



**ShastaDefense.com**  
**Concealed Weapon Training Classes**

When to Draw a Firearm

vs.

When to Shoot

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There is a distinction between when to DRAW your firearm pursuant to a lawful act of self defense and when to FIRE your weapon pursuant to a lawful act of self defense.

A number of years ago, a Sheriff advised all county CCW instructors that CCW holders were “drawing their guns too soon”. The concern is that if you draw too soon, you may face legal troubles. If you don’t draw soon enough, you may be dead (or worse).

The distinction between, when to draw and when to fire your weapon is discussed below.

**Tueller Drill overview.** An acceptable length of time to draw your handgun and place two center hits on a man-size target at seven yards is about one and one-half seconds. It also takes an average healthy adult male about one and one-half seconds to cover that same distance. Thus, an armed attacker (edged or blunt weapons) threatening to kill you at 21 feet is well within your Danger Zone and a lethal threat. (See End Note 8: How CLOSE is TOO Close? By Dennis Tueller).

Many initial CCW courses may verbally discuss the Tueller Drill, but don't have each student perform the drill. In my initial CCW course (holster drawing), each student performs the Tueller Drill live fire.

Before we go on, let's first review summary introductory criteria as to "when to shoot" and "when to draw".

## **WHEN TO SHOOT VS. WHEN TO DRAW**

### **Course - Shooting Summary Criteria:**

**"I will only shoot someone if I reasonably believe that I or someone else (another innocent person) is in imminent danger of being killed or suffering great bodily injury [or was in imminent danger of being (raped/maimed/robbed)];**

**2. I reasonably believe that the immediate use of deadly force is necessary to defend against that danger; AND**

**3. I use no more force than is reasonably necessary to defend against that danger." (see California Jury Instructions as basis for above).**

In this regard, the Tueller drill shows that a person holding a knife and threatening to kill you at 21 feet, poses a deadly threat. Always remember that the use of deadly force is a last resort.

**Course - When to Draw Summary Criteria:** " I will only draw my gun when there is a preponderance of the evidence (more than 50%) that the person(s) poses a danger of death or grave bodily harm to me, or another innocent person, here and now; and if I don't draw my weapon, I will be behind the action / reaction curve". (See End Note 9, Massad Ayoob's Lethal Force Institute I and II By Bruce N. Eimer, Ph.D. // 05/01/2006).

In the full CCW course, a more detailed legal explanation as to use of deadly force is provided. But, the above should be sufficient for the present purpose.

Stating a principle is easy. But, we must go further, both mentally and physically. We need to translate verbalized intellectual criteria into specific physical actions and reactions.

This article seeks to assist in quantifying your decision to draw as it relates to the “preponderance of the evidence” criteria. This discussion deals with contact weapon situations.

The Tueller 21 foot drill quantifies “time” and “distance” and serves to bring into focus the reality of a deadly threat in terms of distance and time (at 21 feet).

However, one must also take into account the Total Distance the “attacker” ran before the student defender is able to draw and fire, This provides a quantification potential for the “preponderance of the evidence” criteria as to when to draw.

### **Observations as to Tueller range drills done during initial CCW classes (See Summary Table, End Note 2)**

**Observation One:** Using a measured distance of 21 feet (this is NOT a rule), the Tueller drill serves to show how deadly a “knife attack” can be at “21 feet”. This would also apply to other contact weapon situations. For example, a knife, a screwdriver, crow bar, or someone charging at you to take your gun away and shoot you with it.

As Massad Ayoob states - “can I draw and fire before he reaches me, AND get hits that achieve neutralization in time”.

The Tueller Drill shows a “reactionary gap” and shows that with a contact weapon attack starting at about 21 feet, even though you may have managed to shoot the attacker, you will have also have been stabbed! Obviously this is not where we want to be. This serves to show the deadly consequences of this “danger zone”.

