

Chapter 1 : In defense of the Second Amendment - Washington Times

Defending the Self-Defense Case by Lisa J. Steele A self-defense case is fundamentally different from most other criminal prosecutions. The essence of the defense is that the defendant is the victim of an attempted or completed violent felony such as assault, rape, or homicide which, but for the defendant's lawful actions, would have resulted in the defendant's death or in serious bodily harm.

For example, self defense describes a situation wherein one person reasonably uses force to defend himself against an attack by another person on the subway. A person might use non-deadly force, or deadly force, to defend himself, depending on the situation. To explore this concept, consider the following self defense definition. A plea of justification for the use of force, or for the killing of another person. In these cases, a person may be permitted to use either deadly or non-deadly force in order to protect himself or his family. Self defense laws restrict the protections of such a defense for those who initiate the conflict. There are two ways a person can remain protected under self defense laws if he was the one to start the conflict. The first is if he chose to leave the fight and informed the aggressor of his surrender, and the aggressor pursued him anyway. The second is if the other person responded to the presentation of a conflict with excessive force. What follows is an example of self defense that would be permitted as a defense for an aggressor: Billy goes to the local bar, where he knows Jack likes to hang out, and punches Jack in the face. Instead, Jack pulls a gun on Billy. In this example, Jack clearly responded to the situation with excessive force. Right of Self Defense The right of self defense is the right for a person to use reasonable force to defend himself, his property, or the lives of others. If necessary, the use of deadly force can be permitted, depending on the circumstances. Once someone uses excessive force, which is more force than the situation truly calls for, then he gives up his right of self defense. In that case, he goes from being the person defending himself to the aggressor in the action. Reasonable Force Reasonable force refers to the amount of force that is necessary for a person to defend himself or his property, without going overboard. It is especially important to prove whether or not the force a person used was reasonable in order to determine his level of liability for the crime. If a person can prove that he used reasonable force to defend himself, he may be able to avoid being prosecuted for a crime. If a person uses more force than what would be considered necessary to protect himself from an aggressor, then this would be considered excessive or unreasonable force. For instance, a defendant is justified in using force that is intended or likely to cause death or severe injury if someone violently enters his home, and he believes such force is necessary to prevent harm from coming to himself, or to another person in the home. Elements that are considered include the severity of the crime, whether the suspect did indeed pose a serious threat, whether the suspect had a weapon, and whether the suspect was resisting arrest or trying to run away. If an officer is found to have used unnecessary force, then he can be subject to serious punishments, such as being brought up on criminal charges, or being sued by the victim in civil court. The amount of force that an officer is permitted to use is a hot topic that often leads to controversy. However, those belonging to ethnic or racial minority groups often oppose the level of force that officers choose to employ. While officers are permitted to use deadly force to prevent a dangerous suspect from escaping and potentially harming more people they are required to give a warning whenever possible. Deadly force is considered unjustified when the suspect does not pose an immediate threat to the officer, nor to anyone else. Duty to Retreat In criminal law, there is a requirement known as the duty to retreat. Instead, he should retreat from the situation and seek safety, if that is possible. When the duty to retreat is used in conjunction with self defense as a legal defense, it is up to the defense to prove that the defendant was acting reasonably by avoiding conflict. The defense must also show that the defendant had done everything he reasonably could to retreat and, in doing so, showed that he had no intention to fight before being forced to use force in order to defend himself. Only a small percentage of states currently have duty to retreat laws. There are certain situations, however, wherein the duty to retreat is not possible or reasonable, such as when a person is threatened in his own home, or at his place of business. Police officers, on the other hand, are not obligated to retreat when presented with imminent threats of danger while on the job. The idea here is that, if a defendant possessed an unreasonable belief that it was necessary for him to use

force to defend himself in a given situation, he could not have acted with malice. For the prosecution, malice is a particularly important element to prove when seeking a murder conviction. In using an imperfect self defense, a defendant may be able to reduce his liability for his crime. For instance, in some jurisdictions, the successful usage of imperfect self defense can reduce a murder charge to manslaughter. However, most jurisdictions do not permit imperfect self defense to be used as a legitimate defense.

Self Defense Example in a Spousal Abuse Case

An example of self defense presents itself in a case involving spousal abuse. Betty Moran had repeatedly endured brutal beatings at the hand of her husband, Willie. According to Betty, Willie had a violent temperament, an extensive collection of firearms, and was always armed. On one occasion, Willie was holding her by her throat and hitting her with one of his guns. On May 15, , Betty and Willie had fought their final fight. According to Betty, Willie had asked her earlier that day to give him some money he thought she had saved. When that did not work, and she realized there would be no way for her to get the money Willie requested, she walked into the camper where he was asleep, picked up his gun, and shot him. Betty was arrested and charged with murder. At her criminal trial, Betty plead not guilty, stating that she had killed Willie in self defense. Betty claimed to be a victim of battered woman syndrome. This is a condition wherein a wife is so dependent on her husband, both financially and emotionally, and so afraid he will harm her if she leaves, that she finds herself unable to leave him, despite his violent behavior. Victims of battered woman syndrome may be inspired to finally kill their husbands, as they see this as their only means of escape. The objection was overruled, and Betty was ultimately convicted of aggravated murder. Betty appealed to the Court of Appeals of the County of Cuyahoga, and the Court affirmed her conviction. The Ohio Supreme Court dismissed her appeal. Betty then sought a writ of certiorari from the U. S. Supreme Court, however, denied her request.

