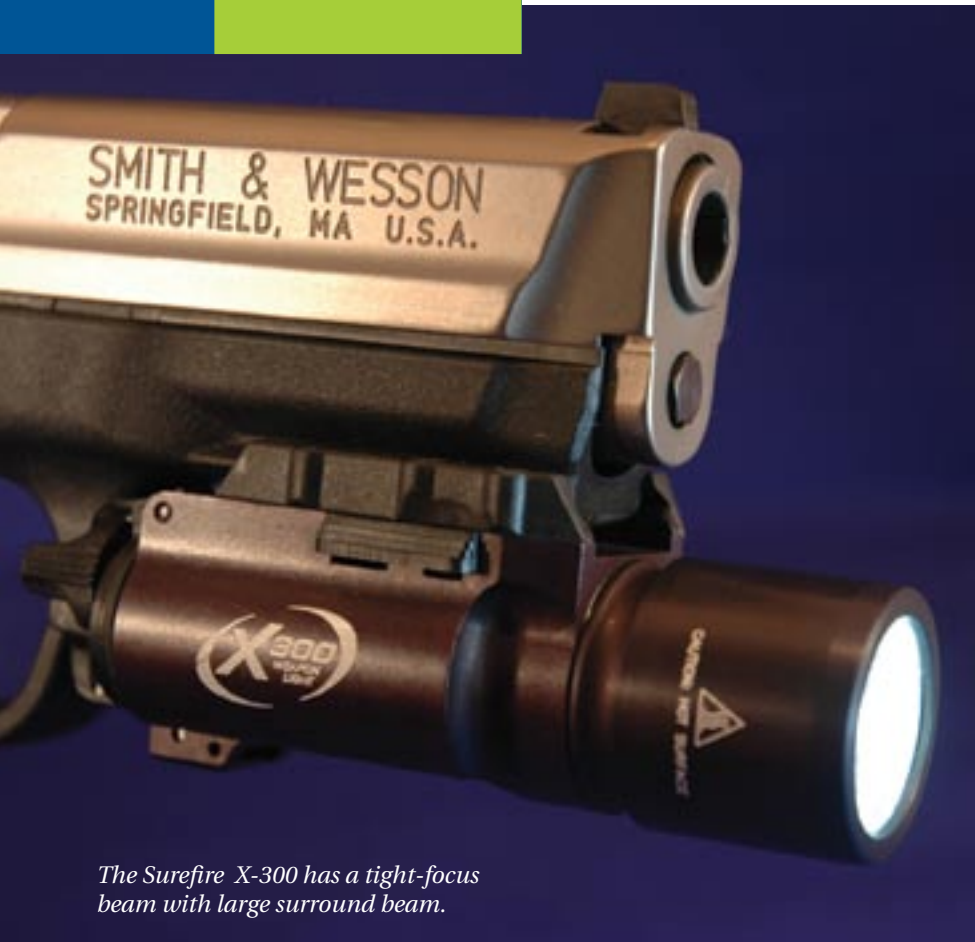
WORLD GEAR

meters, which is probably more than you need! The X-300 will mount to either a universal or Picatinny rail with its proprietary Rail-Lock system. Switching is via an ambidextrous toggle/push switch, or an optional remote pressure pad. SureFire even offers pressure switches specifically designed for a variety of popular handguns so the user can activate the light without altering the grip on the

gun. SureFire's previous generation of weaponlights were top notch. The new X-300 is simply awesome. I am sure you won't be disappointed with this light, and it is backed by SureFire's legendary customer service and lifetime warranty. This kind of quality is not cheap, and you can expect to pay very close to the \$225 suggested retail. For more details on the X-300, or other SureFire products, visit www.surefire.com or call (800) 828-8809.

EMERSON CQC-14 "SNUBBY" KNIFE

Chances are good that you are already familiar with Emerson Knives. Ernest Emerson is a world-renowned trainer and expert in hand to hand combat and knife skills. He has also been making knives for more than 30 years. Emerson knives are widely considered to be some of the toughest "hard use" knives in the world. Mr. Emerson is very serious about his knives, and builds every one expecting that you are going to stake your life on its quality and function. Emerson Knives are known for their larger size models like the Commander, which has been featured in movies and popular fiction. However, large knives can sometimes pose legal problems. When I am traveling, I often leave my large blade folders at home because knife laws can vary so much from state to state. Blade length limitations can be a serious tactical problem because short bladed knives are generally not built for fighting. Especially if a blade is all you can carry for self-defense when



The Surefire X-300 has a tight-focus beam with large surround beam.

you travel, you should carry a knife that is up to any task.

