

7410 – Levels of Defensive Force with a Gun. Defensive Display. Avoid getting shot by the good guys.



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LEVELS OF DEFENSIVE FORCE WITH A GUN.

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**DEFENSIVE DISPLAY OF FIREARMS.
AVOID GETTING SHOT BY THE GOOD GUYS.**

CONSIDERATIONS AS TO SOME FIRING, READY, AND DISPLAY POSITIONS.

You have drawn your gun in self defense. But, having avoided and/or dealt with the initial deadly threat is not enough. You must now avoid being shot by other good guys who have seen your gun, and don't know whether you are a good guy or a bad guy. Many CCW holders may not have truly reflected on the issues. We will first review the criteria for drawing your gun.

CRITERIA FOR DRAWING GUN: You should only draw your 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 you, or another innocent person, here and now; and if you don't draw your weapon, you will be behind the action / reaction curve. [See When to Draw vs. When to Shoot, by Nathan Zeliff, Attorney at Law—[here](http://www.shastadefense.com/WhenToDrawVsWhenToShoot.pdf) <http://www.shastadefense.com/WhenToDrawVsWhenToShoot.pdf>]

The LAPD Use of Force Policy provides useful insights:

“ 556.80 DRAWING OR EXHIBITING FIREARMS. Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with this policy on the use of firearms.

Note: During a special meeting on September 29, 1977, the Board of Police Commissioners adopted the following as a valid interpretation of this Section:

‘Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm.’ ”

CCW holders are not police. But the same concerns about prematurely drawing and exhibiting a firearm still apply. For example: risk of accidental discharge; possibly limiting alternatives to controlling or de-escalating a situation, and, you are an unknown person as a CCW carrier or an officer not in uniform, etc...).

In this article some shooting positions, ready positions and other positions are presented. There are more shooting positions and ready positions than those shown. Each situation is different. Facts and circumstances must be taken into account.

Always follow the firearm safety rules, including: DO NOT point your weapon at innocent persons (or your own body).

In addition to knowing “when to draw” we need to consider the potential responses by others to our defensive display of a firearm. [for discussion of Defensive Display see article at end Note 2].

For example, a homeowner called the police concerning a burglary. Homeowner was in his garage, with his gun in hand and visible. Police arrived on the scene and viewed him through the window. The police shot and killed the man with a gun. It was the homeowner.

To have survived the initial deadly threat only to be shot by “other good guys” who don’t know who you are, is not where we want to be. We need to think about what we do, and the consequences when viewed by others. We need to also practice the procedures.

AVOID GETTING SHOT:

Force Science® News #216 – Readers Comments section has some very good recommendations. Although addressing plainclothes police officers, many aspects apply to CCW holders and armed citizens. It states in part:

“- Train first responders that not everyone holding a gun is a suspect.

- Establish a challenge protocol to limit the likelihood of blue-on-blue error. We were able to significantly drop the instances of role-players being shot down to 50% after stressing the importance of challenge procedures.

The longer the PC presents himself holding a gun or displaying armed behavior, the higher the likelihood of being misidentified and fired upon.

- As a PC choosing to respond to an armed threat, we recommend keeping your weapon concealed as long as possible as you maneuver to a position of advantage. Only present the weapon when you absolutely, positively have to engage bad-guy threats. After engaging and conducting necessary after-action procedures, immediately holster, conceal the weapon, move to cover, and be prepared to "halo" your badge.

- Open up all trainees' situational awareness to understand they are an UNKNOWN person when in plainclothes and their behaviors when holding a gun may be perceived as a threat to other first responders (uniformed as well as plainclothes and off-duty).”

Again CCW holders are not police, but many of the above factors clearly apply.