Aggressor – A person that attacks another person first.

Defendant – A party against whom a lawsuit has been filed in civil court, or who has been accused of, or charged with, a crime or offense.

Malice – The intention to do evil, inflict injury, or cause suffering of another.

Prosecution – The lawyer s who argue that a person who is accused of a crime is guilty.

Chapter 2 : The truth about guns and self-defense

Self-defense (self-defence in some varieties of English) is a countermeasure that involves defending the health and well-being of oneself from harm. The use of the right of self-defense as a legal justification for the use of force in times of danger is available in many jurisdictions, but the interpretation varies widely.

Self-defence in international law Justification does not make a criminal use of force lawful; if the use of force is justified, it cannot be criminal at all. In *Leviathan*, Hobbes using the English term self-defense for the first time proposed the foundation political theory that distinguishes between a state of nature where there is no authority and a modern state. Hobbes argues that although some may be stronger or more intelligent than others in their natural state, none are so strong as to be beyond a fear of violent death, which justifies self-defense as the highest necessity. In the *Two Treatises of Government*, John Locke asserts the reason why an owner would give up their autonomy: This makes him willing to quit a condition, which, however free, is full of fears and continual dangers: This linkage between a personal attack and property weakened as societies developed but the threat of violence remains a key factor. As an aspect of sovereignty, in his speech *Politik als Beruf* *Politics as a Vocation*, Max Weber defined a state as an authority claiming the monopoly on the legitimate use of physical force within defined territorial boundaries. Recognizing that the modern framework of nations has emerged from the use of force, Weber asserted that the exercise of power through the institutions of government remained indispensable for effective government at any level which necessarily implies that self-help is limited if not excluded. For modern theorists, the question of self-defense is one of moral authority within the nation to set the limits to obedience to the state and its laws given the pervasive dangers in a world full of weapons. In modern societies, states are increasingly delegating or privatizing their coercive powers to corporate providers of security services either to supplement or replace components within the power hierarchy. The fact that states no longer claim a monopoly to police within their borders, enhances the argument that individuals may exercise a right or privilege to use violence in their own defense. Indeed, modern libertarianism characterizes the majority of laws as intrusive to personal autonomy and, in particular, argues that the right of self-defense from coercion including violence is a fundamental human right, and in all cases, with no exceptions, justifies all uses of violence stemming from this right, regardless whether in defense of the person or property. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. Further, it follows that, in this moral balancing exercise, laws must simultaneously criminalize aggression resulting in loss or injury, but decriminalize qualitatively identical violence causing loss or injury because it is used in self-defense. As a resolution of this apparent paradox and in defiance of Hohfeld, Robert Nozick asserted that there are no positive civil rights, only rights to property and the right of autonomy. In this theory, the "acquisition principle" states that people are entitled to defend and retain all holdings acquired in a just way and the "rectification principle" requires that any violation of the first principle be repaired by returning holdings to their rightful owners as a "one time" redistribution. Hence, in default of self-defense in the first instance, any damage to property must be made good either in kind or by value. Similarly, theorists such as George Fletcher and Robert Schopp have adopted European concepts of autonomy in their liberal theories to justify the right-holder using all necessary force to defend his or her autonomy and rights. This right inverts the felicitation principle of utilitarianism with the responsive violence being the greatest good to the individual, but accurately mirrors Jeremy Bentham who saw property as the driving force to enable individuals to enhance their utilities through stable investment and trade. In liberal theory, therefore, to maximise the utility, there is no need to retreat nor use only proportionate force. The attacker is said to sacrifice legal protection when initiating the attack. In this respect, the criminal law is not the tool of a welfare state which offers a safety net for all when they are injured. Nevertheless, some limits must be recognized as where a minor initial attack simply becomes a pretext for an excessively violent response. The civil law systems have a theory of "abuse of right" to explain denial of justification in such extreme cases. Defense of others[edit].

Chapter 3 : Self-Defending Key Management Service (SDKMS) | Fortanix

If the defendant presents some evidence on each of the elements of self-defense, then he or she is entitled to a jury instruction on the issue, which places the burden of proof squarely on the prosecutor to disprove self-defense beyond a reasonable doubt.

