



The Gun Ambassador: An Interview with Hickok45

Interview by Gila Hayes

I recently enjoyed a heart-warming and just-plain-fun video chat with the granddaddy of Internet shooting personalities, Hickok45. I am a fan and regular follower of the gun reviews, shooting demos, and opinion videos he and his son publish on Rumble, YouTube, and Patreon. Alarmingly, just days after I chatted with him, YouTube banned a number of his videos, alleging violations of their newly expanded policies against gun advertising, so let us say right up front, the great wealth of 15 years video archives about guns, shooting and the armed lifestyle are readily available at <https://rumble.com/hickok45> and because we like to support our own, we recommend his work on <https://www.patreon.com/hickok45>.

The summer's unpleasantness over YouTube came as a surprise. I know Hickok45 and his son, having enjoyed meeting them at an NRA Annual Meeting several years ago. It was hard to believe that they had violated their agreement. Over the weeks that followed, it was a relief to see new videos on their YouTube channels, but it was deeply disheartening to see many of the older videos removed. Fortunately, most of the videos archived over Hickok45's 15- year run on YouTube were moved to Rumble, where 111 pages of titles let fans view videos going back 15 years.

It is no surprise that Hickok45's videos are also popular on Rumble, a preferred access point for many armed citizens and conservatives who are concerned about politically-opinionated censorship. Losing YouTube's reach into the general public is distressing because it is a larger audience encompassing viewers from many walks of life, some of whom haven't yet become gun owners who want to learn how guns work.

Hickok45's videos showing responsible, safe, and fun shooting experiences make him a tremendous ambassador for armed citizens. We switch now, to Q&A, and for those who prefer streaming video, there's a longer, casual version of our visit at <https://www.youtube.com/watch?v=iNWTNzIzPfA>.

eJournal: It's trite to introduce today's interviewee by saying, "The man for whom no introduction is needed," but seriously, Hickok45's influence is so much greater than ours that it fits. On the outside chance you don't know him, readers, and viewers, meet Hickok45.

Hickok45: Hi, good to meet you; good to see everybody.

eJournal: I'm interested in how you became an armed citizen and when and why you started making videos about guns.

Hickok45: When I was a young fellow, my dad had a rifle, but he wasn't an avid shooter like I am. He had been in World War II and had only been back from the war for five years when I was born. My uncle was the firearms enthusiast in the family. Back then, people were more likely to have their firearms displayed in a beautiful wooden case. I remember as a little guy looking into that case when we would go to his place up in northern Kentucky and seeing those big cowboy guns – the big Colt single actions with steers engraved on the grips and his lever action long guns. Unfortunately, he was killed on a tractor when I was 16, otherwise, he and I would have a long, long relationship shooting. That is where I got my start.

We bought a farm when I was about 10, so we moved out to Grant County, KY, where we had about 50 acres. It was rural; very rural, to say the least. That's where my dad got his first pistol, a little Sentinel Revelation .22 revolver my mother bought him for Christmas. We already had a Ward's Western Field rifle. I still have both firearms.

When I was 11 or 12, I was able to go out on those 50 acres with some .22s in my pocket and just carry and shoot the revolver and rifle. I would walk around in those woods just like I do now and fire at dead trees or whatever. I didn't do much hunting. Can imagine me at 11 or 12? By today's standards it would be quite unusual to just walk around and shoot. When we moved back to the city, I lost that capability, but I never forgot it.

When I was a college senior, I got a little bit of a windfall, and I went to a gun store in Clarksville, Tennessee, because I'd always wanted a Colt .45. *[grins]* That was my uncle in me. I didn't know what gun I wanted. I just knew I wanted a Colt .45 which I'd seen in the cowboy shows. The clerk asked what I was interested in, and I said something in .45 Colt. He said, "Well, that don't tell me anything! You looking for a Colt? A Ruger? Something else?" I didn't know! I remember being intimidated and I've never forgotten that.

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A lot of people tell me they felt the same. Young people, ladies and others tell me how intimidated they are in gun shops, and sometimes for very good reason. It's not just because of their ignorance at that point about firearms! It's because some crusty old guy is impatient with them. That's exactly what happened to me.

At the time, I didn't even know there was anything else chambered in .45 Colt. I was very ignorant; [*chuckling*] probably still am. So anyway, I bought a Ruger Blackhawk in .45 Colt. That was the old model in 1973. I didn't know what the Ruger company was, but I had a .45 Colt; I had a nice Ruger Blackhawk. That was my first really nice gun in a large, centerfire caliber. I was hooked.

I went on to buy more firearms while I was teaching at my first job. That was in the early '70s and was when I really got into shooting. I wasn't rich but I was able to save up and buy a .44 Magnum Smith & Wesson Model 29.

eJournal: When you were teaching, did you keep your love of guns under wraps? Was it okay in the workplace to talk about guns and shooting?

Hickok45: I didn't have to keep it too much under wraps. When I was graduating in the spring of '73, I put my résumé out in Northern Tennessee and Southern Kentucky and had an offer from a private academy in Franklin, TN. I interviewed and was really impressed with the private school. It was conservative, so I wasn't afraid to talk about shooting. It was an all-boys school at the time, and I even took some of them out shooting and hunting. It was an ideal situation for me. I left and was in medical publishing for about 10 years, and in 1990, I came back to another private school in Nashville. It was a pretty conservative school, too. Although I didn't promote it or anything, if I mentioned a gun, nobody dropped over or anything.

I started the video channel about 2007-8, about five years before I left teaching. I was fortunate. I never did catch any flak for it mainly because of where I was teaching. If I had been teaching in the metro system or a less gun-friendly city, I might have caught a lot of flak and it might have been fired just for talking about a firearm, but I was blessed.

eJournal: It is fascinating to watch you cover both self-defense guns and the purely fun side of shooting, too. How do you view the cross over or possible conflicts between plinking or competitive shooting with the very serious side of what we do for self defense?