Enter Emerson's CQC-14 folding knife, also known as the "Snubby." This knife is the carry solution for all those jurisdictions that limit blade length to less than three inches. The Snubby has a 2.7 inch blade that won't even get close to the legal limit in most states. But the ingenious part of this design is that the short blade is mated to a full size handle measuring just under five inches! The result is a knife that is easy to hold and manipulate with a full size grip and a stubby, but very sturdy, sub-three inch blade. What a great idea! The knife is typical Emerson quality, with 154 CM blade steel, a titanium liner lock, and black G-10 epoxy/glass laminate handles. The blade comes in black or satin finish, with or without serrations. The knife weighs in at just 4.3 ounces and is also equipped with Emerson's thumb wheel for one-handed opening, and his patented "Wave" feature that permits opening the knife one-handed as it is drawn from the pocket.

I predict this knife will be a very popular design that will be copied by other makers. My suggestion is to get the original, a quality knife that will outlast you. Depending on where you buy, this knife can be had for around \$150. If you live in a jurisdiction where blade length is an issue, or if you travel, this short bladed knife is a great solution. The CQC-14 is going to be my travel companion from now on. For more information on the Emerson Snubby, or any of the Emerson knives, visit www.emersonknives.com or call (310) 212-7455.

COMP-TAC MINOTAUR MTAC HOLSTER

Comp-Tac is well known for their high quality kydex holsters. Now Comp-Tac is the exclusive source for Minotaur holsters that combine leather and kydex materials into a hybrid design. Minotaur's premier holster is the MTAC, which stands for Minotaur Tuckable Adjustable Cant. The holster is similar to Comp-Tac's excellent C-TAC holster, and uses the same interchangeable belt clips. The various depth adjustments on the front and rear clips permit for



The Comp-Tac Minotaur can be adjusted for depth and cant, making it an ideal holster.

adjustment of the holster's depth and cant to fit individual needs.

The special feature of this holster is the use of a leather backing. This design ensures that when the holster is worn directly against the body, the skin is in contact only with leather. This makes the holster infinitely more comfortable for those who can't wear an undershirt to cushion against an all kydex holster. The thickness of the holster assembly is minimized by utilizing, in essence, only half a kydex holster, together with a single layer of leather at the gun's widest point. Although the leather is double-thick at the clips, the net effect is a

holster that is not significantly thicker than an all kydex rig.

I found the MTAC to be very comfortable to wear and very functional. The ability to tuck a shirt around the holster is quite useful, and the holster can be used equally well "tucked" or "untucked." The quality of the holster is obvious, and when you buy from a well-established company like Comp-Tac you have little to worry about. The MTAC prices start at \$80, depending upon which of the many styles of belt clips you select. Like the C-TAC, this holster can be had with standard belt clips, c-clips, j-clips, or the nifty Velcro

clips that are completely hidden from sight and attach to a Velcro strip behind your belt. You can also purchase a "slide" version that permits the use of the holster with various barrel lengths of the same gun, like a Glock 34, 17, 19 and 26. For more information on Minotaur or Comp-Tac holsters, visit www.comp-tac.com, or call (281) 209-3040.

CASPIAN POCKETSMITH II

Caspian Arms, a well-known manufacturer of high quality 1911 parts, redesigned its multi-tool for 1911 style pistols. The newest version, the PocketSmith II, features a multitude of high-quality specialized tools, including screwdrivers for the magazine release, grip screws and adjustable sights; Allen wrenches for grip screws and guide rods; a utility knife; a file; a barrel bushing wrench; pliers with a spring cutter; and a mainspring punch pin! It is like having

a tool box full of 1911 specific tools in a single folding multi-tool that will tuck away in your range bag. This is a must-have item for the serious 1911 shooter. The PocketSmith sells for around \$35 dollars, and includes a black nylon belt sheath. For more info, visit www.caspianarms.com, or call (802) 472-6454. ■

[Duane A. Daiker is a contributing editor for CCM, but is otherwise a regular guy—not much different from you. Duane has been a lifelong shooter and goes about his life as an armed, responsible, and somewhat opinionated citizen. Duane can be contacted at Daiker@RealWorldCarryGear.com, and welcomes your comments and suggestions for gear reviews. Additional RWCG columns can be viewed at www.RealWorldCarryGear.com.]

The Caspian PocketSmith II is a must-have item for 1911 shooters.



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THE WRONG KIND OF PEOPLE

[BY BORIS KARPA]



PHOTO BY OLEG VOLK • AHUMANRIGHT.COM

At one point the author of this column had volunteered with a certain worthy, if obscure Israeli organization that focuses on civil liberties.