It was even featured in several films most notably Batman Begins. Sadly the two creators of this system split company a few years ago and Justo went onto create by Justo and Andy Norman created Defence Lab. However, Keysi is still a very solid self defence system and is highly recommended. Wing Chun Martial arts training in Wing Chun Kung Fu style on a wooden dummy in the training gym or dojo Wing Chun is a style of Kung Fu that has gained huge popularity in recent years, largely due to the success of the Ip Man movies starring Donnie Yen. The actual origins of Wing Chun are open to debate but according to wingchunmasters. It is said that she was one of Five Elders of the Shaolin Temple that managed to escape prior to its destruction. With her high level of Shaolin martial arts, she created a form of self-defense which could transcend size, weight and gender. She drew her inspiration for Wing Chun from the movement of animals, primarily the crane. When applied to the human form, these delicate but natural movements required little force to block and strike effectively and efficiently. After mastering the art so as to defend herself and eventually drive off the bandit, Yim Wing Chun would have the form named after her as the first student of Ng Mui. This is how the lineage of Wing Chun began according to popular legend. Yes, as with any art there are going to be good and bad instructors but it is a very solid and practical close range self-defence system. There are of course many people that would disagree, however having met a few Wing Chun instructors I have really had my views changed over the years, as I too failed to see the structure behind the art. The power of Wing Chun lies within its direct approach. The point is, you get to see the beauty of the technique of Wing Chun in action: My personal view is that Wing Chun is one of those arts that is excellent for self defence , however it is unlikely that you will ever get to see it in action, and as such a lot of people will disagree. Solid straight punching is the hallmark of great skill and this is what Wing Chun delivers. However essentially there is a lot of confusions about what exactly Jeet Kune Do really is. Created by the legendary film actor and martial artist Bruce Lee, the art is often described by many as a philosophical journey for the martial artist and not actually a system of martial arts. I do not claim to be an expert of JKD but as Bruce died so tragically at a young age, we will never truly know what JKD would have ended up as. However for now, we can easily say that JKD is the embodiment of martial arts ethics and study. A good JKD school will often have instructors that are highly skilled in numerous arts. Is It any Good? Every technical improvement is backed up with sound reasoning such as placing your strong side towards the attacker, and a range of other strategies. As a result, JKD offers a really detailed look into the physical applications of martial arts with a variety of options. It is likely that no two JKD schools will be the same however all are based on solid fundamentals. JKD is a great martial art for self-defence, it has huge depth and variety, and I highly recommend it. Take a Look at some Jeet Kune Do instruction below

6. Judo and Sambo The sport of Judo is perhaps one of the most well known martial arts due to its inclusion in the Olympic Games. Judo is free to watch and is broadcast live across the world on YouTube. So what makes this sport so great for self-defence? However today it is a modern grappling sport with very strict rules. Since there have been even more rule changes that have shocked the Judo world by taking away a lot of the core techniques. Despite this the sport is bigger than ever and for self-defence it offers a unique journey. If you train Judo you will do zero self defence training, it is all about learning to throw, pin, choke and armlock an opponent. There are zero blocks, zero strikes unless you look deep into the art and for that reason you would think Judo as being very poor as a self defence The thing that makes Judo so good for self defence is its single-minded approach to throwing people on the floor. A throw on a thick Judo mat can take the wind out of your sails yet a throw onto concrete will cause serious injury. Simply put, if a Judo player gets their hands onto you then you will be hitting the ground with serious force. Well the end result is Russian Sambo. Check the videos out to see what I mean. Boxing I started learning boxing at an early age and the skills I learned are perhaps the ones that have allowed me to do well in other arts. Yet it takes years to master

boxing but only months to grasp its fundamentals. It is this simplicity that makes boxing such a great art or self-defence. Like Judo is focused on just one thing boxing has become a specialist at punching. The video below shows a boxer in a self defence situation and it is easy to see just how useful boxing is. Other great aspects of boxing are the fitness drills The conditioning in boxing is one of the most strict and most punishing regimes in martial arts. Skipping, press ups, burpees and much more will make up a boxing session along with sparring and bag work. On a one on one situation, BJJ is pretty amazing as a system of self-defence does however have weaknesses when it comes down to weapon defence and group attacks. The art is the offspring of Judo and is focused almost completely on the ground and it became world famous when it was the style used by so many to win in the early days of MMA. BJJ does not focus on self defence these days and has become more of a sport. An average MMA class will be very testing on your fitness levels. You will perform grappling, striking, and a lot of sparring. As such you soon become a very skilled opponent for any attacker. The downside of this is of course that you are focused on sport and not self defence. There is zero knife defence and no multiple opponent training however your individual unarmed ability becomes very impressive. Krav Maga Krav Maga is perhaps the most well know of any self defence system in the world. We have hard core self defense versions and far softer ones that appear as if they were kick boxercise classes. However despite these differences Krav Maga is one of the best martial arts for self defense. Defence Lab Defence Lab is my favourite martial art and whilst this list is not in a specific order I have to say I feel Defence Lab or DL as is it called is the best martial art in the world for self defence. Defence Lab however, has evolved the KFM model and taken it even further. DL is focused completely on self-defence situations that are both armed and unarmed, group attacks and also it now covers MMA style opponents with its growing technique range. Conclusion So there you have it,the best martial arts for self defence. So what are your thoughts? Comment below and let me know.

Self-defense is defined as the right to prevent suffering force or violence through the use of a sufficient level of counteracting force or violence. This definition is simple enough on its face, but it raises many questions when applied to actual situations.