Hickok45: It's really two different worlds in a lot of ways. Of course, they do overlap and for the videos my son John and I make, our forte is mainly the fun side. If you go through the videos and watch a lot of them, you're going to see more just having fun. That is the main drive of the channel because I'm not ex-military or really even an ex-cop. I was a reserve deputy

for 10 years, a volunteer, but I've never been a sworn deputy. I've had the in-service training, and I learned a lot with the deputies in the county here, but I can't claim to be an expert, a cop, or a soldier. I've always avoided veering into training or even pretending to be an expert. My only expertise is that I have a lot of experience shooting. I enjoy firearms from almost every genre.

Because I was teaching for the first five years doing these videos, I did have limits. I knew parents were seeing the videos and didn't want to scare them into thinking I was probably packing a gun in school. I didn't have any trouble with parents but I'm still a little reluctant to do too much in the way of self defense. I waited a long time before we finally did a series on concealed carry a few years back. Even then, I used the title legal carry to make it clear that I don't do anything that's not legal.

I talk about firearms that are good defense firearms, in terms of size or maybe convenience, and then I talk about holsters and the ways that I carry. I'm well-known, I guess, for pocket carry part of the time and belt carry. Holsters and how to carry is something people need help with. I did a little video recently on the *Hickok45 Talks* YouTube channel about carrying with a round in the chamber. That question always comes up. One thing I like to do is make it clear to people what a serious issue it is to carry a firearm. We have fun in every video and I'm shooting two-liter bottles and clay pots and we're just having a good time shooting firearms for 99 percent of the activity, but I encourage people not to be too cavalier about carrying a gun. It is, as you know, a serious, serious business, especially having the mindset, the competence, and the confidence. That's the serious thing.

eJournal: While enjoying a clip titled *Hickok45 Teaches You to Shoot*, I was impressed with your demonstration of follow through, high, firm grip, getting a grip in the holster and how you took us through drawing safely, shooting stances, trigger control – it was all in there. I recognize so much doctrine in that program. Who were your leading influences?

Hickok45: Jeff Cooper and Massad Ayoob. I've read everything, probably every book and at least a lot of the articles that Mas Ayoob has written; I've read a lot of Jeff Cooper. When I got into competition shooting back in the late eighties and early nineties, I studied videos of people like Rob Leatham.

I use a modified Weaver stance. I read about Weaver and then I experimented and found quickly what feels best and makes sense to me. I don't use an isosceles stance like a lot of people do, which is probably better for competition, but I've always been more interested in the practical side of firearms and carrying. When I was competing, I carried a cocked and locked .45 inside the waistband in an Alessi holster.

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I never really studied with folks like I probably should have. I'm that way with almost everything, whether it's how to tie a necktie or other things. I just kind of teach myself and do what feels comfortable and seems to make sense to me. Ironically, if the balloon goes up, it's going to happen really fast, and you may not be in or able to get into a proper stance. I think people obsess a little too much about that and way too much about the grain of the bullet we're carrying and all those sorts of things. As you know, there are just so many more important factors.

eJournal: Instructors often stress accuracy and speed, telling us to have something riding on each shot or use a timer to measure and track our skill. That's hard to reconcile against going out to have fun shooting, which I think you do so very well, yet another thing you demonstrate is the joy of the perfect shot. You're on video saying, "Let me see if I can hit that pig," and the camera pans to a metal silhouette 100 meters away. A few seconds later we hear "Ding!" and let out a collective breath like we were rooting for you at a match. What flavor of competitive shooting did you do?

Hickok45: I got into International Handgun Metallic Silhouette Association shooting matches back in the '70s. My very first competition was with my Model 29 .44 Magnum. I did some IDPA, and I did some cowboy action shooting for about 10 years in the Single Action Shooting Society (SASS).

Some of the TV shows back in the early- to mid-1980s were cowboy shooting shows. That looked interesting, and some of the USPSA matches looked interesting, too. You saw these guys crawling through and shooting out of barrels and I thought, "That looks like fun."

There were some matches going on up around Clarksville, TN, and then about six or seven of us started the first USPSA chapter here in middle Tennessee. We went to the state section match and got into it in big way, but I kind of exhausted myself after a few years. I was shooting three different guns in every match: revolver, open class, plus limited class. I was the stats person and an officer in the club. I'd win matches and I placed high enough at larger matches to win a gun several times, but I never did get to grand master class. I didn't take it seriously enough.

I'd stand around at a match all day and it was fun, but I wanted to be home shooting my lever gun or something else. I just missed my other firearms so I got away from going to matches because you're so focused with match-specific guns. I never was like a lot of people, working really hard between matches at reducing split times or taking a tenth of a second off their draw stroke. I just never could be that serious about it. I'd rather be home shooting my 45-70 lever gun instead of trying to get another tenth of a second off my draw.

I did the Glock Shooting Sports Foundation (GSSF) matches, too. I'd go up to Lexington, KY and shoot every year. I enjoyed those and was determined to win the subcompact class. I carried a Glock 26 for period, and I thought, "Surely, I can place higher than third or fourth." If you've ever shot in those matches, you know, they're really great. There's a wide range of folks. You've got a lot of people who've never shot a match and they're scared to death. There's a great grandma who might go shoot for the first time and then, in each class, you've got maybe seven or eight people that are USPSA competitors so it's really tough at the top level. That's who I was trying to win against. I finally won in the early 2000s I think it was. I didn't go back after that. I just wanted to win with my subcompact.

I've had a lot of fun in various types of competition, but the most fun was just grabbing my favorite firearm and going out here to my own range or walking through the woods and plinking. That's where I have the most fun.

eJournal: Do you have a favorite? Are you partial to your revolvers? I know if somebody told me I had to say what gun I love the most, myself, I'd probably say my shotgun. What about you? What's your favorite?