This organization had maintained a mailing list with the purpose of alerting its members to different activities and events, just like political organizations do all over the world. This organization had received, and promptly forwarded to the mailing list, a press release regarding abuses in Israel's system of involuntary commitment. Said abuse has been well-documented by mainstream media, and in fact the existence of the problem is an established fact. It's much too easy to get a person involuntarily committed in Israel, and much too easy to drug up someone's child on Ritalin, even if they don't need it. Even some of Israel's high-ranking officials admit that these things

are a problem that should be fixed. And yet, that organization had promptly apologized for ever discussing the issue. Why? Because you see, the originator of the press release was a Church of Scientology affiliate, and everything from the Church of Scientology must be a lie, must it not?

Now, my American reader most likely doesn't care about the Scientologist's affiliates in the Holy Land, but the story does have a moral to it: all too often, we refuse to consider problems because the people alerting us to them are the "wrong kind of people." In fact, we refuse to care about the rights and freedoms of people if they are the "wrong kind of people." Conservatives don't want to contemplate the threat to their freedom from the Patriot Act, since after all, it's leftist extremists like Moveon.org that are mainly associated with opposition to it. Never mind that the Patriot Act includes tracking of firearm purchases.

Equally, liberals refuse to consider repeal of the McCain-Feingold act, because the people who oppose it are the corporations and the "evil" NRA (never mind the effect on freedom of stifling political speech). Even some supposed radical libertarians support

We refuse to care about the rights and freedoms of people if they are the "wrong kind of people".

net-neutrality regulation that would hand over control of the Internet to a government regulatory agency.

Everybody is willing to ignore someone else's rights because after all, it's the wrong kind of people. It doesn't matter if some parents get arrested for homeschooling their children; they must be some form of Christian nuts. It doesn't matter if someone gets shot

while the police are executing a no-knock warrant; he must have been some scumbag drug dealer. It doesn't matter if someone gets his life destroyed over a shotgun with a barrel cut an inch too short to be legal; he must have been some crazy homicidal gun nut. Does this sound familiar? It should.

When the Founding Fathers envisioned our system, they based their plans for the future American society on the idea that only through the constant vigilance of millions of educated, active citizens could freedom be preserved; each man defending the freedom of his neighbor.

Do you think this is the case in


contemporary America or, in fact, anywhere in the West?

What we have today is a lumberjack party: Each man gleefully hacking away at a different branch of the Tree of Liberty without noticing that just as he hacks away at the rights of those horrible gay people to adopt children, they are hacking away at the rights of those Christian fanatics to home school, who meanwhile, are working hard to destroy the privacy of those horrible drug-using hippies who are firing up their Makitas to go at the branch on which the homicidal gun nut is perched with his Kimbers and Glocks and FNs.

Do you want to preserve your right to


keep and bear arms not just in the short term—by preventing this bill or that bill from passing—but in the long term by creating a society that is friendly to your rights? There is only one way to do it. First, you must try to enact meaningful change in your own political attitude. You must respect the rights of those other people to live free from no-knock warrants, data retention, and forcibly-implemented RFID chips. Change must begin with you and spread out. You must build a Bill Of Rights culture. And then your rights will be safe too. ■

[Boris Karpa is a columnist and political activist from Israel. He can be contacted at: microbalrog@gmail.com]

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POLICE PROTECTION LAW

[BY K.L. JAMISON]

The law allows a policeman to command a citizen to come to his aid.¹

The reverse is not true. In 1849, Jonathan W. Pottle was held captive and forced to pay \$2,500 for his release. Mr. Pottle thought that this was unreasonable because the sheriff was present during the extortion and refused to assist him. As a loyal American,



Statue in front of Kansas City Police Communications building, thought by some to be a commentary.

Mr. Pottle sued over this failure to act, and lost. In an 1855 decision the United States Supreme Court perfunctorily recited the facts, and ruled that there is no right to police protection and no right to sue over its lack.

Since that decision, there has been no right to police protection recognized in the United States.² It could have been worse. More recently, women in a Washington D.C. home were raped and tortured while other women, hidden upstairs, twice called for help. Twice officers drove past the house without investigating. The hidden women were then discovered and tortured over a fourteen hour period. They sued. The court was sympathetic, but ruled there was no cause of action.³

The states have the same philosophy. In a Missouri case, an outraged commu-

nity sued their sheriff demanding that the court order him to perform his duty. The requested order was to force the sheriff to close a facility that did not measure up to community standards, or at least those members of the loyal American community that filed lawsuits.⁴ The court refused to issue the order. A long chain of federal and state cases state that police have a responsibility to protect the community as a whole, but no duty to protect any individual within that whole. It may help to visualize the metaphysics of the philosophy to realize that the point is to prevent victims of crime from suing the police.

