

The Justice Cooperative
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Smashwords Edition

To Nan, who encouraged me to see it through

ONE

“Oh, my God! No!”

Tom Borden grabbed the remote and thumbed the OFF button. The news anchor’s face shrunk to a point and disappeared.

“What’s wrong, honey?”

Judith Borden stood up and strode to his chair. Wordlessly, she thrust the newspaper at him. The headline seemed to leap off the page.

JUDGE ORDERS PRISONERS RELEASED

Capitol City, June 2. Federal District Court Judge Oliver Woods today ruled that the state’s prisons were overcrowded. “This overcrowding is a violation of the Constitutional protection against cruel and unusual punishment,” the judge stated. Under Judge Woods’s order, all prisoners who have served more than half their sentences, except those who have records of violence within the prison, are to be released immediately to eliminate overcrowding.

A spokesman for the governor’s office later met with reporters. “We disagree with the ruling, but there is no point in appealing”, he said. “The State Attorney General has pointed out that all the legal precedents support the judge’s ruling. Moreover, it would be nearly impossible to get a stay of the ruling while we appealed. Accordingly, we will begin to release the prisoners tomorrow. It is unfortunate that during the last session the legislature refused to appropriate the additional funds for prison construction that the governor had requested. The governor sees no point in calling the legislature back into emergency session to reconsider the matter, since new prisons could not be constructed in time to satisfy the judge’s order. The governor plans to renew his request for additional prison construction early in the next session.”

The Majority Leader of the House denied that the problem lay with the legislature. “We tried to accommodate the governor, but he wouldn’t budge on an increase in the sales tax to pay for prison construction. He insisted the money come from cuts somewhere else in the budget. We tried to compromise by taking it out of funds for highway construction, but he refused. Maybe next year he’ll be more reasonable.”

There was more, but Tom paid it no attention. He lowered the paper as his wife began to speak. Her voice was icy and flat, as though she didn’t dare trust it to carry any emotion.

“You know what this means, don’t you? Harry Grubbs will be turned loose. He’s ten days past the midpoint of his sentence.”

Both he and Judith had been dreading Grubbs’s eventual release. He knew her emotional scars went deep. He should have known that she’d been counting down the days.

The images of that night came flooding back to him, tumbling over one another.

The thunderous pounding at the door.

The door bursting open as he approached it.

The burly man charging at him like a fullback.

The half-seen blow to his head.

Judith's screams that dragged him back to consciousness.

The pain in his wrists as he strained at the telephone cord that bound his arms tightly behind his back.

The horror he felt as the intruder pinned Judith to the floor, his body rising and falling.

Judith's sobs as the intruder left.

Then the aftermath.

The cold, unfeeling police officers as they asked their probing questions.

Judith's pain as the police doctor scraped samples from her for evidence.

The hatred on Grubbs's face as they identified him in the police lineup.

Then the question of AIDS. Tom had asked that Grubbs be tested. The prosecutor told Tom that under state law it was illegal to provide information about an AIDS test to anyone but the person tested. Telling others was a violation of the individual's privacy. Tom had demanded, hadn't Grubbs violated Judith's privacy? His protests did no good. The law allowed for no exceptions.

Then the trial. Tom cringed once more at the memories.

Judith on the witness stand, being forced to answer the most intimate questions.

Grubbs's sleazy lawyer, who tried to blacken Judith's character and discredit her virtue.

The assistant prosecutor, whose blunder nearly lost the case despite the DNA evidence.

The numbness he felt even when the jury returned a guilty verdict. Somehow it wasn't enough.

His utter incomprehension when the judge decided to impose only the minimum possible sentence.

The discovery that at the time of the attack, Grubbs had been out on parole from another rape conviction.

Grubbs's shouted threat, accompanied by a shaken fist, as he was led out to begin his sentence: "When I get out, I'll get you!"

And ever since then, Tom's humiliation, his deep burning shame that he'd been unable to protect Judith.

Their low-rent apartment suddenly had too many ugly memories in it. They couldn't stay there. They'd bought a house in a more expensive part of town. The mortgage payment was too much for his paycheck; Judith had to take a job as well. That meant postponing a family. Not that it made much difference. The memory of that night haunted their infrequent attempts at lovemaking.