Hickok45: That's like asking which of your kids you like the most, but I really, really like lever guns and I love the old Colt single action revolvers. I've got a bit of a collection the Colt Single Actions. To me, lever guns are probably the most fun although I really like double action revolvers, too. I like the functionality of the new modern polymer 9mm or .40s – the polymer pistols. Those are great because they're just so reliable and easy to shoot well. It's a lot of fun to shoot the Glock 19, but if I was stranded on an island with some ammo and three or four guns, I'm more likely going to want maybe a good double action Smith revolver and a Colt single action revolver and a lever gun, you know. I'd be happier with them.

eJournal: When you mentioned the Glock subcompacts, I remembered a video you made about pocket pistols. What's not apparent for our viewers is your height; you are very, very tall. I just had to chuckle when I saw the pocket pistol video because in your hands the Glock 26 or 27 looked like it was half sized. It is challenging to apply what works for one shooter to the needs of another. I know that viewers ask you for advice, and I know that you're very generous in sharing your time and experience; you're a wonderful mentor to people. When people ask for advice, how do you bridge such differences in size, or differences in skill level and experience as affects choices of, for example, a viewer's first gun?

Hickok45: In most videos where we're looking at a firearm, especially a small one, or if there's an issue with the grip, I mention that I have large hands. I'm 6 foot 8. Sometimes people don't like it if I put a slip-on stock extender on a nice Mauser.

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They think it adulterates the gun, but I have to for it to feel right. With small guns and pocket guns, I remind people that I have really large hands.

You've got to try a gun yourself, feel it, and decide for yourself. On the other hand, I try to be encouraging to people who think that many little firearms are too small to shoot well. Once you get to a point where you can shoot pretty well, you'll be surprised at how well you can hit with even a J-frame revolver. We thought it would be fun to demonstrate some long shots at a large gong with a Glock 27 and several revolvers at 230 yards. I shot and John was behind me with the camera, and we made sure that everybody knew we did it unedited. We don't do any hocus pocus, you know? I hope someone puts me out of my misery if I ever try to fool people in a video!

We did those long shots just to show that you could hit with a Glock 27 at 230 yards something like seven out of ten times. I feel that's contributing to dispelling myths about little guns. It's amazing how well you can shoot even with pocket guns, like my little S&W Model 642, my J-frame .38 Special. I could list a lot of pocket guns that you could pull out and you can bang those same targets if you just work with them a little bit.

I just try to be real and never try to put anything over on people. I'm transparent about how we're different. There are guns I really like that you may not like, or guns that I don't like at all. There are a few that I've reviewed that I just don't like and I'll admit, I'm a traditionalist at my age. You're not going to find a lot of people who grew up with a Smith & Wesson or Colt revolver back in the 1970s and '80s and '90s, but they're going to get excited about a Chiappa revolver, it's just that simple. I admit in a video that yeah, the Chiappa design does seem to dampen recoil, but it's an ugly animal and I can't like it.

We're not beholden to any gun companies and never will be, so we're able to be honest. We love all the gun companies and don't bash them but we're totally honest about what we think about a firearm. That's the beauty of the way we've always done it. We've got some wonderful sponsors, but we've turned down sponsorship from gun companies who have been after us for years. I don't know how we'd review guns if we were getting paid by a gun company.

eJournal: I'm so curious how you manage the interaction with your, thousands, if not millions of subscribers who enjoy asking questions and commenting on what you say. Do you limit the time that you spend? It gets pretty extreme, doesn't it?

Hickok45: I'm so appreciative of all the viewers and people that have given me this opportunity to shoot for a living. I joke that it's like the Jimmy Stewart movie, *It's Wonderful Life*. There must have been some angel, or somebody up there looked down on me and said, "That poor Schmo, he's been teaching middle school 29 years out of his career, you know, high school

and middle school. He loves to shoot. Let's do him a favor. He deserves one. So, let's just let him shoot for the rest of his life and get paid to do it." I express appreciation all the time and boy, it's heartfelt.

I run into viewers when I'm out in public, and I tell them on videos, "Make sure you say hi; don't ever feel like you can't come up and say hi to me. Now, we may not have an hour's chat, but I will talk to you." I genuinely appreciate them. There are just two things: we can't have them come to the house – that's a security issue – and I can't answer every question.

I skim comments on Facebook, and I'll answer some that apply to a lot of people – I can get to more people that way. We just started the *Hickok45 Talks* channel that is largely comprised of questions that people have, I'll do a short video – I try to make them short – answering or just talking about the question. I recently did one about carrying a gun with a round in the chamber. I take a license on that channel and talk about anything I want to: I did a video on grammar recently.

The main channel is mostly about guns. On the *Hickok45 Clips* channel my son John pulls out clips from old videos, which is interesting because sometimes people don't realize it is an old clip and they ask, "Why are you talking about this now?"

eJournal: [Chuckling] You are the timeless Hickok45. I am glad you mentioned Hickok Talks because it's interesting and I've been enjoying it. Sometimes you're philosophical and in those videos, I feel like you're giving more of yourself away, making me think about a balancing act that I think that many of us work around: the balance between personal security and wanting society to know armed citizens are normal people. To borrow sociology professor David Yamane's words, "Gun ownership is normal and normal people own guns." You're a very recognizable figure who happily will speak to people when they approach you in public. Do you feel at-risk for being so public? Do you monitor what you say?

Hickok45: My wife and I were talking about what people talk about when they're in a restaurant or wherever after Steph-anopoulos said something about the president and the big question was whether he really meant for that to go public. I have a filter that came out of teaching youngsters for so many years in school classrooms where you can't back up and edit what you say. I think I developed a pretty good filter in my head. You think of a joke, and you stop and think, "Oh, I can't tell that joke. These kids are 13."

I think I'm pretty good about not getting into something I shouldn't. Of course, I'm bad sometimes about just saying crazy things, but I'm not going to ever say anything bad about somebody. I never talk about other YouTubers. When I'm talking, I am aware that you could make a compliment about

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another YouTuber and say how well they shoot or something about how they hold the gun, but by time it's put online or repeated, it would be misinterpreted so I just avoid that. Because we have a pretty big audience, there were people that used to come on our channel to bash someone else. We just don't allow that. I don't do it and if I can avoid it, I don't let anybody else do it on our stage.

eJournal: How much of what you do is researched or scripted out in advance? Once you've chosen topics, is your on-camera presentation extemporaneous, or have you worked it all out ahead of time?

