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THINGS YOU DIDN'T KNOW

Would Happen When
The Police Arrive...



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If you've decided to carry a firearm for self-defense, you've undoubtedly thought about the reality of having to use it. You've thought about how you need to train, you've thought about what kind of ammunition best fits your defensive needs, and you've thought about which holster will best fit your gun, body type, and preferred carry method.

There's more to armed self-defense, though. Once the threat to your life is ended, the most difficult part of the process can be just beginning. There's a lot that happens in the aftermath of a self-defense shooting that most people don't realize are not just possibilities...they're hard realities.

It can be extremely dangerous to be the one holding a gun when the police arrive at the scene of a shooting, so be sure you aren't.



1

You Will Be Detained And Possibly Arrested

If you are forced to defend yourself with a firearm, the police will have to get involved. You need to dial 911 immediately: tell the dispatcher your location and that someone has been shot and that you need an ambulance. Describe to them what you look like and what you're wearing, but apart from that, simply repeat that you were in fear for your life and that someone has been shot.

Officers will arrive at the scene of the shooting and before they do anything else, they will need to immediately ascertain who presents a deadly threat to innocent life. They will evaluate everyone at the scene, principally you, as you're the one whose description they got over the radio. If you haven't already done so, they will order you to drop your firearm and you will likely be placed in handcuffs. Though you will not necessarily be under arrest, you will be taken into police custody until they can sort out exactly what happened. Until they do this, they can't proceed with anything else.

It is mandatory that you comply with all of their physical demands. Before they arrive, you need to re-holster your firearm or place it on the ground; it can be extremely dangerous to be the one holding a gun when the police arrive at the scene of a shooting, so be sure you aren't.

Remind yourself that you are not being handcuffed because you did anything wrong; you are being handcuffed because the officers need to be sure that no one at the scene is going to start shooting again. It is extremely important that you not resist them or try to fight back. Remember: you haven't done anything wrong. You were in fear for your life or the lives of others and were forced to employ deadly force in the defense of said innocent life.

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2 Your Gun Will Be Seized And Held As Evidence

The officers will be responding to either a “shots fired” call or a shooting that occurred during a homicide. Do not let the word “homicide” panic you; “homicide” just means that one person was responsible for the death of another person—nothing more and nothing less. In all likelihood, the police will be taking your gun as evidence in the investigation of this shooting or homicide. Again, do not let the word “evidence” rattle you. As long as you acted in self-defense and were in fear for the loss of innocent life, you will be able to work with an attorney to vindicate your actions.

Your gun, however, will be in police custody for longer than you will. Nazir Al-Mujaahid, the first concealed carry permit holder in the state of Wisconsin to use his sidearm in a defensive situation, had to wait almost 2 years to recover his pistol from the evidence locker, even though no charges were ever filed against him. The state law enforcement agency handling the shooting will understand that if they ever relinquish custody of that gun, the chances of ever getting it back will be very low—so they will hang onto it as long as they can on the off-chance they will ever want to assess it again.

“...the police will be taking your gun as evidence in the investigation of this shooting...”



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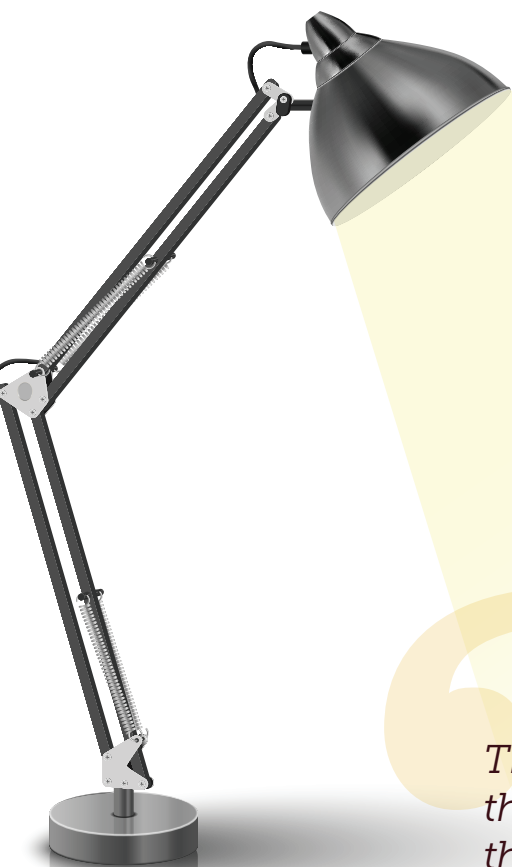
You Will Be Interrogated Both At The Scene Of The Shooting And At The Police Station

Responding law enforcement officers will ask you a lot of questions. They will demand to know what happened that led to you shooting another person. They will demand to know if you are alone and they will demand to know what led up to you discharging your firearm.

Though it can be extremely tempting to tell them everything that comes to mind, you have to be very careful. Those officers will be interacting with you the same way they interact with everyone they put in handcuffs: as a suspect. They will be trying to get you to say as much as possible before you invoke your right to remain silent without an attorney present. Never forget that the Fifth Amendment was not included in our Constitution to defend guilty people; the Fifth Amendment was included to protect innocent people. Those responding officers will be trying to get you to cut loose with what in the legal world are called “excited utterances”: exclamations made by an individual before they have been apprised of their right to remain silent. These statements are admissible in court. As you will likely be extremely excited and upset in the wake of a shooting, it is imperative that you limit your statements of any kind until you have had time to calm yourself and consult with an attorney.