Tom stood up and hugged Judith. The muscles in her back were like taut cords. Her arms were like steel pipes. He touched his cheek to hers, then brushed his lips across her neck. She gave no response.

Defeated, he finally stepped back, holding only her arms in his hands. He looked her over. Externally, she appeared the same as she had on their wedding day. Shoulder-length brown hair. Heart-shaped face. Brown eyes. Upturned nose. A light dusting of freckles across her face. Forehead that came just to his eye level.

But the smile he'd loved was gone. Outside she was the same. Inside she was in deep freeze.

He shook his head and released her. One more time he'd failed to break through what he'd come to think of as the shell she'd crawled into.

"Judy, honey, listen to me", he said. "It won't happen again. I swear it. This time I'll protect you."

But even as he spoke them, the words sounded hollow. What could he do that he hadn't already done? And why should he think he could do any better the next time?

As he lay in bed that night, unable to sleep, he played back the scene yet one more time in his mind. It had all happened so quickly. There had been no time to react. Before he was fully aware he was being attacked, he'd been knocked out of the fight.

Unable to think of anything he could have done differently, he raged at the judge who would grant early release to a wolf in human form, who'd already struck at least twice, and who was clearly a menace to the community. But then, he realized, this really hadn't changed things much. Grubbs's sentence would have been up in little more than a year anyway. He and Judith would have faced this problem sooner or later. The day of reckoning had simply come earlier than they had expected.

TWO

Guns. Handguns. Shotguns. Long guns. Guns in glass display cases. Guns in wooden wall racks. More guns than Tom had ever seen in his whole life.

He had clocked out at the end of the regular workday, passing up a usually-welcome chance to earn some overtime. He stood just inside the door of the gun shop, uncertain about what to do next. So far as he knew, his father had never owned a gun; had never even touched one since he came back from Korea. His mother had forbidden him and his brothers to play with toy guns. But last night, he'd reluctantly come to the conclusion he needed a gun.

He looked around the shop. In the back wall, behind the display cases, a doorway led into what looked like some kind of workshop. On the display case on the side farthest from the door stood a cash register. In the middle of the floor, between the display cases, stood display racks of things that were totally unfamiliar to him. In the air there was a pungent scent, like some kind of solvent. It reminded him of the smell of the cutting oil his machines used at the plant.

Tom approached the man standing behind the cash register. Tom thought, *He looks too old to be just a clerk. White hair. Bald spot. Bifocals. He must be the owner.*

"Can I help you?" the proprietor asked.

"Uh, yes. I need a gun. Right away."

The proprietor studied Tom for a moment. "I can sell you a gun. But not right away. There's a seven-day waiting period."

"I guess I remember reading about a waiting period when they were debating it down in Capitol City, but I forgot about it. Besides, I thought it was five days."

"That's five business days. Add in the weekend and it comes to seven days."

"But I need a gun right now. A man who threatened my life got out of jail today."

"Look," the proprietor said. "I don't know you. For all I know, you're one of those BAT-men who's always trying to trap me into an illegal sale, so they can take away my firearms dealer's license or even jail me. If your story is true, you have my sympathy, but I'm not going to break the law for you."

"Batman?" Tom said, a puzzled look on his face.

"The Bureau of Alcohol, Tobacco, Firearms and Explosives. They have a 'revenooer' mentality. They treat every gun shop like it was a moonshiner's still-house. They're always around here snooping through my paperwork, looking for some kind of violation. If a customer so much as puts his name in the wrong block on the form, and I don't catch it, I can be fined or even lose my dealers' license.

"Now, it sounds to me like you need help, even if you'll have to wait. What kind of a gun do you want?"

Tom gave a sigh of frustration, then held his hands about a foot apart. "I want the biggest, most powerful gun you can sell me. Something like 'Dirty Harry' used in the movies."

The proprietor leaned on the counter, eyed Tom for a moment, then asked in a quiet voice, "Ever fired a gun before?"

"No," came the hesitant admission.

"I don't recommend a .44 Magnum for first-time gun buyers. It kicks like a mule. It'll take you a couple of seconds to get your sights back onto your target after your first shot. If you don't stop your attacker with that first shot, you may not live long enough to aim a second shot. Even if you hit the guy with your first shot, the bullet is likely to go right through him, and hit whoever's on the other side. If you're unfamiliar with guns, a .44 Magnum is likely to scare you even more than it scares the guy you're defending yourself against."