Also, one should realize that this drill might reflect a somewhat sanitized laboratory type situation. Why? In the real world it only gets worse. During the drill, the student is “expecting the attack”. You are at the gun range, in a class, and know what is going to happen. In the real world, you may have a brief moment of “denial” as you see the attacker closing on you. You have now lost time and distance. Moreover, the attacker doesn’t care about injuring innocent bystanders. His attack is going to be aggressive, violent, and ruthless. You, as a law abiding citizen, recognize that your shots must hit the deadly threat, and not innocents. You have a moral compass about not taking innocent life, the attacker doesn’t. Also, just because you shoot the attacker doesn’t mean the fight is over.

**Observation Two:** In conducting the Tueller drill with live fire for initial CCW classes, I have found that almost without exception, the “attacker” runs significantly further than 21 feet before the student defender even fires a shot from his gun.

**Thus, in addition to time, several distance measurements are important**

1. **21 foot drill distance.** This is based on typical average action / reaction times with the attacker starting at 21 feet and comparing that with the ability of a defender to draw and fire his gun within this same 21 feet.

2. **Total reaction distance.** This is the total distance the attacker covered before the defender was actually able to draw and fire his gun (this may or may not be the same as the 21 foot drill distance).

3. **Add more distance to the “total reaction distance”.** You must add the “Preponderance of the Evidence Distance”. Meaning, you need an additional distance for recognizing that the person(s) pose(s) a danger of death or grave bodily harm to me, or another innocent person, here and now; and if I don’t draw my weapon, I will be behind the action / reaction curve.

In the attached summary table (See End Note 2), you can see the reality of how far behind the action / reaction curve the student defenders are, and in each case, all defenders would have already been “stabbed” before they even drew their gun and fired a shot!

Thus, the range drill I use, records not only the Tueller 21 feet, but also the total distance the “attacker” ran before the shots were fired. This is done in an effort to quantify each student’s individual “action / reaction curve”.

As stated by Dennis Tueller: “... [it] goes back to the issue of reaction and response time. The more time you need to physically access your defensive weapon and put it into action, then you need to have that much more distance that an adversary with a contact weapon would have to cover. The thing to do is to find out how long that is.” (See End Note 5, The Tueller Drill Revisited).

“I suggest you draw your weapon as soon as the danger clearly exists. There is no point in waiting until the last possible second to play "Quick-Draw McGraw" if you recognize the threat early on. Also, the sight of your "Equalizer" may be sufficient to terminate the action then and there....” (See End Note 8: How CLOSE is TOO Close? By Dennis Tueller)

So, attempting to quantify the above, let's assume you performed the drill and your results showed that you were "stabbed" when the attacker covered 21 feet (within approximately 1.5 seconds). Moreover, your drill results showed that you were not able to draw and fire until after the attacker had covered a total distance of 29 feet. This combined result indicates that the preponderance of the evidence criteria (when to draw) is met for you at some point **BEYOND AND IN EXCESS OF 29 feet**. Yes, some distance beyond the total 29 feet is needed for your "preponderance of the evidence standard" so that you are not merely firing as you are simultaneously being stabbed. This shows the student defenders **OVERALL REACTIONARY GAP** (which will vary depending upon the method of carry being used at the time, the level of concealment, your physical shape and conditioning, etc...). Specifically, for the above student, drawing of the firearm for "defensive display" (M. Ayoob term – See End Note 6) should be done when the attacker is more than 29 feet away (say 40 feet). However, common sense must be taken into account.

Failure to consider this **OVERALL REACTIONARY GAP** may result in, after having recognized the potentially deadly threat, you draw your gun, make the subsequent decision to fire, and find yourself in the position of being stabbed as you are firing your weapon. Thus, the Tueller Drill shows not only the reality of deadly danger that a person with a knife presents (or other contact weapon) at 21 feet, but also (when the total reaction distance is considered plus a preponderance of the evidence distance) the student can derive a physical "bench mark" as to when his gun should be drawn. Thus, the preponderance of the evidence for when to draw.