In his article Defending against terroristic mass murder, Massad Ayoob [Issue #160 • July/August, 2016 -link here: <http://www.backwoodshome.com/defending-against-terroristic-mass-murder/>] states: “Some suggestions if you are caught up in such an incident, and are capable of using a gun to stop it: Don’t draw your gun until you have *absolutely, certainly* identified your target, and are ready to apply force. In all the predictable tumult, you don’t know what other good guys and gals are turning to see what they can do to stop it. They’ve heard the shots and screams, they see you, an unidentifiable person with a gun ... and they may jump to the wrong conclusion. And, if the killer has an as-yet-unseen partner, you could end up like the martyred hero Joseph Wilcox in Las Vegas.

In the same vein, once you have the killer down, holster as soon as possible. You don’t know if other good folks, including arriving officers, have come in knowing someone is killing the innocent, and has just seen “unidentifiable you” gun down a man they don’t realize is the real danger. Minimizing the possibility of a mistaken identity shooting on either side of your gun is imperative.”

Also, consider some other points:

1. If you are engaging an active bad guy shooter, you can expect that he will shoot back. If your family or friends are near you, then gun fire will also be directed at them.
2. With police on the way, or on scene, they may see you with a gun and shoot you.
3. There is great danger to intervention in a highly tense situation with rapid movements. On the other hand, if you and your family are going to be killed, such is also great danger and stopping the threat is necessary.
4. The purpose of this article is merely to bring about awareness of how you appear to others at the scene of a shooting . They don’t know you are the good guy. After all, the police are responding to a bomb explosion and a man with a gun shooting people. They arrive and you are now the “man” and you “have a gun”.

Bearing the above factors in mind, let’s review some different shooting, ready and other positions.



FIRING POSITION

- 1. HIGHEST LEVEL OF FORCE.**
- 2. YOU INTEND TO SHOOT.**
- 3. SIGHTS ON TARGET.**
- 4. FINGER ON TRIGGER.**
- 5. THIS IS DEADLY FORCE.**
- 6. This is actual use of deadly force and thus beyond defensive display of a gun. You are shooting. After the deadly threats are dealt with, you must consider and have practiced your post shooting “gun display”, and post shooting procedures.**

THIS IS DEADLY FORCE. REQUIREMENTS:

There must be an “Immediate and otherwise unavoidable danger of death or grave bodily harm to the innocent.” All of such factors must be present. Criteria (all must be present): Ability, Opportunity and Jeopardy. (Ayoob – Judicious Use of Deadly Force).

“It is beyond a reasonable doubt that the person is going to kill you or cripple you (grave bodily harm), or another innocent person”

You are in “Imminent danger of being killed or suffering great bodily injury; you reasonably believe that the immediate use of deadly force [is] necessary to defend against that danger; and you used no more force than was reasonably necessary to defend against that danger” (“Belief in future harm is not sufficient, no matter how great or how likely the harm is believed to be” ...). (See California Jury Instruction 505 et. seq).

Example of use for this position: Person just threatened to kill you with a knife at 14 yards and is charging directly at you with the knife.

Consider the potential responses to your firearm display and having fired your gun:

Imagine you have drawn and fired your gun to defend your family against a deadly attack in public. You have stopped the immediate threat. But, you need to consider how, in a mass public shooting event or other shooting, you might be viewed from the perspective of responding police, or others. With loud noises, and/or gun fire, it is readily apparent that you could be viewed as the bad guy who is killing innocents.



COVERING POSITION

1. YOU DO NOT INTEND TO SHOOT.
2. SIGHTS ON THREAT AREA.
3. FINGER NOT ON TRIGGER AND IS STRAIGHT ON FRAME.
4. USES: MOVING TOWARD THREAT AREA AND/OR YOU ARE COVERING.
5. Even though you do NOT intend to shoot, other persons (including Police) may not pick up on the fact that your finger is not on the trigger.
6. Fatigue may result due to prolonged extension of weapon.
7. Due to distance of weapon from body, there is less weapon retention ability.

The threat area poses danger of death or grave bodily, but it is not immediate to justify shooting.

Consider the potential responses to your defensive display of firearm:

Here you are displaying the firearm for defense, but not shooting.