"Okay, what do you recommend?" Tom asked.

The proprietor straightened up. "The usual rule is, the biggest gun you feel comfortable shooting. You ought to test fire several guns to see what suits you. But you've let yourself run out of time for that. Even if you place an order now, it'll take seven days before I can let you walk out of here with it."

"But I never needed a gun before."

The proprietor gave a negative shake of his head. "No, you did need a gun. You just didn't realize it. The time to buy a gun is before the bad guy comes bustin' through your door. Since they passed that waiting period law, that means at least seven days before."

"Well, if you recommend against a 'Dirty Harry' gun, what should I get?"

"Your basic choice is between a revolver and a semi-automatic pistol." The proprietor pointed to some of the guns in a display case. "The revolver has the advantage that it'll put up with a lot of neglect and still work when you need it. The disadvantage is that the trigger pull on a revolver is pretty stiff, which means it's harder to shoot accurately, and it holds only six shots. With an automatic, there's more mechanical stuff to go wrong, which means you can't just let the thing sit around for years. You have to keep it cleaned and oiled. But it holds more cartridges than a revolver, and the trigger is usually easier to pull."

"I'm a machinist. I'm willing to do what has to be done to keep the gun in good shape. I think I'll go for the automatic."

"Okay, then you have to decide what caliber you want. For someone just starting out, I usually recommend a 9-millimeter. A 9-millimeter gun holds more cartridges than one for the .40 or the .45. Even though they've got this ten-round limit on magazines, the most popular .45's hold only seven rounds. Besides, with a 9-millimeter the kick is less. You'll find it easier to learn to shoot."

"Once you get used to shooting, you may want to move up to a bigger caliber. Guns hold their value pretty well, if you take care of them, so you won't lose much money if you decide to trade up later."

The proprietor stopped for breath, then eyed Tom. "Now, are you married?"

"Yes. It's my wife that I'm worried about. I need to protect her."

"You can't be around her all the time. She has to be able to protect herself. If you need a gun, she needs a gun too."

"I'm not sure she'll want a gun."

"If there's really some guy after you, she doesn't have much choice. And the longer she puts off ordering one, the longer it'll be before she has one."

"I guess you're right. What do you recommend?"

"Some dealers will try to sell a woman something small. Something 'ladylike.'" The derision in his voice was palpable. "I don't. She needs something with stopping power. I'd recommend she get a 9-millimeter just like I'd recommend for you. Any woman can learn to shoot a 9-millimeter pistol.

"Something else I'd recommend. If you're at work during the day, it's most likely that the time you'll need to defend yourself inside your house'll be after dark. A gun won't do you any good if you can't see the sights. I recommend you get tritium sights put on your guns. They glow in the dark. I can order them at the same time you order your guns, and they'll already be installed when your waiting period is up.

"I'm open 'til nine tonight." He pointed at the clock above the cash register. "What I recommend is that you get your wife down here so she can try holding several models and see which fits her hand best. Then place your orders. So long as you order before I close tonight, the waiting period is up when I open for business in seven days.

"And another thing," he went on. "Simply buying a gun isn't enough. You have to be able to use it. You need some training." He reached under the counter and came up with a business card. "This is a place I recommend — the Self Defense Academy. They're thorough, and their focus is on self-defense, not on target shooting. After a day there, you'll be able to shoot straighter than most crooks. And more important, you'll be confident you can hit what you're shooting at."

"Okay, I'll get my wife. One other thing. Do I need a permit for the gun?"

"Not to keep it in your house. And in this state you don't need a permit to carry an unloaded gun in the trunk of your car. But if you want to carry a loaded gun around with you, the law says you need a permit."

"How do I get one?"

"In this city, forget it. The law says you can put in an application to the police. If you meet one of the conditions in the law, like you regularly carry money to a bank, or you believe your life is threatened, they're supposed to issue you a permit. However, our chief of police has decided that no citizen is ever justified in carrying a gun. So the cops don't even keep any application blanks down at the station house. You can defend yourself inside your house, but that's about it."

"I guess that's better than nothing." Tom sighed. "Okay, we'll be back soon."

THREE

Judith's mother thrust a plate at Tom. "Here, have some more cornbread. My land, Tom, you've been eating like a canary."