## **Drawing the Gun - “Defensive Display”**

(“Defensive Display” - M. Ayoob term, see End Note 6)

Again, drawing the gun does NOT mean you have made the decision to fire it. Such are two distinct matters. However, you can't wait to draw until the time you need to actually be shooting in self defense. Caution is needed since these matters should not be relegated to a mere “mathematical” formula. Rather they are factors to be taken into account with all of the surrounding facts and circumstances. For example, the type of holster being used, the depth of the “concealment”, obstacles, distances, availability of cover, terrain, bystanders, your physical size and strength compared to that of the attacker, the number of attackers, etc... .

In this regard, during my classes (with conditions including uneven ground, rocks, snow, mud, rain etc...), the “attacker” (age over 60, wearing boots and heavy clothing), closed the 21 foot distance within 1.5 seconds and many student defenders didn't even fire a shot until the “attacker” has cleared a distance in excess of 25 feet, 30 feet, or more. Of course, by that time, each student has already been “stabbed” multiple times.

However, there are boundaries subject to common sense. It is submitted that to draw your weapon when a potential contact weapon attacker (e.g., with a knife) is 150 feet (50 yards) away would not be considered reasonable – you will have a legal problem,

## **Brandishing**

Drawing your firearm pursuant to a lawful act of self defense should not be considered “brandishing”. However, if it is determined that you drew your firearm and the facts and circumstances show that you drew or exhibited the firearm in a threatening manner, and that such was not in

self defense or in defense of another, then you may face charges of brandishing. (See End Note 10. California Criminal Jury Instruction 983. Brandishing Firearm or Deadly Weapon).

## **Training**

Documenting as part of your training of your action / reaction drill is important not only for your Color Code of Mental Awareness, but also for potential legal defense. The reality today is that “truth and justice” is not necessarily the guiding light of prosecutors or judges. Political agendas are the reality, and as such a threat to your lawful self defense. Our society is degenerating into one which prefers for citizens to be “victims” of those who are evil and bad. The God given right of self defense is under attack. Your documentation of training is vital. Your having trained and practiced is important, so that you don’t merely reflexively react and then, a moment later, realize that you shouldn’t have “done that”. Or, on the other hand, you failed to realize that you should have taken action earlier. Mere reading about these matters is not sufficient.

## **The 21 foot distance is within the “danger zone”. However, your danger zone is relative**

“... the greater your skill with your weapon, the smaller your Danger Zone will be, but only if that skill is coupled with good mental conditioning, tactical planning and alertness, because no amount of skill will do you any good unless you know that you're in trouble.” (See End Note 8: How CLOSE is TOO Close? By Dennis Tueller).

On the other hand, the total distance that the attacker covered before you were able to draw and fire is an extension of that danger zone. To this, you must add a distance in order to determine when to draw. This equates to a preponderance of the evidence that the person(s) poses a danger of death or grave bodily harm to you here and now. It is only



through physical training that you will determine these matters.

Specific facts and circumstances are critical (e.g., being able to identify threat indicators, etc...). Just because someone is acting “somewhat aggressively” at 21 feet away doesn’t mean you automatically draw and shoot them.

In this arena it is a mistake to attempt to impose the pretense of mathematical certainty. On the other hand, if you are in fact attacked by someone intent on killing you or inflicting great bodily injury with a knife at about 21 feet, then the Summary Table (See End Note 2) shows that at this distance, you are in the “Danger Zone”. Possibly the terms, “killing zone / Great Bodily Injury zone” reflect more accurately the actual risk you face. For the student results in the table, their Danger Zones extend further out (beyond 21 feet). Further complications arise by virtue of having to take into account facts and circumstance, including: the defender’s action / reaction time; the disparity of able bodied vs. disabled; disparity of physical size and strength; disparity of force of numbers; obstacles; terrain (rocky, etc...); length of the contact weapon; and the fact that shooting the attacker doesn’t mean that the attack is over, etc...). (See End Note 4, Disparity of Force: Five Real-Life Self-Defense Cases, Massad Ayoob).