Are guns used often in self-defense? Not very – although the evidence on this issue is hotly disputed. National Rifle Association executive vice president Wayne LaPierre is often quoted as saying, "The only way to stop a bad guy with a gun is with a good guy with a gun. Based on a telephone survey of about 6,000 people, Kleck concluded that guns are used defensively to stop a range of crimes, from simple assault to burglary to rape, up to 2. Those critics point to other figures that suggest defensive gun use is actually quite rare. Gun advocates counter that not all instances of defensive gun use are reported to the police, and that in most cases shots are never fired, because simply displaying a weapon can deter a criminal. Most Americans think so. According to recent Gallup polls, 63 percent of adults believe having a gun in the house will make them safer and 56 percent think the country would be safer if more people carried concealed weapons. A paper in the American Journal of Public Health, meanwhile, determined that a person with a gun was 4. What about home intrusions? Having a gun close at hand might make you feel better protected against violent burglars, but in fact the annual per capita risk of death during a home invasion is 0. On the other hand, a study from the University of California, San Francisco, shows that people with a gun in the house are three times as likely to kill themselves as non-firearm owners. More than 20,000 Americans shoot themselves to death each year, accounting for two-thirds of gun fatalities. Yes, but not regularly. An FBI study of active-shooter events between 2000 and 2009 found seven incidents in which an armed civilian shot the gunman and ended the rampage. Only one of those involved a typical "good guy with a gun"; professionals – off-duty cops and armed security guards – fired in the six other cases. Still, "good guys" do occasionally stop shooting sprees: In some states, a concealed-carry permit requires no firearms training at all. A recent case in Houston highlights the risks of "good guys" opening fire: A man who saw a carjacking in progress shot at the perpetrators, but missed and hit the car owner in the head. Sometimes, Chipman says, the best thing to do is not to play hero, "but instead try to be the best witness you can be. But Parker and several other veterans on campus resisted the urge to enter the fray, fearing police would mistake them for additional shooters. Gabrielle Giffords, helped subdue gunman Jared Loughner – but not before he nearly shot an innocent man. Leaving a drug store as shots rang out, "I clicked the safety off, and I was ready," Zamudio recalled. Fortunately, Zamudio held his fire.

Chapter 5 : Right of self-defense - Wikipedia

s, "act of defending oneself," first attested in Hobbes, from self-+ defense. In sports sense, first with reference to fencing (), then boxing (s). In sports sense, first with reference to fencing (), then boxing (s).

This interview first appeared in our December journal. Interview by Gila Hayes We get a lot of questions about how defending yourself with knife affects the legal claim of self defense. That experience coupled with work as director of a correctional institute, body guard, bouncer and security for large public events, makes MacYoung an unusually accurate source of information about criminal behavior. Of his many credits, his identification of the five stages of violent crime deserves more recognition than it receives. The interview that follows is distilled from several hours of telephone conversation with MacYoung, and is offered in interview format to preserve as much as possible his explosive and often amusing style of communication. We have a number of experts on the topic of firearms and self defense associated with the Network. With that said, welcome, Marc, and on behalf of our members and readers of the eJournal, thank you for your time. How do the courts view using a knife compared to using a gun to fight off an assailant? What is the reality? That lethal force weapons are not all created equal. When we get shot with a rifle, the shot to our nervous system causes a brown out. Handguns have less of a shock on the system. The problem is, people see movies where they shoot the guy and he falls down. If you stab or cut somebody and expect them to fall down like they do in the movies, it is not going to happen. Your monkey brain will look at somebody and if he is in front of you, will see a threat. I just did a court case where this huge guy attacked a smaller guy and the smaller guy started slashing him. Due to a distortion of reality? Primate behavior, because a monkey wants to chase the threat away. You can, but you have to be trained. This has some serious implications for Network members, because a lot of armed citizens also carry knives as a back up to the gun. How reasonable is this practice? But when do you teach people to stop shooting an attacker? Does same thing work for knives? Yes, but because of proximity, you have to move yourself away from the situation. You are cutting your way out of the situation. When you move, does the rational mind regain control? Yes, especially if you break visual contact with the guy. You break contact and continue mission. Get the hell out of Dodge! You want out of the situation where you need to use lethal force. Getting out of range also ceases the threat. Look what just happened! He attacked, you cut and run, he chased. See the blood trail? All summed up very simply: Can that instinct be trained out? Yes, the first thing you need to do is recognize the importance of a wound pattern that is consistent with self defense, and to break contact. Cut your way out of danger. Do what we call mountain man rabbit stew recipe where step one is to catch a rabbit. If in knife range, he is a serious danger. Self defense means not getting hurt or minimizing the damage. The monkey brain can be interested in winning. Can the monkey brain be taught? Yes, it can, but you need to train with correct goals in mind. Most knife training goes the wrong direction. They will teach you to always reorient on your opponent, to do multiple strikes, and they will not teach you how to close and finish the job. All of that will put you in prison. They never teach you to finish. What is taught in the U. They stand back and dance around. And that is going to make all kinds of defensive wounds. That training will put you into prison because you inflicted defensive wounds. A knife for self defense is used to cut your way out of a situation. How do you train for that? You pull the knife, deflect the incoming attack, you hold out the knife and you run screaming like a girl. Except for one thing: I only cut him once. I can justify that as a defensive move. He was attacking me with enough force that I needed to use a lethal force instrument to stop a threat. So using a knife for self defense is as simple as learning one move? I took that from the Dresden Files. Just watch people engaged in the monkey dance. Throw in threat display and posturing. Do we even know the facts during the monkey dance? This is why we have to break contact. If I can get out of the monkey brain, I can look and see he did this, a known danger. Being in the monkey dance screws up your judgment. You add to the problem. What about the common advice to trust your instincts? You actually can trust your instincts. How does defense with knives sit with juries? I can justify cutting and running a whole lot better. And training to do that is more a mental preparation than physical training? The fact is, when it comes to knife work, I send people to you. The first step I do is I send them to shooters.