The courts have allowed that the police must protect persons with a "special relationship" to the police. Such relationships are so special as to be nearly extinct. In my early years at the bar,⁵ the courts found special relationships in cases involving drunk drivers and protective orders. Federal courts have put an end to these special relationships. On May 16, 2006, the First Circuit Court of Appeals ruled in *McCloskey v Mueller III*, finding that the FBI had no duty to arrest a violent criminal. The criminal in question, Gary Lee Sampson, had called the FBI and advised them that he wanted to surrender on an armed robbery warrant. The FBI did not oblige. Reacting badly to the perceived snub, Mr. Sampson murdered three people. Their estates sued, but the court ruled that the FBI had no duty to the victims.

Protective orders in adult abuse cases typically require police action to protect the subject. However, the Supreme Court has put an end to this fuzzy thinking. In *Town of Castle Rock v Gonzales*, Jessica Gonzales had obtained a protective order against her husband. The order contained a "Notice to Law Enforcement Officials" which stated:

You shall use every reasonable means to enforce this restraining order. You shall arrest, or . . . seek a warrant for the arrest

*of the restrained person when . . . the restrained person has violated or attempted to violate any provision of this order . . .*⁶

The husband violated the order by kidnapping the couple's three children. Ms. Gonzales notified the police repeatedly, alerting them to the protective order and even the location of her husband. Mr. Gonzales subsequently murdered the children. The Court ruled that the explicit language of the order did not require the police to do anything and provided no cause of action.

There is not even the right to have the police patrol one's neighborhood. In 1972, Kansas City, Missouri conducted a patrol experiment to discover the impact of vehicle patrols on crime rates. Some neighborhoods received increased patrols, some the same level, some none at all. The neighborhoods involved were not informed they were part of a test, much less given a choice as to which group they could join.⁷ The experimenters were surprised to find that vehicle patrols made no difference in crime rates or citizen satisfaction. A later withdrawal of patrols was less popular. On June 1, 1996, drug dealers in the area of 27th and Benton in Kansas City became outraged at the arrest of one of their guild and rioted. Police units were withdrawn from the area in order to allow emotions to burn themselves out. While doubtless good operational practice, it was a trifle hard on the citizens at 27th and Benton. The rioters burned a passing car and attacked the owner.

It might have been worse. During the April 1980 riots in Miami, police headquarters was under siege by the rioters.⁸ It could be a great deal worse. National Guard troops assigned to guard airports after 9-11 carried unloaded weapons in many cases.⁹ It appears that some commanders were more concerned about a John Wayne mentality among their troops than they were about terrorists in the airport. It might have been a very

great deal worse. In 1919, the Boston police went on strike for 102 days and Home Guard units formed for WW I had to be called in.¹⁰

One can never be certain of police response. There are regular “blackouts” in Kansas City when no police officer is available for any call.¹¹ When they are available, there is no guarantee they can be called. The Kansas City emergency communications system is notorious for dead spots, areas where it functions badly or not at all. Even the Plaza, a fashionable shopping district less than five miles from the communications building, has numerous dead spots endangering police, firefighters, and citizens.¹²

A Kansas City police officer, while vainly radioing for backup, was shot and wounded by a drug dealer. Officers were a minute away, but the radio crackled and hummed ineffectively, telling the assailant that the officer was alone and vulnerable. The officer sued the radio system builders.¹³ It is possible to sue such outside parties, but not possible to sue the police.

When police are available and can be called, they may not respond. A New York City woman pressed a silent alarm when an armed robber entered her business. The alarm company called 911; the operator, however, garbled the name of the business. The lady was murdered while the authorities put it down as a false alarm. After her funeral, the company received a letter threatening no response if there were further such alarms.¹⁴

A Kansas City businessman was alerted to a burglary by his alarm company. He went to his business, expecting to be met by the police, only to find himself pursuing the burglar alone. The alarm

company had called 911, but the dispatcher refused to send police officers because the business’ alarm permit had expired. In fact, the alarm permit had not expired.¹⁵ A permit system intended to limit false alarms has instead been used to limit police protection.

The ACLU has provided video cameras to residents of a crime-ridden St. Louis neighborhood. The cameras are not to provide evidence of crime, but to document police brutality. While police brutality does occur, the effort is not likely to speed officers to calls in the neighborhood.

The problem of “de-policing” has arisen since the Cincinnati riots of 2000. The term describes a demoralized police force which no longer initiates action out of fear of criticism, police discipline, civil suits, and even criminal charges.¹⁶ In the last twenty years, “community policing” has relied on aggressive enforcement of seemingly minor laws on the theory that lack of enforcement indicates a tolerance of serious crime. With criminals filing bogus criminal charges against aggressive officers, and wild charges of racism (some both wild and true) many officers are reluctant to exercise the requisite aggression.