## **Summary Overview**

**So where are we? Masad Ayoob provides the following summary:**

**“If a person with a contact weapon is 3 seconds away from you and threatening to kill you – draw your gun.**

**If a person with contact weapon is 3 seconds away from you and is charging at you, draw and fire.**

**If a person with a contact weapon is charging you from 14 yards [42 feet] away, draw and start shooting.”**

On the other hand, there are outer limits as indicated by Dennis Tueller.

“If, for example, our hero shoots his would-be attacker at a distance of 20 yards [60 feet], he loses. Not the fight, you understand, but most probably his freedom because he will almost certainly be charged with murder. The only thing that justifies your shooting another human being is the immediate need to stop him from trying to kill you (or someone else), ...” (See End Note 8: Refer to linked article - How CLOSE is TOO Close? By Dennis Tueller).

This information is critical as part of self defense training. Being aware of your surroundings is critical. But beyond this, we need to know when you should start reacting to a potential threat. Your reactions are not limited, and depend on the facts and circumstances. Reactions may include: de-escalation, running away, drawing, moving into the threat, moving off of the line of attack, open hand defense, moving behind cover, drawing and shooting, etc..).

By mentally educating ourselves and physically training / practicing, we put ourselves into training situations and scenarios in controlled environments. This is done in an effort to discipline our minds and bodies so that we properly react in a real world situation.

## **Use Common Sense**

Common sense must be applied. For example, during one session, a student was taking issue with my recommendation of “on body carry”. She stated that her use of “purse carry” was just as good. The Tueller drill bridged the reality gap when the “attacker” ran 45 YARDS before she was able to draw the weapon from the purse and fire the first shot. Although she had felt “secure” with her “purse carry”, the reality was that her purse carry was nothing more than a bag with a metal object in

it. Moreover, if you draw your weapon (in response to a contact weapon attack) when the contact weapon threat is 45 yards away, you are going to have a legal problem. In this case, changing the method of carry is a good start. Students should keep Tueller drill results as part of their training records. In order to develop the requisite “common sense”, it is necessary that we train so that preconceived notions are tested against reality based situations.

The above is summary in nature, and is not intended to be a substitute for training and related matters of instruction provided during the full CCW course. You should consult a lawyer concerning the laws of your State.

#### End Notes and References:

(1) A. Nathan Zelif is a California Attorney at Law. He is also a Certified NRA Pistol Instructor, Certified NRA Rifle Instructor; Certified NRA Range Safety Officer; Certified NRA Personal Protection in the Home Instructor; and Approved Firearms Instructor for CCW instruction classes required for original and renewal permit applications in Shasta County and Tehama Counties.

**I wish to express my gratitude and special thanks to Massad Ayoob in taking his valuable time and giving me recommendations.**