Also, consider that if you are using this position to scan left and right for other threats (with the result that you are pointing your gun at everyone, good or bad), consider how in a mass public shooting event you might be viewed from the perspective of responding police, or others. Imagine there are loud noises, and/or gun fire. Do you look like the bad guy who is killing innocents? This should point out that your post shooting and defensive gun display procedures must not be robotically applied. You must think about what you are doing in the context of your environment. What may be appropriate in one context may not be suitable in another.

Examples of use for this position:

#1. Person who just threatened to kill you with a knife at 14 yards has followed your command to stop, and is starting to put the knife down on the ground.

Consider lowering the gun slightly in order to be able to see the person's hands.

#2. Three (3) bad guys are attacking you with knives. You shoot one of them (he is down), You next aim your gun at the 2nd bad guy, but he is now turning around to run away. You next aim at the 3rd bad guy, and he is also turning around to run away. You scan between the two as they run away (finger off of the trigger). Next, to scan for other threats 360 degrees, you should consider another position to avoid pointing your gun at innocents and also being mindful of how you appear to others now awakened from their "condition white". They heard the shots you fired. But, now they don't see any of your "bad guys". They only see you holding a gun and a guy lying on the ground bleeding from the bullet hole you put in him.



GUARD POSITION

- 1. YOU DO NOT INTEND TO SHOOT.**
- 2. WEAPON IS HORIZONTAL TO THREAT AREA.**
- 3. FOREARMS ARE INDEXED AGAINST BODY.**
- 4. FINGER NOT ON TRIGGER AND IS STRAIGHT ON FRAME.**
- 5. USES: NO ONE DOWN RANGE EXCEPT HOSTILES OR HIGHLY SUSPECTED UNKNOWN. YOU ARE IN CLOSE PROXIMITY TO THREAT AREA.**
- 6. BETTER WEAPON RETENTION BECAUSE WEAPON IS CLOSER TO BODY.**

Consider the potential responses to your defensive display of firearm:

What if you are scanning for other bad guy threats? Now, view the prior "covering" position, and this "Guard" position. Compare them with the next position (the "compressed low ready" position).

From the perspective of a responding police officer, or good guy armed citizen, which position makes you look more like the potential bad guy killer that the police are searching for?



Compressed Low Ready Position

- 1. YOU DO NOT INTEND TO SHOOT.**
- 2. WEAPON IS POINTED SLIGHTLY DOWNWARD, BUT IS IN A POSITION TO BE EFFECTIVELY FIRED IF ATTACKED AT CLOSE QTR. ALSO, POSITION IS CONSISTENT WITH MOTION OF THE DRAW STROKE IN BRINGING THE FIREARM INTO AN EXTENDED FIRING POSITION IF NEEDED.**
- 3. FOREARMS ARE INDEXED AGAINST BODY.**
- 4. FINGER NOT ON TRIGGER AND IS STRAIGHT ON THE FRAME.**
- 5. CLOSE IN POSITION ALLOWS FOR BETTER WEAPON RETENTION WHILE SCANNING DOWN RANGE, LEFT AND RIGHT. NO ONE DOWN RANGE EXCEPT HOSTILES OR HIGHLY SUSPECTED UNKNOWNNS. YOU ARE IN CLOSE PROXIMITY TO THE THREAT AREA.**
- 6. WRIST ANGLE IS NATURAL. POSITION CAN BE MAINTAINED WITH LESS FATIGUE.**

Consider the potential responses to your defensive display of firearm:

What if you are scanning for other bad guy threats? Now, view the prior “Covering” position, the “Guard” position, and then compare them to this “compressed low ready” position.

From the perspective of a responding police officer, or armed citizen good guy, which position makes you look more like the potential bad guy killer that the police are searching for?

Imagine the context: loud noises, shots being fired, screaming children, persons running, a floor slick with blood, smoke, wounded crying for help, and you ... holding a gun.