When the system functions, and an officer is available, and an officer responds, it may still not be enough. One department’s policy is to wait for backup when responding to domestic violence reports. This sensible practice had a woman stabbed to death while a police officer sat in his car three doors away, waiting for backup.¹⁷

Police response is directly related to police contact. This contact is tied to cell phone coverage and the 911 sys-

tem. Cell phone coverage can be eccentric and dependent on the reliability of electronic devices. Even today, not all of Missouri is covered by the 911 system, and there is no map of the places that are not covered (for those who like surprises). Some places have the equipment to locate a 911 call from a cell phone to within 75 yards, but most can only narrow it down to the nearest cell phone tower. A Missouri cell phone user can dial *55 and be linked to a Highway Patrol headquarters, but not necessarily the nearest headquarters.¹⁸

Police are recruited from “Type A” aggressive personalities. They want to rescue people and charge into danger; it is their nature. However, they are ruled by bureaucrats and politicians both in and out of uniform. If these rulers decide that a person or persons shall not receive police protection, there is no recourse. One federal court has proclaimed that “there is no constitutional right to be protected by the state against being murdered by criminals or madmen.”¹⁹ Fortunately, there is a constitutional right to the means to defend ourselves. ■

[Kevin L. Jamison is an attorney in the Kansas City Missouri area concentrating in the area of weapons and self-defense. Please send questions to Kevin L. Jamison 2614 NE 56th Ter Gladstone Missouri 64119-2311 KJJamisonLaw@earthlink.net. Individual answers are not usually possible but may be addressed in future columns.]

This information is for legal information purposes and does not constitute legal advice. For specific questions you should consult a qualified attorney.

1. We shall take up the institution of the Posse some other time.

2. *South v Maryland*, 59 U.S. (How) 396; 15 L.Ed. 433 (1855).

3. *Warren v District of Columbia*, 444 A.2d 1 (D.C. App. En banc 1987).

4. *Parker v Sherman*, 456 S.W.2d 577 (Mo. 1970).

5. This is the legal bar, not the alcohol bar; they are often confused.

6. *Town of Castle Rock v Gonzales*, 545 U.S. 748 (2005).

7. Wilson THINKING ABOUT CRIME Basic Books Inc N.Y. 1983 at 66-

8. Buchanan THE CORPSE HAD A FAMILIAR FACE, Charter Books N.Y. 1989 at 311.

9. “Some guardsmen carried empty weapons at airports” *Kansas City Star* 27 May, 2002 at A9 clm 1.

10. *U.S. Home Defense Forces* NOVA Publications McLean VA 1981 at

11. Cindy Eberting “Police too busy to answer all calls” *Kansas City Star* 26 June, 1996 at A-1 clm 6.

12. *Kansas City Star* 20 March, 1997 page C-1 clm 1 and page 2 clm 1.

13. *Kansas City Star*, 25 September, 1997 page C-1 clm 5. Ironically, it was later discovered that the failure of the system was due to requirements imposed by the city over the objections of the company.

14. Kopel “The 911 Gamble” BLUE PRESS October, 1998 at 10.

15. Lila LaHood “Records flawed; alarm goes unanswered” *Kansas City Star*, 8 August, 1998 at C-1 clm2.

16. “Wary of racism complaints” *Seattle Times* 26 June, 2001 and “Three tales prove job is impossible” N. Y. Post 6 August, 2001.

17. “Superior says officer acted right” *Kansas City Star* 20 May, 1987 page 1 clm 5.

18. Author’s conversation with 911 Coordinator, Emergency Management Agency, Missouri Department of Public Safety, 7 June, 1999.

19. *Bowers v DeVito*, 686 F.2d 616 (7th Cir. 1982) at 618.

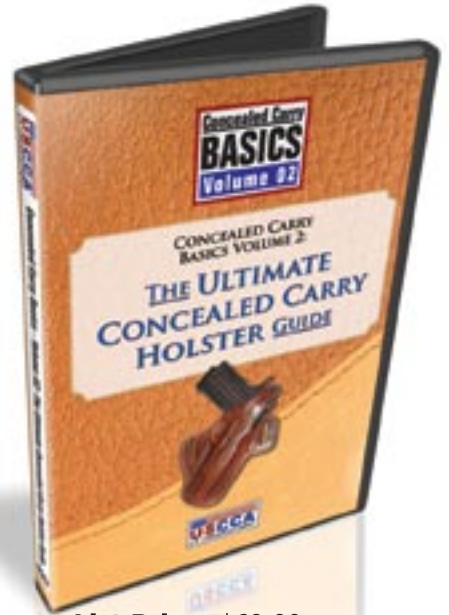
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SANCTION OF THE VICTIM

[BY L. NEIL SMITH]

It says here the U.S. Government now officially considers people who “make numerous references to the Constitution” to be “potential terrorists.”

With specific reference to opposition to the United Nations, an FBI brochure found in Phoenix says such dissidents should be monitored and “medicated”—against their will, if necessary—for mental illness.