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(2) Summary Table

ShastaDefense.com [version: 20180108] <b>21 FOOT DRILL:</b> ** Students wearing exposed holster UNLESS otherwise indicated.												
<b>Examples of student CCW TUELLER DRILL results – Done Live Fire</b>												
<b>["Attacker" for Drills runs away from the student]</b>												
Time in Seconds it took to attack and "stab" student at 21 feet	Student checked box concluding he/she was Stabbed multiple times & most likely dead	Distance in FEET Attacker covered by the time STUDENT FIRED <b>1st SHOT</b> at 9" Pie plate @ 21Ft .	1st SHOT		Distance in FEET Attacker covered by the time STUDENT FIRED <b>2nd SHOT</b> at 9" Pie plate @ 21Ft	2nd SHOT		GROUND CONDITIONS AT TIME OF "ATTACK"				
			HIT	MISS		HIT	MISS	ROCKY	UNEVEN	SLOPPERY	DRY	SNOW
<b>Comment</b> →→→→→		<b>Already "STABBED" @ 21 F., or closer</b>			<b>Already "STABBED" @ 21 FT., or closer</b>							
1.5 actual	YES	<b>29 FT</b>	X		<b>38 FT</b>		X	X	X	X		X
1.5 actual	YES	<b>23 FT</b>		X	<b>29 FT</b>		X	X	X		X	
1.72 actual	YES	<b>22 FT</b>		X	<b>31 FT</b>		X	X	X		X	
1.5 average	YES	<b>26 FT</b> <small>** GUN AT LOW READY</small>	X		<b>34 FT</b>	X		X	X		X	
1.5 average	YES	<b>102 FT</b> <small>** purse carry</small>	X		<b>105 FT</b>	X		X	X			
1.5 average	YES	<b>39 FT</b>	X		<b>40 FT</b>	X		X	X		X	
1.5 average	YES	<b>23 FT</b>		X	<b>25 FT</b>		X	X	X		X	
1.5 average	YES	<b>51 FT</b>	Not recorded		<b>102 FT</b> <small>(10 seconds to fire)</small>	Not recorded		X	X		X	
1.5 average	YES	<b>33 FT</b>	Not recorded		<b>48 FT</b> <small>( 2.12 SEC. to fire)</small>	Not recorded		X	X		X	
OBSERVATIONS:												
1. ABOVE REACTIONARY GAPS SHOW DEADLY THREAT OF A CONTACT WEAPON ATTACK CAN EXTEND BEYOND 21 FEET SINCE THE ATTACKER CAN COVER SUCH DISTANCE BEFORE DEFENDERS COULD DRAW & FIRE. MOREOVER, FIRING OF THE SHOTS DOES NOT MEAN THAT THE ATTACK HAS STOPPED.												
2. ABOVE IS FOR PURPOSE OF SHOWING RESULTS OF DRILLS ONLY.												
3. THE FOREGOING IS NOT INTENDED TO BE LEGAL ADVICE AS TO WHEN SHOTS SHOULD BE FIRED OR WHEN TO DRAW. THIS IS INTENDED TO MERELY PRESENT THE RESULTS OF SOME STUDENT DRILLS.												

(3) Verbal Warnings An Interview with Massad Ayoob

<https://armedcitizensnetwork.org/verbal-warnings> Tennessee v. Shawn Armstrong.

(4) Disparity of Force: Five Real-Life Self-Defense Cases, Massad Ayoob  
<https://www.personaldefenseworld.com/2014/06/disparity-force-five-real-life-self-defense-cases/>

(5) The Tueller Drill Revisited  
<https://www.armedcitizensnetwork.org/the-tueller-drill-revisited>

“...Your defensive tactics should be in response to whatever the circumstances dictate! What is your drawing time? With a high-security holster, an officer may take two seconds or more just to clear the holster. ...”

EJournal: Most of our readers are private citizens who practice concealed carry. With the gun hidden under layers of clothing what precautions should be observed in the presence of possible attack with a contact weapon?

Tueller: That goes back to the issue of reaction and response time. The more time you need to physically access your defensive weapon and put it into action, then you need to have that much more distance that an adversary with a contact weapon would have to cover. The thing to do is to find out how long that is.

You could test this with a dummy gun and have a friend role play a bad guy to see how much distance would be covered before you could draw. Another variation I’ve seen on the Tueller Drill is done on a live fire range. The guy representing the attacker starts standing next to the shooter, but runs away from the shooter to the right, left or rear. When he pushes off from the shooter, the shooter draws and engages a target down range. The role player will drop a hat or some object when he hears the first shot. That marks the distance he covered before the first shot. This is something you can do very safely. And please remember: just firing a shot does not mean that the fight is over.”

(6) Understanding Defensive Display of Firearms (an interview with Massad Ayoob) –  
[https://armedcitizensnetwork.org/images/stories/Network\\_2014-12.pdf](https://armedcitizensnetwork.org/images/stories/Network_2014-12.pdf)

“**eJournal:** ... Now, getting back to *defensive display’s* role in self-defense strategies: Where’s the middle ground between it and drawing only to shoot?”

“**Ayoob:** Really, the middle ground is just knowing when you can do either one. I teach that if you are certain to a preponderance of evidence, you’re more than 50% sure you are in deadly danger from this guy, go ahead and take him at gunpoint. Not until you are certain beyond a reasonable doubt that there is no other way to stop him do you pull the trigger.” (See ANZ Comment \*\*).