SUL Position:

1. POSITION OF RESTRAINT.

**2. EXAMPLE USE:
FRIENDLIES ARE
CROSSING IN FRONT OF
YOU.**

**3. ELBOWS CLOSE TO
BODY. DON'T CHICKEN
WING.**

**4. FINGER NOT ON
TRIGGER & IS STRAIGHT
ON FRAME.**

**5. EVEN THOUGH THE
WEAPON IS POINTED
DOWNWARD, IF THERE WAS
A DISCHARGE, THE BULLET
COULD HIT AND/OR
RICOCHET OFF OF THE
GROUND AND KILL OR
INJURE AN INNOCENT
PERSON.**



Scanning left and right.



*Step and pivot into the
direction you want to scan.*

Consider the potential responses to your defensive display of firearm.

Although this should be viewed as a position of “restraint”, not all persons may view it as such. You are still in potential danger of being shot by bad guys and good guys.

For example, a Police Training Officer, once advised me that if he entered a mall shooting situation and viewed an armed person using the “SUL” position, he would consider that person as “more highly trained and therefore more dangerous” than a person scanning a 360 degree circle using the “covering position” (and, pointing the gun at innocents in all directions).

BUT, after about 1 minute of conversation, that training officer reversed his opinion.

The important point here is that such training officer hadn’t even thought about this. It is submitted that if he were responding to a mass killing situation, he would not have had the 1 minute to think about the “issue”. Rather, he will be going towards you with his gun drawn, pointed at you, and a mind set that you are “more highly trained and more dangerous”.

That is why you must be competent and aware of your surroundings so that you can stabilize and avoid getting shot by the “good guys” that haven’t trained and/or and haven’t thought about what they should have previously considered.



COVERED GUN POSITION

- 1. Use:** For example, you don't want to holster your gun because you are concerned that further defensive action may be needed.
- 2. Bring gun close to body. Cover gun with support hand. Do not place any portion of your body in front of muzzle. Do not point gun in direction of innocents.**
- 3. Caution:** responding officers will view this as a shooting position / armed behavior.

Consider the potential responses to your defensive display of firearm.

Although the gun is “covered”, it is still a “shooting position”. Also, a portion of the gun will most likely still be visible. The amount will depend upon the size of the gun, your hand size, etc... . Be sure that you don't have your hand in front of the muzzle. Gun should be on safe / decocked.



Handgun in pocket



Firing through pocket (gun indexed on body-rib index)

Revolver in jacket pocket

- 1. Avoids display of firearm.**
- 2. Drawing from pocket can be cumbersome. (Gun should be holstered in pocket).**
- 3. If you need to fire, have a proper index on your body and fire through jacket pocket (Close quarters).**
- 4. Hammerless or shrouded hammer revolver is better.**

Cautions:

- 1. Semi Autos may jam. Hammer on revolver may hang up on clothing if drawn or may get caught in fabric while hammer operating.**
- 2. Synthetic jacket may ignite upon firing.**
- 3. When police arrive, have your hands out of your pockets so police don't mistake the motion of removing your hands from your pocket as part of a draw stroke.**

Note: in this illustration, a full size 1911 is concealed in the pocket. Drawing such from the pocket is not realistic. After 1st shot it would jam. But, this illustrates a potential use by keeping gun concealed while it could still be quickly fired for close quarters (at least one shot through jacket pocket). A lightweight hammerless revolver would be better for routine use.