"Thanks, Mom, but I've had all I want." Despite the mouth-watering aroma of the stack of yellow squares of cornbread, he gently pushed away the plate that she had placed in front of him.

She turned to Judith. "Judy, you're not feeding Tom right. He looks thin as a rail. I taught you to cook better than that."

That's right, Judith thought. You taught me to cook the way you feed dad. You can joke about his "love handles," but when he dies of a heart attack, we'll all be crying. I'm not going to do that to Tom.

"Please, Mom," Tom spoke. "Judy feeds me fine. I work it off at the plant. And right now I'm saving some room for that cherry pie I saw in the kitchen."

"Well, if everyone's ready for pie, I'll go bring it in." She got up and headed for the kitchen.

Judith's father turned to Tom.

"How long're you kids staying with us? Can you stay over 'til Sunday? We're having the Legion picnic on Sunday. Judy always liked that."

"No, Dad, we have to be back Friday night," Tom explained. "We've got something lined up for

Saturday, and we'll have to get up early for that. I figure we'll have to leave here right after lunch on Friday."

"I'm on the committee for the Legion picnic this year. I been watchin' the weather forecast. We're supposed to have good weather this weekend."

"That's good. We'll need it ourselves."

"You goin' to be outside?"

"Yes. Kind of a one-day camping trip. Hiking in the woods."

"Judy used to hike around in the wood-lot at the back end of the farm. I guess you don't do much of that in the big city."

"No, we don't have much chance for hiking. We don't even go to the city parks. It's too late when we get home from work."

Judith's mother returned with a pie and a half-gallon of vanilla ice cream. "Here you are, everyone. Fresh cherries, picked from our own tree." She cut the pie in quarters, then put a huge scoop of ice cream on each piece.

"Please, Mother, cut mine in half," Judith said. "I don't want to get sick."

"Why, child, are you expecting? You didn't say anything about it."

"No, Mother, not yet. It's just that I really can't eat all that much."

"Well, that's a shame. Your sister-in-law Sally's expecting her second. They just told us last week. It'll be due about next March. She and Jim are just tickled pink. And so are we. That'll be our second grand-child."

"That's great news, Mother," Judith replied. "I'm happy for them. And for you."

"Well, don't you tell 'em I told you. They asked me to keep it quiet. They wanted to tell you themselves."

"I won't mention it."

"We'll act surprised when we hear it," Tom added.

With that they dug into the pie. Tom thought, *This is even better than mother used to make*. But he decided that was a compliment he'd better not pay his mother-in-law. No point in seeming disloyal to his own mother. They might start wondering what other disloyalty he was capable of.

When dinner was finished, Judith and her mother gathered the dishes and carried them to the kitchen. Judith's father hitched his chair around to face Tom and spoke.

"Listen, Tom, I can read the papers. Did that guy who hurt my daughter get out of jail?"

"Yes, Dad. He was one of those who got an early release. He got out yesterday."

"What're you doin' to protect her?"

"Please, Dad. You know what we've done. We've moved to a better house, even though it costs a lot more money. It's in a good neighborhood, and there's very little crime. She's as safe as we can manage."

"I know, Tom, but you promised to take care of her, and I want to see that you do it."

You don't want it any more than I do, Tom thought to himself, but refrained from saying it. "I think we're safe now. At least as safe as anyone can be, with so many crooks running around. What's it like here? Are you and Mom safe?"

"There's more crime around here in town now than there was when we moved in off the farm. Used to be hardly anybody here in town ever locked their doors. Now everybody does. The city council leaned on old Chief O'Leary and got him to retire. Figured he wasn't up to handling the crime any more."

"They got a younger guy as Chief of Police?"

"Yeah. He's even younger than some of the cops on the force."

"Somebody from around here?"

"Nah!" Came the reply, accompanied by a look of disgust. "They brought in some hotshot from downstate and made him Chief. A college guy with a degree in criminology. The older cops don't like him. Say he ain't got any street experience. His college professors stuffed his head full of nonsense about why folks steal and kill, and how we got to be nice to 'em 'cause it's really our fault."

"Sounds like things're getting worse here," Tom said, a worried frown on his face. "Are you sure you and Mom'll be okay?"

