

## HomeDefense&LegallyCompliant 161007 (Page 1 of 2)

Rick Hollman 402-896-3760 <http://housechurchministriesforjesus.com/home-defense/>  
Please note, I am not an attorney. Therefore, you must do your own research and talk to your own attorney for legal advice.

**The Laws Of Self Defense:** You would not drive a vehicle on a public road unless you first studied the laws pertaining to driving a car (and passed a written test and passed a driving test). You MUST study the laws of self defense or you will spend years in prison (ignorance of the law is no excuse).

1. It is ILLEGAL to shoot someone. It is ILLEGAL to point a firearm at someone. If you do shoot or point, then you must PROVE that you had no other options in the courtroom. You will lose the courtroom battle unless you have studied the laws of self defense. Even if you can prove that you did everything required by law, you will likely spend three years in criminal court proving that you had no choice and had to point or shoot. Then, another three years in civil court (for a total of 6 years) proving that you had no choice and had to point or shoot. Therefore, pointing or shooting is truly your last resort.

2. (18 USCS Appx § 1B1.1) Brandished Law & Legal Definition. Federal law says you have brandished your firearm even if the firearm was never displayed if it was made known to another person that you had one in order to intimidate. Obviously, lifting your shirt to make it visible or pointing to the bulge on your side or ankle for the purpose of intimidation is also brandishing which is ILLEGAL. And no, you will not be allowed to argue you had to do that for self defense purposes as we will see in the following court cases identified below.

3. If you brandish a gun in self-defense, you have to shoot it in order to argue in the courtroom that it was self-defense. (<http://volokh.com/2010/02/12/if-you-brandish-a-gun-in-self-defense-in-kansas-youd-best-shoot-it/>)

In other words, let's say that three "bad guys" act like they are going to beat you up, so you pull out your handgun and tell them to "back off." Because you did not shoot at them, you will not be allowed to argue in the courtroom that you acted in self-defense. The court will conclude that the bad guys did nothing wrong, and you will go to prison for pointing a handgun at them. In short, don't draw your firearm until you honestly believe you are in immediate danger of death or great bodily harm. And if that is truly your belief, you don't have the leisure of brandishing, shooting to wound, or firing a warning shot. (<http://www.secondcalldefense.org/brandishing-and-warning-shots>)

4. Firing a warning shot is ILLEGAL and you will be indicted with "reckless endangerment with a firearm" which is a felony. You will spend 1 to 5 years in prison. Also, because it is a felony, you will lose the ability to own or shoot a firearm (and you should expect a swat team to show up and confiscate all of your firearms). Your attorney will explain that there is a difference between "I fired a warning shot" versus "I shot at him/her and missed."

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When you call 911 - What to say and do (quoted from Second Call Defense):  
"There has been a shooting. The person attacked me. I was in fear for my life. Send an ambulance and law enforcement. My name is \_\_\_\_\_, I am located at \_\_\_\_\_, My phone number is \_\_\_\_\_, give a description of yourself." Do NOT give more details You are being recorded and are too upset to talk.

As explained in the free 47 page document below by Second Call Defense:

1. On page 24 - The 911 operators are trained to keep you talking but they have no legal authority and you are not obligated to do anything they say. Once you have provided the above information, then hang up (do not ask for permission to hang up, just hang up). Your next call should be to your lawyer (read the entire 47 page report).

2. On page 29 - It explains what to say and not say to the police. This 47 page document explains that police are trained to use a "Nine Step Reid Interrogation Technique." This technique is less about finding truth and more about psychological manipulation to get a confession. YOU are a suspect! Because you are a suspect:

a. Step 1 - Confront (with an accusation)

b. Step 7 - Give two choices for what happened (both choices will be designed to have you admit guilt). Even if you do not give a confession, you are being manipulated into saying something that will allow a prosecutor to convict you (of something). There is a right way and a wrong way to assert your 5th amendment right to remain silent (read the 47 page document) until you talk to legal counsel, then just shut up.

Recommended Reading (and in my mind, required if you want to stay out of prison):

1. A free 47 page download that provides an excellent overview:

<http://www.secondcallddefense.org/sites/default/files/7-Proven-Strategies-to-Survive-the-Legal-Aftermath-of-Armed-Self-Defense.pdf>

2. After you have read the above, free 47 page download, next purchase (for only \$25 new or \$18 used through Amazon) The Law Of Self Defense by author and attorney Andrew F Branca which is 296 pages. However, this book explains in layman terms the laws which apply in any state in easy to understand language and also summarizes the specifics that you need to know for your particular state - An awesome keep you out of prison book!

3. After you have read the above two items, next purchase (for only \$25 new or \$11 used through Amazon) Deadly Force by author, police captain and courtroom expert witness Massad Ayoob whose book provides actual court cases of the laws explained by Andrew Branca.