Hickok45: *[Laughing]* Can't you tell by the way I ramble? I'll make some bullet points sometimes, but not always. When I research a firearm, a historic one or a new firearm I don't know much about, I will look up what basic information I can find about it, and I'll make some notes. If it's a historical firearm, there will be a lot of information, but we're not famous for going as in-depth as, for example, Ian on *Forgotten Weapons*. That's not my forte and I don't want to necessarily do that, but I want to give basic information. I try not to have to read it but I just study and I get the things in my head I want to share. I'll have a couple or three bullet points I might want to mention or in those *Hickok45 Talks* I might make a couple notes I want to remember to talk about, but I don't like to script something, that's really annoying to me.

We've done a few we called the *Deep Woods Thoughts*, and we just say something semi profound in the woods. Some of those were scripted just because it needs to be said exactly that way, but I tell you, I don't like memorizing a script at all. If it's more than just a sentence or two, it's no fun for me. The only reason we've been able to do this so long is because I could grab any number of firearms right now and if you said, "Tell us a little about it and shoot it," we could set up a couple of targets and shoot a video. Well, I like to let people think that's hard, but it's just having fun at the range for the most part. *[chuckling]* We get a lot of compliments for being able to do a 20-minute video without no edits.

eJournal: I think we're benefiting from something that you've probably forgotten you do. As a teacher, you know how to present information. Many viewers forget that we're seeing a professional educator presenting a technical topic without making it seem complex. That's such a wonderful talent.

I'd like to return to what you mentioned as blind spots, when you talked about getting obsessed about technique. Will I be better if I shoot Weaver stance or Isosceles? Should I insist on a Smith & Wesson or a Glock or do I have to have a 1911? It's got to be frustrating when we ask you such boneheaded questions! What do you think we armed citizens obsess about too much.

Hickok45: Well, speaking of boneheaded questions, I taught seventh grade for about 25 years. *[laughs]* We all obsess too much the mechanics of things, and we argue what's the best tennis racket or the best car or the best engine oil. I've been involved in enough different sports, played basketball, shot lots of different firearms, and I chop wood with an axe, so I know the most important thing is not the axe you're using, or the firearm or the basketball. Obsessing about the exact firearm or the exact bullet, is like Michael Jordan complaining that one basketball is not as accurate as another or saying a football is not accurate. "Tom Brady could never throw this thing!"

We're just too obsessed about mechanical things when so much, I think, comes down to just practice and training; the mindset, as you know, is everything. It is like the argument about carrying with a round in the chamber. I don't know that we're professionals, but if we call ourselves avid firearms carriers, we generally carry a round in a chamber, right? I have to keep in mind, too, that I am talking to a lot of people who are just getting into it, they may not even own a gun yet or may never get one. I try to make things a little bit more elementary. I hear from enough of them that I know they just don't know what they don't know. There are questions and comments from people who have never held a gun, or they'll get mad at me for not telling them that the Glock 19 is chambered in 9mm.

It's just like teaching seventh grade. You get called back to reality quite often. If you start trying to explain something about subjunctive case in English class, you get way over people's head in a hurry. If I bring out a Glock 19 and do a video with it, and I don't mention it's a 9mm, and someone's going to complain. Okay, that's my fault really. You don't want to come back at them like, "Well, dummy, you don't know what a Glock 19 is? Where have you been?" Well, they haven't been into guns, you know.

I do think that a lot of people obsess way too much over things like guns: can't be a Smith & Wesson, it's got to be a Glock, or the gun can't be bigger than this, or if you don't use this holster, you're not ready, you're not professional, you don't know what you're doing. Or if you use a leather holster instead of a Kydex® one or vice versa, or you're using that hollow point instead of this one, man, where have you been? Don't you know anything? There are so many more important issues, I think, like recognizing the threat before it gets to you, for one thing.

I'm not a trainer. I'm not certified. I have no real formal training and I probably ruffle trainers' feathers occasionally but maybe not because I've had a lot of them contact me and say they appreciate what we do. I try not to assume anything or step on their toes.

eJournal: We're blessed with Network members who take being armed seriously. They've thought through their self-de-

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fense decisions and aftermath issues, and they've deemed it worthwhile and still in their best interest to have guns. You have introduced us to a goodly number of those members. Thank you so much for that. It's been amazing to bring those folks into the Network family.

What would you like Network members to take away from our time together today?

Hickok45: I think we all need that to be reminded of how serious it is to carry a gun, and how you really have to think through and walk through what situations might arise where you would even think about pulling a firearm because it's so serious. People in the Network are very seriously thinking through those things right now as they're watching the videos you send out to members. That's the value, of course, of being exposed to people that know what they're talking about, like Massad Ayoob. I've watched every minute of those videos. When I first joined, I think I went through them twice. I was just so impressed with all those presentations and those reminders are just so important that this is really, serious business.

I don't consider myself an expert in any of these specific areas. I have read a lot and I've thought about it seriously. I think I have some common sense about most things. I worry sometimes about people who are new to firearms, and they have not been introduced to folks like Tom Givens, Massad Ayoob, Marty, and the others who've done training and been in courtrooms. Network members are carrying a firearm, and they already understand and appreciate the seriousness of it. They're not cavalier about it.

I worry sometimes about people who are new to firearms, especially with constitutional carry, maybe they've not even

gone through a permit course and been frightened a little bit. They used to show a tape in the Tennessee permit course you took before you got your carry permit. It was about 20 minutes of an attorney talking and by the time you'd watch that, you'd go, "Whoa! I'm not sure I want this permit or whether I want to carry this gun or not." I think we all need to be that serious.