Because shooters plan for success. The shooting world has to plan for success. You plan for success. Use of force for a knife is the same as it is for a gun. You have to do something to stop this. Peyton Quinn came up with four rules that are awe-inspiring when it comes to dealing with situations. Do not insult him. Do not challenge him. Give him a face saving exit 4. For now, can you offer an example? You have the right to get someone off your property. You let his monkey know that he can retreat safely. When I teach cops defensive tactics, I teach that the return trip to good behavior is always free. Behave and there will be no more pain. For Joe and Jane Civilian the key is negotiation. This is a win-win system. What if we lack the wherewithal to do it? The problem with most so-called self defense is that people are looking for an Omega solution. Looking for a magic bullet. They screwed up, screwed up, and screwed up. Now they want to know how to come out OK from this long string of screw ups. The way to survive is not to be there! With every stage you let go of control. And the greater the cost of losing.

Self-defense involves preserving one's own health and life when it is threatened by the actions of others. When we speak about using potentially lethal force in self-defense, we're talking about using weapons to protect ourselves and others, even if the weapons used could kill the attacker.

Demonstration of a Ju-Jitsu defence against a knife attack. Berlin Physical self-defense is the use of physical force to counter an immediate threat of violence. Such force can be either armed or unarmed. In either case, the chances of success depend on a large number of parameters, related to the severity of the threat on one hand, but also on the mental and physical preparedness of the defender. Unarmed[edit] Many styles of martial arts are practiced for self-defense or include self-defense techniques. Some styles train primarily for self-defense, while other martial or combat sports can be effectively applied for self-defense. Some martial arts train how to escape from a knife or gun situation, or how to break away from a punch, while others train how to attack. To provide more practical self-defense, many modern martial arts schools now use a combination of martial arts styles and techniques, and will often customize self-defense training to suit individual participants. Non-lethal weapon and Melee weapon A wide variety of weapons can be used for self-defense. The most suitable depends on the threat presented, the victim or victims, and the experience of the defender. Legal restrictions also greatly influence self-defence options. In many cases there are also legal restrictions. While in some jurisdictions firearms may be carried openly or concealed expressly for this purpose, many jurisdictions have tight restrictions on who can own firearms, and what types they can own. Knives , especially those categorized as switchblades may also be controlled , as may batons , pepper spray and personal stun guns and Tasers - although some may be legal to carry with a licence or for certain professions. Non-injurious water-based self-defense indelible dye-marker sprays, or ID-marker or DNA-marker sprays linking a suspect to a crime scene, would in most places be legal to own and carry. Tie-wraps double as an effective restraint. Weapons such as the Kubotan pocket stick have been built for ease of carry and to resemble everyday objects. Please help improve it by rewriting it in an encyclopedic style. August Learn how and when to remove this template message Mental self-defense is the ability to get into the proper mindset for executing a physical self-defense technique. Many martial arts schools and self-defense classes focus primarily on the physical nature of self-defense and often neglect the mental aspect. If you are skilled in the physical aspects of a defensive technique, but lack the mental toughness and tenacity to execute it, you will not be able to perform - especially under duress. Controlled environments cannot easily mimic the stress and adrenaline dump which occurs during an attack. There is a very real need to be able to enter the proper "warrior mindset" if one is to have a realistic chance of surviving a potentially deadly encounter. This warrior mindset is the ability to focus purely on the successful outcome of a situation without becoming concerned with the consequences, even if they prove fatal in the dedicated pursuit of your desired outcome. The ability to go over, under, around or through any obstacle is the essence of this "never quit" mindset - similar to that of the Samurai of Japan. Attackers will typically select victims they feel they have an advantage against, such as greater physical size, numerical superiority or sobriety versus intoxication. Additionally, any ambush situation inherently puts the defender at a large initiative disadvantage. These factors make fighting to defeat an attacker unlikely to succeed. This often involves techniques such as taking a time-out , and deflecting the conversation to individuals in the group who are less passionately involved, or simply entering into protected empathic position to understand the attacker better. Personal alarms[edit] Personal alarms are a way to practice passive self-defense. A personal alarm is a small, hand-held device that emits strong, loud, high-pitched sounds to deter attackers because the noise will sometimes draw the attention of passersby. Child alarms can function as locators or device alarms such as for triggering an alert when a swimming pool is in use to help prevent dangerous situations in addition to being a deterrent against would-be aggressors. Commercial self-defense education is part of the martial arts industry in the wider sense, and many martial arts instructors also give self-defense classes. While all martial arts training can be argued to have some self-defense applications, self-defense courses are marketed explicitly as being oriented towards effectiveness and

optimized towards situations as they occur in the real world. It should not be presumed however that sport based systems are inadequate, as the training methods employed regularly produce well conditioned fighters experienced in full contact fighting. However, there is a difference between Martial Arts, and Self-Defense, and therefore as a general principle, Martial Arts is unsuited for Self-Defense application. There are a large number of systems taught commercially, many tailored to the needs of specific target audiences e. Notable systems taught commercially include:

Chapter 7 : What You Need to Know about California Self Defense Laws

One of the best non-lethal self defense tools out there is a canister of pepper spray. Pepper sprays fire a stream of oleoresin capsicum, which is a spicy oil extracted from hot peppers. If you've ever cut peppers then rubbed your eye, you know why this can be debilitating.