In some ways this is nothing new. The current administration began in office by disdainfully referring to the Constitution as “a scrap of paper.” Waco Willy Clinton and Janet Reno said the same kind of thing many times during their tenure. And, before anyone ever heard of them, a friend of mine reported that he’d gotten into a conversation with a pair of IRS agents at a gun and coin show in Montana or Idaho (I can’t remember which) who flatly informed him that the Income Tax Code was the highest law of the land, superseding the Constitution and the Bill of Rights.

Once one abandons the concept of the rule of law, anything becomes possible. In the bad old days of Soviet communism, dissidents were often locked up in insane asylums and tortured in various ways including being subject to lobotomies.

To understand what’s going on now, it’s important to know what these latter day Stalinists mean by “numerous references to the Constitution.” They don’t mean the Constitution itself, which is basically a charter for the kind of strong centralized government Alexander Hamilton and his Federalist ilk hungered for. They mean the Bill of Rights, which was specifically composed to assuage Thomas Jefferson and his antifederalist buddies, and to protect us from the Hamiltonians.

In other words, if you stand on your rights today, then you’re a terrorist.

One reason why the government pushes this half-baked bonnet-bee is because, like almost all villains, they suffer from a deep and very sick emotional need to feel that whatever they happen to be doing to you, from terrifying all-night interrogations, to waterboarding, to mind-destroying drugs, to electroconvulsive shock treatments, they’re doing it “for your own good,” and, crazy as it may sound, with your consent.

Ayn Rand, author of *Atlas Shrugged* and an early refugee from Lenin’s Russia, called it a need for “Sanction of the

In terms of practicality, the Second Amendment is the most important of the Bill of Rights. If you don’t have a right to own and carry weapons, you don’t have much of anything else.

Victim.” If you don’t give it up when they demand it, the consequences can be dire. Read the Thirteenth Amendment, which outlaws slavery and “involuntary servitude of any kind.” I had a friend half a century ago, during the Vietnam War era, who was imprisoned for two years, not for evading the draft—he didn’t do that at all—but for refusing to raise his right hand and take a step forward, giving his conscriptors what they required to be able to go on living with themselves after stealing his freedom.

Whenever you insist that the government recognize, respect, and

perhaps even enforce your rights under the first ten amendments to the Constitution, you’re doing the same thing my friend did, insisting upon the rule of law, refusing to raise your hand and step forward to symbolize your consent to the police state that’s been built up around us.

Many people think—and I happen to agree—that in terms of practicality, the Second Amendment is the most important of the Bill of Rights. If you don’t have a right to own and carry weapons, you don’t have much of anything else.

How can we avoid the stigma that the present government is trying to attach to our insistence on our Rights? Simple. We must prepare ourselves now—and let it be proclaimed far and wide—for another bundle of tribunals similar to those conducted after World War II, in which hundreds of prominent Nazis were tried for their crimes against humanity.

This time, it will be all about the past few administrations’ crimes against the Constitution. As happy circumstance would have it, there just happens to be a tiny town in Pennsylvania called Nuremberg. Let the name be heard, as often and loudly as we can. Print it on calling cards and yard signs and banners and bumper stickers.

We’ll call it “Nuremberg II.” ■

[*Four-time Prometheus Award-winner L. Neil Smith has been writing about guns and gun ownership for more than 30 years. He is the author of 27 books, the most widely-published and prolific libertarian novelist in the world, and is considered an expert on the ethics of self-defense. Email L. Neil Smith at lneil@netzero.com or visit www.JPFO.org.*]

ARMED SENIOR CITIZEN

This man armed with a knife is close enough to close the distance to you in less than two seconds. He does have the immediate opportunity to kill or cripple you.

THE JUDICIOUS USE OF DEADLY F

[BY BRUCE N. EIMER, PH.D.]

When would the use of deadly force by a private citizen against another human be considered judicious, sensible, prudent, cautious, careful, justified, or well thought out?

How can a private citizen be authorized to kill another human under his or her own summary judgment? The very simple answer is that deadly force is recognized as a last resort for when you need to use it to save your life. Here we are referring to the “doctrine of competing harms” and the “doctrine of necessity.” Put very simply, you are allowed to break the law (in this instance: kill), in the rare circumstances where following the law (i.e. not killing) would cause more injury to you or other

innocent humans than would breaking it. In reality, the answer is not so simple. Any time you even draw your gun, you are walking on thin ice. If you are going to keep or carry a gun for self-defense, in addition to being well trained in marksmanship and tactics, you should be well educated about the circumstances under which the use of deadly force is warranted legally and morally, so that you can be judicious. If you own or carry a gun, you must be judicious.