I read the *In the Gravest Extreme* when it came out. Thankfully, I ran across it in a gun shop in Nashville. I was so impressed with Massad's approach. I think it was in that book that he talked about walking the streets of New York and keeping some money in his pocket. He had a gun, but he kept 50 bucks or something he'd pull out and say here just take this and go on your way. He was criticized for being a wimp for doing that, which is funny because if anyone has a right to act macho, he does, and besides, he was carrying a gun and could have killed them. That right there might be a smart approach. You're avoiding serious confrontation perhaps for the price of 20 or 50 bucks. That might be worth it, you know.

eJournal: You're right, avoiding a fight is a worthwhile option. I also find your foray into a little philosophizing on the *Hickok45 Talks* YouTube channel worthwhile. It shows a side of you that longtime fans may not know. Combined with your regular videos, the *Talks* highlight the wonderful ambassador you are and have been for many years, putting a normal face on what we do and why we're gun owners. You also make us stop and think about what we do, so for that, sir, I thank you. It's been great talking to you this morning. I appreciate your time today. If there's anything the Network can ever do for Hickok45 or the channel, you have only to reach out to us because we're fans, too.

Hickok45: Well, thank you. I appreciate it. Good to talk to you. Hope to see you again at the NRA meeting or somewhere.



President's Message

by Marty Hayes, J.D.

This column is kind of personal, so bear with me and it will make sense by the end. For the past four years, I have been dealing with medical issues; not life threatening but none-the-less annoying. I've been sidelined to the extent that, as a result, this otherwise active 69-year-old man has done little

training or practice or competition with firearms.

It is an axiom in the training industry that "skills are perishable," but, of course, my ego would not accept that the truism could apply to me. Well, this last weekend I found out I was human. I had the occasion to re-take John Farnam's Tactical Carbine course. I took it previously, several years ago, and never found the final graduation exercise too difficult. I always passed it on the first try. It is a timed, accuracy drill: you must get your hits under a certain time.

Well, the accuracy was still there for me, but I found myself running out of time before I could complete the exercise. That happened three times! I finally sucked it up and made it on the fourth attempt. It seems that these old bones have lost a step or two, and I have a decision to make. Should I accept my new reality, or try to get at least one of those steps back? There is a saying, "don't let the old man in," and it certainly applies to me. So, it looks like I need to get in a little more training and practice, and start competing again, pushing myself to go beyond my comfort level.

I used to compete actively in IPSC and then IDPA when it started up, but both disciplines evolved to the point where successful competitors were those who could run fast, as opposed to those who could shoot well. To counter that issue, my friends here in the Pacific Northwest, Sandy Wylie and Robin Taylor started yet another

shooting sport, called Action Shooting International (<https://asi-usa.org/>). Perhaps we will see you at a match one of these days, if you shoot this discipline here in the Pacific Northwest.

To all our senior citizen members of the Network, do yourself a favor and get out there and train, practice and perhaps even complete. As they say, "don't let the old man in."

Coming Soon

It's been a while since we released a Network educational video, but we just put one together with our friend and mentor John Farnam. It will be released later in this eJournal and added to our member education thumb drive. We also recorded a second video with John which we will release on our Educational Foundation's YouTube channel at <https://armedcitizenstv.org/> when editing is finished. We will call it, *Who is John Farnam?* It was my intent to get a video into circulation to educate younger generations of armed citizens about training industry legends. I hope you like it.

I want to close with a word of encouragement for our Washington state members and friends. Progress continues toward a solution to the problems caused by the state's order not to take any transactions from Washington residents. I hate to make you wait, but until it is approved, I can't go into detail. So many people contact us about this issue that I wanted to let you know we're working on a new way to address members' legal needs after self defense.





Attorney Question of the Month

In a natural disaster, periods of civil unrest or locales with poor phone service, a person who uses deadly force in self defense may be unable to call police quickly or may find emergency services overwhelmed and unable to take their call. This concerns Network members who ask what they should do. We asked our Affiliated Attorneys what steps members might take to best protect themselves after use of force in such a situation. Our questions and the attorneys' responses follow-

In your state, if unable to contact 9-1-1 immediately after self defense, what steps should a Network member take to avoid legal jeopardy?

If unable to summon police after using force in self defense, what concerns attach to the armed citizen leaving the scene to retreat to a safer place?

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Interesting question. While perhaps unlikely, all things are possible.

By all means get to a place of safety for yourself and your loved ones. Do not feel obliged to remain in jeopardy so you won't later be seen as having "left the scene." It's more important to be alive to later be seen!

Phone calls, emails and texts use different platforms, so emails and texts may get through when phone calls do not. Many people found this to be true after 9/11. Of course, you need a cell phone number to which you can text. If poor phone service plagues your area, or if power outages and natural disasters are common, think about getting necessary cell numbers in advance.

If you can't reach the police, consider reporting the event to firefighters or EMTs. As a last resort, report the event to ANY-ONE you can reach, letting them know you've tried to reach the police but failed, and asking them to report the incident to the authorities at their earliest opportunity. Don't provide any unnecessary detail – just the basics of what occurred, where, and when. At least that documents your efforts to contact the police, and your intention to report the incident, rather than to conceal it.

In the Magliato case, in which I testified as an expert in NYC in the mid-1980s, after an accidental discharge of his legally-carried revolver struck and killed his attacker, Magliato fled the scene when a possibly hostile crowd of the attacker's friends began to gather. Because Magliato could not immediately reach his attorney (this was before the day of cell phones), it was a day or two before he turned himself in to the police with his attorney present. Magliato was charged, tried, and convicted of second degree murder. I believe if he had left the scene – as he had to do for his safety and that of his passenger – but had then promptly called the police, he might never have been charged, or would have been charged with a lesser offense. A good lesson from which to learn.

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As for contacting the police generally, one should do that as soon as it can be done in safety.

As for retreat to a safer location, New York is a "retreat with safety" jurisdiction – a middle jurisdiction between states that require retreat at any cost, and the states that do not require any retreat ("stand your ground"). This means that in New York, you cannot use deadly force if a safe retreat is available.

Thus, if after using deadly force, you still are facing a deadly threat, but can retreat safely at that point, then you must retreat. As for contacting police, obviously you will not be expected to do that while you are facing the threat and trying to escape. You would, again, contact police as soon as you could do so safely.

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In your state, if unable to contact 9-1-1 immediately after self defense, what steps should a Network member take to avoid legal jeopardy?

Do not speak to anyone about the details of the event. If asked, say your attorney told you to only speak with them.