Pepper sprays fire a stream of oleoresin capsicum, which is a spicy oil extracted from hot peppers. Now imagine that concentrated ten times. It hits the eyes, nose, and lungs, incapacitating your attacker. Pepper spray is good against animals as well! Pepper spray is legal in every state, but there may be limitations on the size or strength you can carry. Unlike the other weapons on this list, pepper spray contains propellant that can escape from the cylinder over time. Make sure to fire a half-second test shot at least once a year. For this reason, some manufacturers sell inert canisters. Also called electroshock weapons, they use millions of volts of electricity to stun your attacker. If they continue to come at you, hold down the button and jab them with the live end of the stun gun. Electricity will course through their body and temporarily disable them. Amps are what kill, not volts. If you do, well, it was self defense! But because of that chance, stun guns are considered less-than-lethal devices instead of non-lethal. Stun guns also have a weakness in that they are electronic devices. This means that you have to ensure they are charged. Also, stun guns are not legal everywhere. Kubatons are small sticks, about the size of a thick pen, which can be used to concentrate the force of your blow. Hold the Kubaton in your fist. Every little bit helps in a fight. Other rod-like objects can be used in a similar way. In fact, some companies make tactical pens that can be used to defend yourself. You can even use a tough hairbrush or electronic cigarette as a Kubotan! You can use it as a key fob. Also called a slungshot, sailors have been brawling with these for a long time. They are also easy to make at home. Hold the end of the cordage and swing the knot to strike at your assailant. Or you can loop the cord around your wrist for a more secure hold. Some states do have restrictions on this type of weapon thanks to those brawling sailors. The laws will call it either a slungshot or slingshot.

Chapter 8 : Champion - Defending the Self-Defense Case

In short, the data in this Article expose the fallacy of the prevailing view of pro se felony defendants and demonstrate that the right to self-representation in fact serves a vital role in protecting the rights of criminal defendants.

Steele A self-defense case is fundamentally different from most other criminal prosecutions. Many assumptions about trial tactics are inverted in a self-defense case. If the defendant presents some evidence on each of the elements of self-defense, then he or she is entitled to a jury instruction on the issue, which places the burden of proof squarely on the prosecutor to disprove self-defense beyond a reasonable doubt. If the prosecution fails to disprove self-defense, the client is acquitted. This article is a starting point for attorneys representing clients in a self-defense case. It is focused on the common law of self-defense, using Massachusetts as its primary example, but the general principles are applicable in any state. It also introduces attorneys to some of the research regarding use of force conducted by police and self-defense instructors. A self-defense case often requires counsel to understand a moderate amount of technical information about weapons and crime scene reconstruction. Such knowledge is needed in order to: If the attack is of such character that, and made under such circumstances, as to create a reasonable apprehension of great bodily harm, and he acts under such apprehension, and in the reasonable belief that no other means will effectively prevent the harm, he has the right to kill the assailant. In the vast majority of states, the basic elements of self-defense by means of deadly force firearms and other weapons include: The client had reasonable grounds to believe he or she was in imminent danger of death or serious bodily harm. Heated words, vague threats, and the possibility of future harm are not enough. The harm must be serious and imminent. The client actually believed that he or she, or a third person, was in such imminent danger. Establishing this subjective belief often requires the client to testify. The danger was such that the client could only save himself or herself by the use of deadly force. Some states do not require the defendant to retreat, even if he or she can do so safely. Law enforcement officers are not required to retreat. The client had to use no more force than was necessary in all the circumstances of the case. The standards for the use of non-deadly force bare hands and feet and force used in the defense of property are usually similar. At a minimum, the defense must include some evidence, generally viewed in the light most favorable to the defense, on each of these factors in order to receive an appropriate jury instruction. In order to establish it, the client has to admit being at the crime scene, with a weapon, which he or she used to intentionally harm the aggressor. The client has to admit that he injured the aggressor. The client has to convince the jury that if a reasonable person had been standing in his shoes, the reasonable person would have done the same thing. In effect, the aggressor invited his fate by threatening or inflicting serious bodily harm, or by threatening to kill the client. In one fell swoop, the client has given up alibi and mistaken identity defenses. He or she has given up any claim that the wound was made by accident. Generally, the client must give up provocation heat of passion or extreme emotional disturbance. Logically, provocation implies an unreasonable response to a situation, and mitigates murder to manslaughter. Self-defense implies a rational response to a very dangerous situation and, if successful, results in an acquittal. Similarly, the client must give up claims of mental illness or insanity and defenses based on intoxication or drug use. Thus, it is not a self-defense case if: Counsel cannot present some minimal evidence on all of the self-defense factors. The client denies responsibility for the crime or claims it was an accident. This is especially important if the client has given the police a statement in which he or she tries to minimize the offense by agreeing with the interrogator that it was an accident or denies responsibility for the crime². The client was the initial aggressor the first to use force. The client and the complainant were engaged in mutual combat upon agreed-to terms. The client continued to use force after the aggressor fell unconscious, surrendered, or began to flee. Self-defense has to cover every wound inflicted on the deceased. The Client The client does not have to be a clean-cut pillar of the community who carries a lawfully-owned firearm in order to qualify for self-defense, but it is helpful. Often, the defendant will need to testify in order to establish his subjective belief about the threat and need to respond defensively. This can be done through circumstantial evidence, but it is difficult. If the client has not had any formal training, counsel may still seek an expert to