There is probably no one who has contributed more to our understanding of the conditions under which the defensive use of deadly force is ethically, morally, and legally justified than has Massad Ayoob. Ayoob is a prolific firearms writer, book author, master firearms instructor, legal expert, and the founder and director of the Lethal

Force Institute (www.ayoob.com). In this month's column, we will examine some of the important points taught in Ayoob's instructional DVD: *Judicious Use of Deadly Force*. This DVD is an ideal companion to Ayoob's authoritative textbook on the subject: *In the Gravest Extreme*. I consider this DVD to be essential study material for every citizen who keeps or carries a loaded gun. I have also been fortunate to train with Massad Ayoob, taking his Lethal Force Institute I and II courses, and I consider him to be one of the best master instructors with whom I have ever studied.

Let us begin with some definitions. *Deadly* or *lethal force* is that degree of force that a reasonable person would consider capable of causing death or grave bodily harm (i.e., crippling injury). Those of us who carry a concealed



This man armed with a knife is far away. He does not have the immediate opportunity to kill or cripple you, although he has the ability.



This same man armed with a knife is close enough to close the distance to you in less than two seconds. He does have the immediate opportunity to kill or cripple you.

Appropriate restraint means exercising appropriate self control and self discipline in con-

frontational situations because you are armed and you carry the power to use deadly force. It means using your head and not overreacting.

Let's examine what Ayooob teaches about the circumstances that justify the use of deadly force:

As civilians our only obligation and right is to keep ourselves and our families from being unlawfully injured or killed. We may only use *equal* force in response to the application of force against us. If we are not innocent of provoking a confrontation, or we are not being immediately threatened with deadly force, we cannot use deadly force in response. This is unlike the obligation of a sworn police officer who may use *necessary* force to fulfill his or her duties, such as seeking out and arresting malefactors.

Ayooob teaches a formula for determining the circumstances under which we would be justified in employing deadly force. The formula is both simple and yet complex. Deadly force is justified when you are confronted with "*an immediate and otherwise unavoidable danger of death or grave bodily harm*" to either yourself or other innocents, whose innocence and situation you are totally certain about. You can't intervene with deadly force in a situation you come

upon without knowing what's really happening. Don't make assumptions based on what seems to be happening. The danger must be clear and present, immediate and unavoidable. This formula is based on English Common Law and Dutch/Roman Law, and it applies in all fifty states. It is determined by three criteria which can be remembered by the acronym A.O.J. Think "Administration Of Justice". The situation must meet all three criteria.

A = Ability. The person deemed to be a threat must possess the ability or power to kill or maim.

O = Opportunity. The person deemed to be a threat must be capable of immediately employing his power to kill or maim.

J = Jeopardy. This means that the person deemed to be a threat must be acting in such a manner that a reasonable and prudent person would conclude beyond doubt that his intent is to kill or cripple.

All of the above are judged by the doctrine of the "reasonable man." That is, what would a reasonable and prudent person have done in that situation knowing what the defendant knew at the time? After the fact information is inadmissible into the equation. Your defense of self-defense is affirmative if you knew all of the above at the time you employed deadly force.

Now, with that said, I would add a fourth criterion to Ayooob's three. That

FORCE

handgun carry with us the power to use deadly force. This is a tremendous power. With such power, as Ayooob points out, there comes a tremendous amount of responsibility and thus, a higher standard of care. This higher standard of care demands that the armed citizen, senior or otherwise, exercise good judgment and appropriate restraint.

Good judgment includes always effectively concealing your firearm and retaining it. It entails properly securing your firearm at all times so that your weapon does not fall into unauthorized hands. Good judgment means avoiding situations that you know beforehand could turn ugly. It means you never provoke a confrontation when you are armed and that you leave the scene of a potentially escalating confrontation if you can.

is the criterion of *preclusion*. What this means is that you must have done everything within your power to have avoided having to use deadly force in the first place, without placing yourself or other innocents in jeopardy.

Let us now look at some caveats that Ayoob goes into in detail in his DVD and in his Lethal Force Institute training. I've already mentioned my fourth criterion of preclusion. This criterion does not contradict the "Castle Doctrine," or your right to stand your ground and defend yourself in any place where you have a right to be. Ayoob gives the following general rule in the DVD: If you have warning that a situation is likely to turn bad, you should not venture knowingly into it. For example, if someone says that if you show your face at a particular place (a bar, a street corner, a class, etc.) they will kill you, don't go there! If you do go there, and then you are forced to use deadly force in self-defense, and you kill the guy, you may be found culpable. We don't live in the Wild West although there may be some who beg to differ.