If unable to summon police after using force in self defense, what concerns attach to the armed citizen leaving the scene to retreat to a safer place?

As long as they can document the efforts made to summon police, they should be fine.

[Continued next page]

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In Indiana, if unable to contact 9-1-1 immediately after using deadly force in self defense, a Network member should consider the following steps to avoid legal jeopardy:

1. Ensure personal safety first. If the scene is unsafe, retreat to a secure location.
2. Attempt to contact law enforcement as soon as reasonably possible, even if emergency services are overwhelmed. Document attempts to call.
3. Preserve evidence at the scene if safe to do so. Take photos or video if possible. However, do not tamper with evidence or alter the scene.
4. Identify any witnesses and obtain their contact information.
5. Seek medical attention for any injuries, even minor ones.
6. Contact legal counsel as soon as possible for guidance.
7. Document everything about the incident in writing as soon as you are able.

Regarding concerns about leaving the scene if unable to summon police:

Indiana's self-defense laws do not impose a duty to remain at the scene after using force in self defense. However, leaving could be viewed suspiciously by law enforcement and prosecutors. If it is necessary to leave for safety reasons:

1. Attempt to contact law enforcement from a safe location as soon as possible to report the incident.
2. Document the reasons for leaving the scene.
3. Return to the scene when safe to do so, ideally with legal counsel present.
4. Be prepared to explain the circumstances that necessitated leaving.
5. Cooperate with the investigation once able to safely do so with the assistance of counsel.

The key is to demonstrate that leaving was necessary for personal safety, not an attempt to flee or avoid responsibility. Contacting law enforcement at the earliest safe opportunity is crucial to establishing the legitimacy of one's actions.

It's important to note that each self-defense situation is unique.

While these general guidelines can help, it's advisable to consult with a criminal defense attorney familiar with Indiana's self-defense laws for personalized legal advice if involved in such an incident.

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I would first recommend contacting their attorney. If it's truly a natural disaster-type of emergency, there should be a voicemail. Leave two voicemails. The first one should say something like, "For the purposes of this voicemail, I waive attorney-client confidentiality. I have been involved in a shooting situation and I have tried to call 911 but cannot get through. The time and date is..." That way there's a credible record (via memorialization) that they have tried to contact 911. Do not waive confidentiality in the second voicemail and leave your attorney a message to call you back immediately.

Next, I would take a selfie video. The video should begin with "for the purposes of this video, this video falls within attorney-client privileged work product." Then give a detailed account of exactly what happened and turn this video over to your attorney as soon as you can.

Then do not speak to anyone else until you've spoken to your attorney.

Also, remember: if the assailant is possibly salvageable and is disarmed, I would recommend doing something to attempt to preserve their life – CPR, pressure on wounds, etc. If the situation is not safe, note in your video that you could not offer life-saving measures because [insert reason].

Retreat to a safe NEARBY place. Do NOT go home unless directed to by your attorney or police.

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In your state, if unable to contact 9-1-1 immediately after self defense, what steps should a Network member take to avoid legal jeopardy?

Most cellphones have a "voice record" as well as a video function. We tell people to start voice record ASAP if they

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can't get cell service – before you have to threaten or shoot if possible. Yelling for help is a good idea. It is inconsistent with the idea of flight. If there is any chance it will be heard by non-perpetrators, it is worthwhile. George Zimmerman hollered for help, and it made a difference. <https://abcnews.go.com/US/george-zimmerman-beaten-prosecution-witnesses/story?id=19517236>

You can, if you must leave and if there's anything useful to preserve (like a weapon on the ground or in deceased fingers), take a photo of the scene. This can be really, really important if you must leave the scene. If you CAN reach someone, but not the police, call an ambulance. Describe the person as a perpetrator shot in self defense. Don't say you did it. There will be time for that after you have called counsel.

If unable to summon police after using force in self defense, what concerns attach to the armed citizen leaving the scene to retreat to a safer place?

There is the chance that evidence will “disappear” or be moved. However, if you stay and the perpetrator was not alone, you are still in jeopardy. You want to contact someone ASAP, because the first reporter is usually the presumptive victim.

Things get more complicated if the subject is not obviously dead. Some effort to render aid is useful, even if it is “try and tie that scarf around the wound.”

The first person you see should be told: “I was just attacked. There's a guy who needs help at (location).”

Note that, ideally, what follows will be said by you after conferring with counsel.

You will state as to ANY efforts to summon aid – “I've learned it is better if they survive to be prosecuted. I will be cleared if they survive to be convicted. That's why I tried to assist.” That's actually true. I've had a couple cases in which the shooter got summary judgment because of conviction of the attacker. Here's one: <https://law.justia.com/cases/federal/appellate-courts/ca1/06-2644/06-2644-01a-2011-02-25.html>

I represented Officer Conley that night.

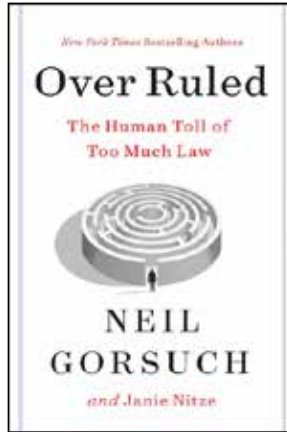
Thank you, affiliated attorneys, for sharing your experience and knowledge. Members, please return next month when we will explore a new question.

Book Review

Over Ruled:

The Human Toll of Too Much Law

By Neil Gorsuch and Janie Nitze
Harper Collins Publishers Aug. 2024
304 pgs., \$25.60 eBook \$14.99
[ISBN-13: 978-0063238473](https://www.harpercollins.com/9780063238473)



When the journal was due last month, I was only partially through *Over Ruled*, a book by Supreme Court Justice Neil Gorsuch that had proven more challenging than I'd anticipated.

Introduced as “about real people, their struggles to make their way in a world awash with law, and the toll on their lives and families,” *Over Ruled* theorizes that Americans no longer understand or trust their fellow citizens so seek to criminalize behavior they don't like instead of talking through disagreements or negotiating compromises. Government – from local all the way to national – has been happy to oblige with laws, laws, and more laws.