\*\*ANZ comment: Ayoob appears to be emphasizing the severity of this decision (i.e., this action is irreversible). Referencing California Jury Instructions, the legal standard is: “**I will only shoot someone if I reasonably believe that I or someone else (e.g., another innocent person) is in imminent**

**danger of being killed or suffering great bodily injury [or was in imminent danger of being (raped/maimed/robbed)];**

**2. I reasonably believe that the immediate use of deadly force is necessary to defend against that danger; AND**

**3. I use no more force than is reasonably necessary to defend against that danger.” (see California Jury Instructions)).**

Continuation of article is below.

**“eJournal:** Do you have an example?

**Ayoob:** Basically, the attack is underway. If the guy is coming toward me and I can't see a weapon, but he is saying, "I will cut your head off!" I am taking him at gunpoint right now. If he lunges at me or I see him reach for a weapon, I start shooting.”

(7) [Massad Ayoob on the Tueller Drill](#) (Video link)

<https://massadayoobgroup.com/massad-ayoob-tueller-drill/>

(8) How CLOSE is TOO Close? By Dennis Tueller  
[http://www.theppsc.org/Staff\\_Views/Tueller/How.Close.htm](http://www.theppsc.org/Staff_Views/Tueller/How.Close.htm)

“...Consider this. How long does it take for you to draw your handgun and place two center hits on a man-size target at seven yards? Those of us who have learned and practiced proper pistolcraft techniques would say that a time of about one and one-half seconds is acceptable for that drill.

> With that in mind, let's consider what might be called the "Danger Zone" if you are confronted by an adversary armed with an edged or blunt weapon. At what distance does this adversary enter your Danger Zone and become a lethal threat to you?

We have done some testing along those lines recently and have found that an average healthy adult male can cover the traditional seven yard distance in a time of (you guessed it) about one and one-half seconds. It would be safe to say then that an armed attacker at 21 feet is well within your Danger Zone. ...

I suggest you draw your weapon as soon as the danger clearly exists. There is no point in waiting until the last possible second to play "Quick-Draw McGraw" if you recognize the threat early on. Also, the sight of your "Equalizer" may be sufficient to terminate the action then and there....”

“the greater your skill with your weapon, the smaller your Danger Zone will be, but only if that skill is coupled with good mental conditioning, tactical planning and alertness, because no amount of skill will do you any good unless you know that you're in trouble.”

**“Myth or truth?** Don’t draw your gun unless you intend to shoot.

**Truth:** Wrong. This is a myth! Don’t draw your firearm unless you are prepared to shoot. Most felons are cowards and will run away, so you may not have to shoot. In thirteen out of fourteen cases, you won’t have to shoot at gunpoint. So, if the preponderance of evidence tells you the aggressor is a danger to you here and now, you should draw, but you should not pull that trigger until the immediate threat to your life is beyond a reasonable doubt.” (See ANZ Comment above). “The point is that you cannot wait to draw until you need to shoot, because you’ll be behind the action-reaction curve.”

(10) Judicial Council of California Criminal Jury Instructions  
CALCRIM 2017 (By way of example):

“ 983. Brandishing Firearm or Deadly Weapon:

Misdemeanor (Pen.Code, § 417(a)(1) & (2))

The defendant is charged [in Count ] with brandishing a  
(firearm/deadly weapon) [in violation of Penal Code section 417(a)].

To prove that the defendant is guilty of this crime, the People must  
prove that:

1. The defendant drew or exhibited a (firearm/deadly weapon) in  
the presence of someone else;  
[AND]

<Alternative 2A—displayed in rude, angry, or threatening manner>  
[2. The defendant did so in a rude, angry, or threatening manner(;/.)]

<Alternative 2B—used in fight>  
[2. The defendant [unlawfully] used the (firearm/deadly weapon) in fight or quarrel(;/.)]  
<Give element 3 when instructing on self-defense or defense of another.>  
[AND]

3. The defendant did not act (in self-defense/ [or] in defense of someone else).] ...”