testify about use of force issues. Unfortunately, the most difficult self-defense cases come from clients involved in gang- or narcotics-related homicides and assaults. The client generally has a criminal record for violent offenses; illegally carries a weapon; has a history of problems with the complainant making it difficult to sort out who was the aggressor; fled from police; discarded the weapon; and made incriminating statements when questioned. Experts are often very reluctant to get involved in such cases. A Theory of the Facts "Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence. There will be some facts which the prosecution and police investigators believe are inconsistent with self-defense. Counsel will have to wrestle with these facts and be able to explain to the jury why they do not disqualify the client from self-defense. Perception, Memory, and the Eyewitness A lengthy discussion about eyewitness memory and perception is outside the scope of this article. The nature of a self-defense situation generally means that the client and the witnesses will not be able to accurately recall what happened. Self-defense situations develop very quickly. Bystanders who were not paying attention to the situation may not take notice until after a loud noise or sudden movement. Thus, they may miss important cues that led the client to believe he or she was in imminent danger. Once a weapon has been displayed, weapon focus will cause the witnesses to watch it, and perhaps miss other important events during the incident. Eyewitnesses may significantly overestimate or underestimate distance and event duration. They may get the sequence of events wrong. The attorney needs to keep in mind the usual issues of stress, lighting, distance, contrast, and event duration when questioning witnesses. Here, as in eyewitness identification cases, a certain witness is not necessarily an accurate one. When the client is under life-threatening stress, he or she cannot calmly engage in a conscious, deliberative, and analytical reasoning process. Instead, the client will react automatically, which will produce fragmented memories and reasoning based on past experience, intuition, and emotion. Simple habits are easier to follow than complex responses that require integrating multiple thought processes. If, like New York City, it requires that officers be given 24 hours and bed rest before giving a statement, and the client was pressured to give a statement sooner, the attorney may have good fodder for cross-examination. The second problem the attorney will encounter with witnesses and the client is the effects of after-acquired information on memory. The attorney should look very carefully at the timing of interviews, statements, media reports, and other information which may cause the memory of a witness to change in order to match after-acquired knowledge. The new memories, while they may not be more accurate, effectively overwrite the original memory. The attorney should explain how suggestion can cause a memory to be inaccurate. Again, the attorney needs to show the jury that witness confidence is not an accurate predictor of witness reliability. Hindsight bias is related to the after-acquired knowledge problem. A witness who knows the outcome of an event may retroactively feel that the outcome was obvious. A witness who learns after the event that the aggressor was unarmed or had only drawn a wallet from his pocket may retroactively believe that he clearly saw that no weapon was present and that the defender overreacted. Some prosecutors may argue to the jury that the details of the incident have been "indelibly etched" into the memory of the witness and can be relied upon like a videotape. The implicit corollary is that the client also has this etched memory, but is lying. The "indelible memory for shocking events" theory is widely believed, but generally considered untrue by memory experts. The attorney may need to explore this belief in voir dire and be ready to challenge any prosecutorial closing argument making this claim. Physical Evidence - Distance and Wounds The prosecutor will also try to reconstruct the scene using photographs, blood spatter analysis, sketches, and possibly analysis from physicians, medical examiners, and gunshot residue experts. For the most part, the attorney should confirm that photographs accurately reflect the scene and, where possible, the lighting. Sketches should be to scale, with evidence locations triangulated from fixed points. If the attorney can determine where the client was standing when the incident occurred, it may be useful to have photographs taken from his or her point of view to show what escape routes the client could have reasonably perceived. Even where retreat is not legally required, the jury may be more sympathetic to a defendant cornered by an aggressor. Carefully look at statements and police reports about who had access to the scene before it was sealed and photographed. If a bystander or first responder tripped over a body in a dark scene, for example, a reconstruction expert may mistake the resulting spatter and footprint for a vicious kick

delivered by the client. Bullet casings may roll or be accidentally kicked. Doors which were closed and locked when the client was facing the aggressor may be opened to help police find the right entrance or to let bystanders leave. Lights that were turned off will likely be turned on during photography; additional lighting may also be used by the crime scene technicians. Be skeptical about testimony by emergency room doctors. A study showed that hospital trauma specialists misinterpreted the number of gunshot wounds and mis-identified entry and exit wounds in . If a firearm was used and its muzzle was within two to three feet of the victim, an expert can estimate the distance between the muzzle and the victim by examining the wound and the area around it for gunshot residue. The medical examiner can testify about his or her findings and the general characteristics of contact, near contact, intermediate range, and distant gunshot wounds. However, the actual distances can vary significantly depending on the type of firearm and ammunition. If the firearm has been recovered, a firearms identification expert may make muzzle-to-victim range determinations by using photographs and measurements of the wounds and then by firing test ammunition at white blotting paper.

Seemingly Excessive Force -the Reaction Gap Another set of troublesome facts involves a client who seemingly used excessive force by shooting an aggressor after the aggressor fell, began to run, or turned away. Explaining these facts to the jury involves explaining reaction time. Unfortunately, reaction is slower than action. Self-defense trainers call this "the reaction gap. Drawing and firing a handgun takes time. A client who waits to see whether the aggressor who is making a sudden movement is actually drawing a gun will likely be shot before the client can react. A client who waits until a charging aggressor is within 20 feet of her to draw a gun is likely to be tackled before she can fire.

Chapter 9 : 9 of the Best Self Defense Weapons (That are Legal!) of

Our self-defense is not a vengeful reaction to an offense. In fact, many offenses can simply be absorbed in forbearance and love. The Bible never forbids self-defense, and believers are allowed to defend themselves and their families.