"Yeah. We ain't got that much to steal. Besides, I got out that pistol I brought back from 'Nam. Oiled it up, took it out to the farm, and shot it a few times. I'll use it on anyone who comes in here. How 'bout you? You got a gun?"

"We have some on order. They'll come in next week."

"Can you take a gun to work with you?"

"I can't get a license. Police in the big city don't want people to have guns."

"Yeah. That new Chief has been tryin' to get the city council to pass gun registration. Says it'll cut crime. Baloney! They'll do that over my dead body. The only reason cops ever want to register honest folks' guns is so they can confiscate 'em later. Crooks sure ain't going to register their guns."

Judith's mother returned from the kitchen and said "The dishwasher's running. Now let's watch the video of Jim and Sally's little boy."

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Tom pulled his pajama bottoms on, then stopped to look at himself in the mirror over the dresser. Was Judith's mother right? Was he too thin? In high school, he'd been too short for basketball and too scrawny for football. But he'd filled out during his apprenticeship at the mill, when the older heads had assigned him to do a lot of the heavy-lifting work. His stomach was still flat, and his face was still long and thin. At his high school class's ten-year reunion last year, he'd seen that some of his classmates who had been athletes were already getting spare tires and jowly faces. So far he'd avoided that. He brushed his hair back from his face. Still black, like his eyes. No sign of it getting either thin or gray. Time for a haircut, he thought. I better get one after work next week. Satisfied that he wasn't as undernourished as his mother-in-law implied, he finished dressing for bed.

Judith climbed into bed and lay on her back, arms under her head, elbows spread out. She stared at the ceiling.

Tom reached for the light, then stopped. "Something wrong, honey?"

"Not really, I guess. Mother's anxious for another grandchild. I can't blame her. I want children too. But I wish she'd let up on me. It doesn't make things any easier, with her always after me about it."

"Is that what she was talking about while you two were in the kitchen?"

"She was hinting at it pretty strongly. What were you and Dad talking about while we were in the kitchen?"

Tom hesitated, then spoke. "He's worried about your safety, now that Grubbs is out of jail. Said he wants to be sure I take care of his daughter."

She turned to look at him. "As if you weren't worried, too. That isn't fair of him."

He decided not to mention how inadequate his father-in-law's words had made him feel. "I don't think

he meant anything by it." *He didn't have to mean anything. The words still cut like a knife.* But he didn't say that, either. He reached again for the light and turned it out.

FOUR

"What a beautiful place." Judith gestured at the scene outside the windshield.

"Yeah, it sure is."

They drove up a long winding lane. The trees were thick on either side, and their branches met overhead. At the end of the lane, they found themselves on a hilltop with the land falling away on three sides. Across the valleys the hills were covered with trees, all lush green.

In front of them stood a cabin built of squared-off logs, with a metal door and barred windows. Tom pulled alongside one of the cars already parked in a graveled area next to the cabin. He got out of the car, walked around, and opened the door for Judith.

Judith stretched her arms over her head, and twisted from side to side. "Ouch! I'm stiff after that long ride."

"Yeah. Me too. My bottom was beginning to feel like part of the upholstery."

A tall, huskily-built man gripping a clipboard in his hand and a cigar in his teeth, and wearing a safety-orange vest, stepped out of the cabin.

"Hello, folks. What're your names?"

"Tom and Judith Borden."

He made a couple of checkmarks on the clipboard. "May I see your drivers licenses?"

He scanned each license, checked the pictures against their faces, and handed the licenses back.

"I'm Pete Baron, head instructor here at the Self Defense Academy." He gestured toward the cabin. "Get your name tags off the table inside the door. There's coffee and some donuts while you're waiting."

"I hope this works," Judith said in a low voice as they entered.

"Yeah. We can't hide out upstate at your folks' place any longer. We've both used up all our vacation time, and have to get back to our jobs."

Inside the cabin, Tom looked around. There were several long, narrow tables set up, school-room style, with folding chairs behind them. At the front of the cabin there was a blackboard and a projection screen.

At the back of the cabin Tom noted two doors, one labeled STORAGE and one labeled RESTROOM. There was a line at the restroom. As one person stepped out, another stepped in and bolted the door with an audible click.

Just inside the cabin door, there was a table with a pot of coffee and a box of donuts. The smell of fresh coffee reminded Tom how long it had been since he'd eaten breakfast. However, he felt a more urgent need.