In early America, fewer than 50 crimes were enumerated, Gorsuch writes. Though some say an accurate count is impossible, today “scholars peg the number of federal statutory crimes at more than 5,000” and crimes against administrative regulations are estimated to exceed 300,000. He adds, “many criminal laws are not the direct product of elected representatives accountable to us; they're the handiwork of agency officials.”

It is impossible to determine what is legal or illegal. Gorsuch writes, “Sure, there's Title 18 of the U.S. Code, and it is labeled 'Crimes and Criminal Procedure.' But in truth, criminal laws are scattered here and there throughout various federal statutory titles and sections, the product of different pieces of legislation and different Congresses.” The disorganized propagation has resulted in overlapping, duplicative laws and others that “when juxtaposed raise perplexing questions about what they mean,” he says.

Worse yet, lawmaking doesn't seem to be limited to Congress anymore, “Our administrative agencies don't just turn out rules with civil penalties attached to them; every year, they generate more and more rules carrying criminal sanctions as well,” Gorsuch admits. He relates how the Environmental Protection Agency, the Supreme Court and industrial giant Atlantic Richfield denied Butte, Montana residents a role in decisions about the arsenic pollution cleanup necessitated by decades of mining and ore processing. After it was designated a Superfund clean-up site, any removal, even private landowners' personally funded efforts, was restricted by the EPA.

Gorsuch tells the stories of apple growers and fishermen staggering under regulations that bankrupt smaller operations. Is it any wonder much of our food is sourced offshore and imported by mega-corporations? Large corporate food produc-

ers influence federal regulations that inequitably affect small farms and ranches. The harm goes beyond lost income and opportunities, fines, and other financial losses; the greatest loss is from human suffering, he suggests. Federal lawmakers and bureaucrats enforcing regulations from several thousand miles away are ill-equipped to recognize, much less feel concerned about harm to individual citizens.

Gorsuch observes that the men who drafted the US Constitution were deeply concerned about central, concentrated rule despite having experienced the flaws of the original Articles of Confederation. He tells the story of early legislators arguing about mail routes for the new, national postal service. Today, Congress would probably never be consulted. The SEC, the SSA, the FTC, and a thousand other agencies set their own rules, adjudicate offenses in front of their own judiciary, and seem unashamed that verdicts handed down by the administrative judges their own agencies employ usually go against the citizen.

Gorsuch writes a fascinating history of the rise of this unelected fourth arm of government, going back to Woodrow Wilson and the early 1900s, through the Nixon presidency, then up to today where plaintiffs face little chance of winning appeals against administrative agencies.

Lost has been the direct cause-and-effect result of electing leaders and charging them with moving America the direction we wish. Citing plummeting numbers of voters, Gorsuch asks, “What happens when we ... lose our appetite for participation in public life; when we become so accustomed to taking directions from a 'bevy' of experts that we cannot imagine doing things any other way?” One result, suffered by several citizens in cases he cites, is unresponsive bureaucrats who ignore pleas to reconsider wrong decisions. The mainstream media spouts statistics about the high percentage of young men from racial minorities serving prison sentences, but Gorsuch observes that 30% of prisoners serving life sentences are over 55; and sentences for non-violent crimes sometimes exceed hundreds of years. Those who are released before old age and death claim them “often confront collateral consequences that haunt them for years—including the loss of voting rights, licenses, public benefits, jobs, and access to housing,” he adds.

The rule of lenity has evaporated, with government “heaping on overlapping charges.” Relentless prosecutions promote plea bargaining. Gorsuch estimates that “97 percent of felony convictions at the federal level and 94 percent of felony convictions at the state level have come by way of plea agreements.” Not only is punishment greater if the defendant refuses to plead, then loses at trial, paying a lawyer is too expensive for many, he writes, adding, “Low- and middle-income Americans face an access-to-justice crisis.”

Between 2021-2023 Americans learned that the federal government, state government and numerous bureaucracies were all too willing to restrict freedom to assemble, travel, do business

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and practice religion. Gorsuch thinks this has contributed to citizens disengaging from community involvement. We need to work together, he stresses, and that means civil discourse, mutual problem solving, and grassroots solutions. “Our civic associations are the places where that trust and those habits [of listening to and engaging with others of different views] were once learned.”

That all came to a screeching halt when the Center for Disease Control shut down the country during the pandemic. Gorsuch tells of a social club where recovering addicts could socialize and support one another in the fight not to relapse. It was shut down during COVID. Isolation, experts say, is an element of addiction, but that was of little concern to the CDC or to states that were happy to flex regulatory muscle. People in recovery weren’t the only victims: nursing home patients were denied visitors, people who lived alone no longer benefited from “impromptu interaction” with others at store checkout lines, in coffee shops, or in bookstores. Doctors worked via telemedicine; pastors held services online; teachers tried to conduct classes over Zoom. Poor families without Internet connections or computers were shut out. When the population began to push back and tried to hold prayer services or family dinners, a bureaucracy eager to restrict what happened inside peoples’ own homes swooped in.

These abuses were nothing new. Historically, Catholic social services placed a lot of homeless children in foster homes but selected parents who follow the church’s views about marriage. In Philadelphia, the city stopped placing children through the Catholic service believing the bias toward married foster parents discriminated – until the supreme court found the church was constitutionally entitled to honor the rules of its faith when choosing foster parents to work in their services.

Gorsuch reports on other corrections, too. In Texas, extreme regulations once kept the poor from setting up small businesses braiding hair and doing hair removal because licensing and training was prohibitively expensive. Happily, TX overthrew the licensing requirements. Other states have also started reducing the burden of their laws. In Idaho, the governor was assigned to refine the state’s administrative code in 2019 and after a number of public meetings, removed about 20 percent of the outdated regulations and simplified another 20 percent. Rhode Island cut out about 30 percent of its administrative code, and Florida and Ohio eased or removed much of the professional licensing once required. Utah started an experimental program to relax the costly rules under which law firms had to operate, while Arizona, California and Colorado expanded the range of services non-lawyers can provide.