Look at it this way: when a law enforcement officer is forced to shoot someone in the line of duty, they are immediately removed from the scene, assessed by EMS, and kept from outside contact until they have had an opportunity to relax, collect themselves, and avoid saying or doing anything that could further complicate an already complex situation. You should demand the same treatment. If you feel light-headed or otherwise over-excited (and you will), tell them that you do not feel well and need medical attention. This will require them to contact EMS for you, and questioning will cease. Use this window of time to calm yourself, to make sure you are physically unharmed, and to ensure that you don’t make any unfortunate errors that could later cost you.

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4

If You Don't Already Have One, You Will Need To Hire An Attorney –Fast

We've all heard that when questioned, every American has "the right to an attorney." How to get hold of one, however, can be confusing and difficult without a little forethought.

What that specifically means—"You have the right to have an attorney present during questioning"—is that after you are placed under arrest, officers are not allowed to ask you any more questions unless you consent to answering them. However, they will ask you as many questions as they can before they actually place you under arrest. This is what they are trained to do, as they understand that after you have been arrested and "Mirandized" (apprised of your Fifth Amendment right against self-incrimination), any information they get from you without a lawyer present will likely be ruled inadmissible in court.

If you are forced to defend yourself, you will need to answer questions about the particulars of what happened. This will be necessary to prove that you were "in the right"—i.e., not acting outside of the law. To do so, though, will often involve you being either taken into custody or outright arrested. The officers on the scene of the shooting need to know what happened, and if all you say is "I'm not talking without a lawyer," they are going to have to arrest you in order to get you into a position in which you will answer their questions. After you are arrested, you will be searched for weapons and brought to an interview room at the local law enforcement center; this is the point at which they will allow you to contact an attorney.

To do so, you will have one of three options: you can open a phone book and blindly choose a name, you can contact your personal lawyer, or you can call the USCCA Member Services Hotline to get the ball rolling on your defense.

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5

You May Have To Post Bail Or Pay Bond

Depending on the particulars of your situation, you may actually be arrested and taken to a city or county jail. If this is the case, and you are not accustomed to being treated like a criminal, you're going to be in for a very unpleasant experience.

Once arrested, you will likely be given the option to post bail, which is either a quantity of cash or other security that the law enforcement agency will hold as insurance that you will return for a court hearing or to sign a document representing your promise to do so. This will depend on your specific situation, but posting bail can be very difficult for the average individual. Self-defense shootings seem to happen after banker's hours and few people keep anywhere from thousands to hundreds of thousands of dollars in cash on hand in their residences. Your options are to call a bail bonds company (if they are legal in your area), call a family member who can try to arrange the collection of the necessary funds, or contact the USCCA, who will handle the situation from there.

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6 The DA Will Gather Police Reports To Make A Charging Decision

After all of the officers have asked all of their questions, they will compile their notes into their official reports and decide if they think there is evidence of a crime. If they believe you have committed a crime, these police reports will be sent to the District Attorney—along with a DA referral form, which means that the officers believe there is enough evidence that a crime was committed for you to be taken to court and charged with something. This is not a rapid process.

It may take anywhere from days to a week or more for all officers involved in an incident to complete their reports. This is not out of laziness or carelessness; this is because depending on where the incident occurred, your incident may be only one of a dozen or more calls these officers had to handle that day. In order for their reports to be as accurate as possible, they'll have to take their field notes and, as soon as possible, read through them and put them into a narrative form—one that will help someone who was not at the scene understand exactly what happened in the clearest possible language.

Once they're done with the immediate situation involving you, they have to get back onto the streets and get back to their job as a cop, Deputy, or Trooper. Their field notes may sit in their squad car until they can write their report, and once their report is complete, it may sit in a basket in the station or in the District Attorney's office for anywhere from hours to days. Remember: this is before anyone has even started to decide whether you will actually be charged with a crime.

The key is to make sure that you are at home during this process, not sitting in a jail cell.

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Protecting Yourself For What Comes “AFTER”

Here's something you must accept right now: in the aftermath of a self-defense shooting—even a justified one—you WILL encounter all six of these harsh realities. As unfair as it may seem, keep in mind that such realities are standard procedure following any shooting.

It is imperative that you spend time now thinking about and preparing for what comes *after* a deadly force encounter. After all, the difference between going to jail and going home to your family will likely be determined by your ability to navigate through the rough terrain that inevitably follows a self-defense incident. And the truth is, **proving your innocence without a plan will be costly**—both mentally and financially.

The good news is that you won't have to bear that weight alone. The USCCA exists to guide and support responsibly armed Americans just like you through the scary and overwhelming aftermath of a self-defense incident so you can get back home to your family where you belong. From 24/7 emergency assistance via the Self-Defense SHIELD Critical Response Team to an immediate attorney retainer to post-incident psychological support, the USCCA will get the ball rolling in your favor...and will stick with you every step of the way.

If you'd like to learn more, visit: **www.ProtectYourselfAfter.com**