HOLSTERED

- 1. YOU IN ARE IN A NO THREAT AREA.**
- 2. IF AT ALL POSSIBLE, AND SAFE, HAVE YOUR FIREARM ALREADY HOLSTERED WHEN THE POLICE ARRIVE.**

**Consider your SCANNING procedure for
Post Shooting / defensive weapon display**

Remember: You are scanning for other threats to you. Examples, more bad guys, and other good guys who don't know you are a good guy. Consider both sides of this coin (i.e., view it from both the perspective of you being viewed by others; and from your viewing other armed good guys). **For each of these photos ask yourself:**

1. If you were the person holding the gun (not shooting) in the photos, do you think you would you be shot by other good guys if there were bad guys near your area shooting and killing innocents?
2. If you viewed a person holding a gun (not shooting) as in these photos, would you shoot the armed person because you heard gun fire and knew innocents were being killed in the area?
3. Do you know whether the guy with the gun is the good guy, or bad guy?
4. If you don't know whether the person is the good guy or the bad guy then **why** the % \$ & * ! # did you shoot him? "Flipping a coin" is not legal justification for shooting someone! If you drew your gun, have you escalated the situation? Was he a good guy, bad guy, or police? Did you get shot because another Police Officer saw you drawing your gun near his partner? Did you get shot because the other gang banger saw you draw your gun near his fellow gang banger?



**Cover Position – above.
SOME OPTIONS – are on the next page.**

Imagine you are moving your gun left and right at full extension as you look for other threats. Assume bad guys are still shooting nearby but not in your view, and/or people don't know where the bad guys are.

CONCERNS:

1. You still look like you are shooting or using your firearm. Generally, recommend against doing a 360 degree scan using this position! You are pointing a gun at innocents & everyone. Also, position has diminished weapon retention ability.

2. With loud noises, other persons (police officers in or out of uniform; other CCW holders, Security guards, etc...) might think it is you that is shooting, and that you are the bad guy.

3. If you are not actually engaged in shooting, then do we really want to look like you are shooting?



Sul Position



Compressed Low Ready Position

In these photos, you are still looking left and right, and to the rear for other threats (and possibly where to move for cover ... etc). Assume bad guys are still shooting, and/or people don't know where the bad guys are.

CONCERNS:

1. You are still "holding a gun", and thus could be shot by good guys and/or other bad guys.
2. An argument can be made that your ability to immediately fire at a deadly threat takes longer from these positions.
3. Position "SUL" is not intended to be a "ready" position. But, it can flow into a full extension position very easily.

POSITIVE POINTS:

1. You don't look as though you are shooting. This may cause someone (e.g., Police, in or out of uniform; other CCW holders; security guards, etc...) to hesitate for a moment, pause, "think", and not just shoot you.
2. STOPPING THE DEADLY THREAT IS IMPORTANT. IT IS EQUALLY IMPORTANT TO LIVE THROUGH THE EVENT WITHOUT BEING SHOT BY OTHER GOOD GUYS!

Think about your reaction to each of these photos and how you would react if you saw "that guy" near a mass shooting as you hear shots ring out. Next, what if you are the guy in the photo being viewed by others?

**YOU ARE CONCERNED ABOUT A THREAT THAT IS DOWN.
CONSIDER HOW YOU APPEAR TO THE POLICE WHEN THEY ARRIVE**



Cover Position with Gun lowered to see Hands



Gun Holstered, but hand on weapon (full grip)

Your weapon is pointed at the bad guy (your finger is OFF of the trigger). The bad guy is prone on the ground with his hands and feet spread apart.

You may have to be in this position, but you must be aware of how you look to police and others responding or reacting to what just happened.

Your gun is holstered, but your hand is on it. The bad guy is prone on the ground with his hands and feet spread apart.

Caution: Force Science Institute Ltd., has issued its report #357 (dated February 20, 2018), which found that a suspect can scramble up from a proned-out position to a flight-or-fight stance **in under 1 second.**



Covered Gun

Your gun is “covered”. The bad guy is prone on the ground with hands and feet spread apart.



Your gun is holstered and out of view

Your gun is “holstered”. The bad guy is no longer a threat, and no other threats are present.

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.
- (2) For discussion of Defensive Display of Firearms, see article - Understanding Defensive Display of Firearms (an interview with Massad Ayoob) – https://armedcitizensnetwork.org/images/stories/Network_2014-12.pdf