Gorsuch is surprisingly optimistic as he looks to the future and describes the challenges of reuniting America. He comments that while the federal government annually spends about \$54 per student for science, technology, engineering, and math

(STEM) classes, less than 5 cents per student goes to teach civics. He names several foundations that provide materials to teach civics at no cost. While part of the solution, “none of these institutions or others like them can fully remedy our civic education deficit. For that, there must be an individual will to learn, as well as sustained efforts in our schools to teach.” Understand, he adds, “that civic education doesn’t have to be a partisan or boring affair. Instead, it can be about telling the full American story in all its complexity—and in that way it can help form citizens equipped to serve as sound stewards of the liberties entrusted to their safekeeping.”

In failing to understand how American government functions, citizens also fail to understand how people of differing viewpoints can talk, negotiate, and reach agreements on how things are run. Gorsuch cites studies showing substantial decreases in church going and civic and social club participation and compares today’s isolation and self-centeredness against the lively negotiation required of the delegates to the Constitutional Convention in 1787. While some of the founding fathers were hotheaded, and even insulted one another occasionally, they were able to agree on the constitution. By contrast, a survey showed that one-fifth of college students believe violence is an acceptable way to silence “offensive or hurtful” speech, and 55% of respondents told the Pew Research Center government censorship was OK to restrict false information online. What happened to the first amendment?

Gorsuch is no cheerleader. He admits to concern about the nation’s future. “While some law is essential to our democracy and liberties and the equal treatment of all people, too much law can undermine all of those things and even respect for law itself,” he admits in the book’s epilogue. He fears the urge to expect government to solve our every problem will lead to a big, remote government with rules that can change without warning, and where only the wealthy and well connected thrive.

Still, the American experiment, the failure of which foes and doubters have predicted since the beginning, continues. “Almost 250 years later, here we stand. For much of our history, the promise of equal treatment under the law looked more like an unserious fiction than an earnest ambition. Yet while much remains to be done, we have made many strides to realize that promise, from the Civil War to the Civil Rights Act of 1964. World wars, terrorist attacks, political assassinations, economic depressions, the fall of other countries to communism and fascism, and so much more have tested our nation, too. Still, America remains the greatest beacon of liberty the world has ever known. The ideals embodied in our Declaration of Independence—that each of us enjoys certain inalienable rights, that all of us are created equal, that governments derive their just power from the consent of the governed—have inspired billions of people around the world and captured truths that resonate in every human heart. I would never bet against the American people,” he concludes.



Editor's Notebook

by Gila Hayes

In my daily accounting of things for which I'm thankful, the diminishing number of days before the first Tuesday in November and the general election leads the list. With about five weeks before the 2024 presidential election, the end is finally in sight. I generally consume little-to-no network television,

but the political debates drew me to ABC and CNN for the first time in years. Both were disturbing for a variety of reasons. I won't regale you with what bothered me most; you likely have your own list.

Each campaign season becomes more painful than the previous one. The more distasteful political campaigns get, the greater becomes the temptation to boycott the whole process.

Please don't do that. Please vote.

The Network stays politically neutral, despite profound personal beliefs about which candidate would do more to destroy our remaining freedoms. I recognize that individual members may have priorities that are different than my own, so far be it from me to invade the voting booth where each citizen weighs in on how he or she thinks things are going nationally and asks for more of the same or demands a new direction.

Conversely, apathetic citizens, disconnected Americans who don't think their vote will make any difference, or people who fail to foresee any personal benefit and are too self-centered to worry about bigger issues, empower the very ills that led them to stop voting. Don't be that person.

You really, really, really don't want either candidate to serve as President of the United States? OK, have you thought about nominations for Supreme Court justices in the coming four years? Have you considered which vice-presidential candidate will be casting tie breaker votes in the Senate? Have you thought about what happens in Congress because of the outcome on "down ballot" races in which you really should have voted for a local representative?

The winner of the presidential race who's sworn in on January 20, 2025, stands to appoint several Supreme Court justices. Closer to home, the races further down on the ballot will absolutely decide which political party has a better chance to push

through or be able to frustrate legislation that affects every single citizen through spending and taxation, energy policy, inflation, price controls, restrictive regulations of all kinds, national defense, crime and punishment, and a host of other concerns we face daily. Your vote for senator or representative is important, if nothing more than to notify entrenched politicians many view as unbeatable that the locals are disgusted and are rising up against politics as usual.

We vote to let politicians know that a growing number of Americans are badly dissatisfied with their actions and intend to hold them to account. We vote to tell senators and representatives that their actions matter far more than whether there is a D or an R designation next to their name. I'm generally leery of third-party candidates, but the Green Party's entry in the presidential election, Dr. Jill Stein, did have the right idea when she was challenged to explain why she would "risk another Trump presidency" by siphoning votes away from the Democratic nominee. Stein asserted that the nominee had not earned the Green Party's vote and she was described as "defiant" when she stressed that no one but each individual American owns his or her own vote.

The abject lack of reliable news makes the upcoming presidential election even more difficult. I was impressed last month when Richard Epstein, speaking on the Hoover Institution's *The Libertarian* podcast (<https://www.hoover.org/research/russia-love-and-lot-rubles>), addressed propaganda masquerading as news. He recommended "a steely kind of skepticism about what's going on." He worries that people committed to countering false news become zealots for their own persuasions, "and then you have two organizations that are vaguely rogue instead of just one."

Turn off the news sites that promote extreme stands, Epstein urged. "I don't spend any time on TikTok" he said with what sounded like a grin, as he went on to seriously ask his listeners to exercise self-discipline and stay away from what he called "the wrong kinds of media." He encourages, "If you turn that stuff off, it is not going to take your life over."

Log off the Internet, turn off the TV. Go out in public and do good – whether that is taking a friend shooting, volunteering as a range safety officer at your gun club, offering to help re-shelve books at the local library, or pick up litter or join a community improvement organization. You may find that the world is a better place than you thought it was and almost certainly discover that you are less the victim, when you are more the participant.

About the Network's Online Journal

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

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

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

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We welcome your questions and comments about the Network.

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