Another caveat has to do with how you size up the criterion of *ability*. Here we are talking about the concepts of power and disparity of force. Clearly, a person with a gun or a knife, and the ability to use it, has the power to kill or cripple you. However, you can't shoot that person unless he has the immediate opportunity to use that ability on you, and he acts in such a manner that leads you to reasonably conclude you are in immediate jeopardy. What about if the threat does not have a gun, or a knife, or a bludgeon? There are several other factors that would fulfill the *ability* criterion:

One factor is force of numbers. Two or more threatening persons, even without identifiably deadly weapons, against you alone, would constitute a disparity of force. If they attack you and act in such a manner as to lead you to believe that, unless you do something, they are going to kill or cripple you, you are on solid legal ground. Against a group of attackers, each member of the group shares the same responsibility for the fear the group creates in the intended victim, and also shares the danger from



In this case, ability and opportunity are both present, but there is no jeopardy.

the intended victim's lawful response.

A second factor is the able bodied against the disabled. So, if you are old and frail, or physically challenged, and you are viciously attacked by a younger, more able bodied man (and the criteria of opportunity and jeopardy are in play), you are on solid legal ground.

A third factor is greater physical size and strength. If you are attacked by King Kong Bundy, you are on solid legal ground in using a force multiplier (a weapon) to avoid being killed or crippled.

A fourth factor is training or reputation. Is the attacker or threat a person known to you to be highly trained in the destructive (martial) arts? For this criterion to be considered a valid, affirmative defense for the defensive use of deadly force, you must have known about it *before* you resorted to using deadly force. It is not valid if you didn't know it at the time, but learned that it was so after the fact. You will be judged based solely on what you knew at the time!

A fifth factor is male versus female. Our society assumes that females are more vulnerable and that there is a cultural predisposition for males to be more inclined than females to violent physical aggression. So, if you are female, and you are being attacked by a lone male, and the other criteria of opportunity and jeopardy are in play, you are on solid legal ground in terms of

using deadly force if you have no other viable choice to avoid being killed or crippled. This would also include self-defense against rape.

Rape is violence.

No one submits to rape unless the aggressor says submit or else get murdered or crippled or maimed! Ayoob's DVD notes that criminal justice statistics show that 79% of rapists are unarmed, but nevertheless, there is a disparity of force present—they are armed with ferocious aggression, greater size or physical strength, or strength of numbers, as in a gang rape situation. It also notes that 14% of rapists are armed with contact weapons (e.g., an edged weapon, a bludgeon, etc.), and only 7% of rapists tend to be armed with a gun.

The knife or edged weapon is a lethal threat.

Now let us briefly address the issue of being threatened by someone who has a knife. Clearly, a knife or edged weapon is a contact weapon, as opposed to a firearm which is a remote control weapon. So, a man one hundred feet across a busy street who yells and threatens to kill you with a knife is not an immediate threat. You can't shoot him! However, that same man brandishing a firearm is an immediate threat if, by his actions, he places you in imminent jeopardy.

The knife issue merits a closer look. Here, opportunity is of special importance. The opportunity factor is a

component of two things: distance and obstacles. It may not be part of the common knowledge, but a man with a knife or club twenty-one or fewer feet away from you, has the ability and opportunity to place you in imminent jeopardy. Thanks to the pioneering work in the 1980s of Dennis Tueller, a since-retired Salt Lake City Police Dept. Lieutenant and Gunsite instructor, we now know that it takes around 1.5 seconds for a person with a knife to close a gap of twenty-one feet and be on top of you! For the average *trained* person who is carrying a concealed handgun, it will take more than 1.5 seconds to draw from concealment, fire, and hit the target at seven yards. So, a person who is threatening you with a knife at twenty-one feet is placing you in imminent jeopardy. The original Tueller study was published in 1983 in SWAT Magazine in an article entitled, "How Close Is Too Close?"

Well, there you have it. This has been a summary of the highlights of what Massad Ayoob goes through in his DVD, and his DVD contains but a small part of what he goes through in his actual courses. I strongly recommend that, at a minimum, you get the DVD and read Ayoob's book: *In the Gravest Extreme: The Role of the Firearm in Personal Protection*.

As I stated earlier, Ayoob emphasizes that with power comes responsibility, and with more power comes more responsibility and a higher standard of care. So, if you own a gun for self-defense, and especially if you carry, you had better be prepared to exercise a higher standard of care. In addition to being capable of making a bullet fly true, you had better know when you have the right to do so, and when you do not. ■

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PHOTO BY BLACKHAWK

BLACKHAWK GARRA II

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BLADE LENGTH	3"
OVERALL LENGTH	7.4"
BLADE MATERIAL	AUS8A
BLADE FINISH	Black Teflon®
EDGE TYPE	plain or partially serrated
HANDLE MATERIAL	420J stainless liners with G-10 scales
POCKET CLIP	right-side, tip-down only

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USCCA Logo T-Shirt: Hanes "Beefy-T", 6.1-ounce, 100% ring spun cotton. Taped shoulder to shoulder. Double needle cover seamed neck. USCCA logo is silk screened in two colors. White only. Please specify size: (XXL, XL, L, M, S)

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