BibleWorks--The best tool for in-depth Bible study! What does the Bible say about self-defense? What is the Biblical view of using lethal force for self-protection? Can a Christian own a gun? What about gun ownership? The Bible study below attempts to answer these questions using Scripture. Is it right to take measures that might kill an attacker who is wrongfully threatening your life or the life of another? Self-defense here is defined as "protecting oneself from injury at the hand of others. Self-defense is not about punishing criminals. Now why in the world would we take time to look at this subject? First, as Christians, we want to know how to apply the Bible to current issues in society. We live in a country with approximately million guns and approximately million people. Furthermore, in our country, it is estimated that law abiding citizens defend themselves using guns approximately one million to two million times a year. Almost , people in this state alone have a legal permit to carry a concealed handgun. What does the Bible have to say about that many guns actively being used for self-protection? We live in a time where the aftermath of Hurricane Katrina, current possibilities of economic and societal collapse, and crime have people buying guns and ammunition in large quantities for self protection. What does the Bible say about that? What does the Bible say about so-called "assault weapons"? As always, we want our hearts and minds to be ruled and informed by Scripture--not by our emotions, not by our experiences, and certainly not by the World. And because the Scriptures have much to say about this topic, it is relevant and worth examining in the Church. The focus of this study is specific. I am not dealing with whether lethal force can legitimately be used in wartime. I am not dealing with capital punishment. This study is organized in five sections. First, we will look at the Biblical obligation to preserve life. Secondly, we will look at the Biblical view of bloodshed. Thirdly, we will look at passages dealing with the application of lethal force in self-defense. Fourth, we will look at what the Bible says about possession of weapons and skill in using weapons. Finally, we look at limitations and warnings about self-defense. The Bible clearly teaches that we must preserve life--our own lives and the lives of other people. Rather, our bodies belong to God. Our bodies are His property and so we are not permitted to treat or destroy them as we please: We have an obligation to preserve the body and life of other people. Consider also Proverbs Ezekiel 33 is a well-known passage: This is not to say that you can make people heed your warning. The surrounding verses also say that if the people refuse to heed the warning of the watchmen, the watchman is not guilty if they are harmed. We also see principles in Mosaic law teaching that if we fail to guard the lives of others, we are guilty. Likewise, in Exodus If the ox harms someone, the negligent owner is fined. If the ox kills someone, the negligent owner is to be put to death. The principle could hardly be stated more forcefully: When we come to this topic, we enter an area that requires cultural re-calibration. For in the image of God made he man. These words come in the days of Noah. This is pre-Mosaic law. God says here, "I will require the life of man. But when it was wrong, the penalty was ultimate. We learn here that there is sanctity to spilled blood. When blood is shed, something precious is lost. You might not think blood is precious. We tend to consider blood to be just a "bodily fluid". It is, however, precious to God. Why is murder punishable by death? It says, "For in the image of God made He man. David is a man who loved God and who was loved by God. God raised him up to defend Israel. God sent David to physically fight to defend Israel. They were righteous killings. David wants to build a house for the Lord. This is a good desire. But God says, "David, you are disqualified from doing this. Not because of the murder of Uriah. Not because of his adultery with Bathsheba. It is because of the wars, and because David had "shed much blood upon the earth in my sight. Did David sin in shedding this blood? But shedding blood is so significant to God that David was unfit to for certain "ministries". Killing someone is not a light thing. Our culture casually depicts killing. In television, movies, and video games, killing, whether it is legitimate or illegitimate killing, is portrayed with such a frequency that most people are relatively desensitized to it. Here is the bottom line: Shedding blood, taking the life of another, is a big deal. Your life is forfeit if you wrongfully take the life of another. Even if you take life in a

permitted manner, it is serious enough that it can disqualify you from certain types of spiritual service. Even if you are the "good guy", you are "marked" in the eyes of God. I am merely showing that God viewed Godly David differently because David had killed men though righteously. Bloodshed must have the same significance to us. It is never a light thing, even if you are in the right, even if you do it righteously. As we move on, I want to ask this question: Does the believer have an obligation to resist evil and to protect life? This means the premeditated killing of others is wrong. Killing in a fit of emotion is also wrong and is prohibited here. But as we will see later, accidentally taking the life of another is wrong. We must do all that we can to avoid it and stay as far away as possible from taking life. All the congregation shall certainly stone him, the stranger as well as him who is born in the land. When he blasphemes the name of the Lord, he shall be put to death. From verse 17, we see that "killing" was a crime requiring capital punishment. But note that not all killing is wrong. In the immediately preceding verse 16, there were times such as in civil judgments in which "killing" was commanded and sanctioned. Blasphemers were to be killed. Likewise, in verse 17 itself it commands that "whoever kills any man shall surely be put to death. So, killing a man for causing negligent death was permissible. Here the Lord deals with accidental killing where there is no negligence. God defines accidental killing this way in Deut. It even gives an example: These passages establish the cities of refuge. If you are not familiar with the system described here, I commend it for your study. God says here, if you commit unintentional killing--that is, if you accidentally kill someone, and it is not motivated by anger or hatred, and there is no negligence involved--then your life is forfeited. You are guilty of killing and could be put to death by the avenger of blood, but there is a way of escape.