While he waited in line at the restroom, Tom looked around at the other people in the cabin. Not quite two dozen. About two-thirds men, mostly young. Most of the women seemed to be with a man, apparently wives or girlfriends. Everyone was wearing the boots and outdoor clothing the acceptance letter from the Academy had recommended.

As he came out of the restroom, Tom poured himself a cup of coffee, grabbed some cream and sugar, then looked around for Judith. He saw that she had taken a seat at a table halfway back, and had placed her purse on an empty chair next to her. On the other side of her sat a young black man. Next to him sat one of the couples, both appearing middle-aged. As he took the seat next to Judith, he noticed the black

man's nametag identified him as "George."

Baron stepped to the front of the room. "Okay, folks, we're ready to start. Here's the program for the day. We'll start with a presentation on the justified use of lethal force. Then we'll talk about defensive tactics inside the home. After that, those of you who have your own guns will bring them in from your cars. Those who asked to use Academy guns will get them at that time. We'll talk a bit about holding your guns and using the sights. By then it'll be time for lunch. After lunch we'll go down to the range, where you'll practice firing for the rest of the day. At the end of the day we'll come back here to the cabin where we'll show you how to clean your guns.

"And now, to talk about justified use of lethal force, here is retired judge Bill Leahy."

A tall, white-haired man strode briskly to the front of the room, placed some papers on a podium, and turned to face the group.

"Good morning, everyone. I'm going to give you a quick summary of gun law, and the justified use of lethal force. I can't turn you into experts, but I'll try to tell you what you need to think about before you pull the trigger.

"To begin with, your right to own a gun is protected by the Second Amendment to the U.S. Constitution, as well as by our own state constitution. Note that word 'protected.' The Constitution doesn't grant us any rights at all. Instead, it forbids the government to interfere with our rights. The so-called Bill of Rights should really be called the Bill of Limitations. That is, limitations on government powers. Every article in it really prohibits the government from doing something."

"You may hear people say the Second Amendment is meant only to allow the National Guard to have guns. That's wrong. The word 'people' in the Second Amendment means the same as it does in the First, Fourth, Fifth, Ninth and Tenth Amendments. It means everyone."

The judge picked up a paper and read from it.

"That right to own guns goes all the way back to England. Blackstone, in his Commentaries, stated that the right to keep and bear arms was one of the 'absolute rights' of an Englishman.

"Incidentally, that's a right that Englishmen have allowed themselves to lose today. They've allowed their government to disarm them. As anyone with any sense would expect, the violent crime rate has gone way up because the average Englishman can no longer defend himself against an armed crook. The same thing happened in Australia. The government confiscated all the honest people's guns. The crooks kept the tools of their trade. Murder, robbery and assault rates shot way up.

"Well, enough of the problems of Englishmen. Back to our own history. George Mason, a delegate to the Constitutional Convention, said that the most effective way to enslave a people was to disarm them. Alexander Hamilton wrote in the Federalist Papers that Americans didn't need to worry about the federal government becoming tyrannical because of what he called 'the advantage of being armed which the Americans possess over the people of almost every other nation.' So you see, your right to own a gun is definitive. The people who wrote the Constitution meant it to be an individual right."

"Excuse me, Judge," said a man in the back of the room. "All those quotes you gave are a couple of centuries old. Do they still apply today?"

A smile crossed Leahy's face. "To save time, I was going to leave out some more modern quotes. But since you've asked, I'll give some."

He picked up a paper from the podium. "In 1989, then-senator Hubert H. Humphrey said, 'The right of citizens to bear arms is just one more guarantee against arbitrary government, one more safeguard

against a tyranny which now appears remote in America, but which historically has proved to be always possible.' And that, mind you, from a politician with impeccable liberal credentials.

"Senator Humphrey was speaking about a possible threat from the federal government. However, it's not unheard-of in American history for a local government to be bought and owned by local businesses, or by criminal interests such as illegal gambling or drug dealing." He read from another paper. "In 1924, the North Carolina supreme court wrote, about the right to keep and bear arms, 'This is not an idle or an obsolete guarantee, for there are still localities, not necessary to mention, where great corporations, under the guise of detective agents or police forces, terrorized their employees by armed force. If the people are forbidden to carry the only arms within their means, among them pistols, they will be completely at the mercy of these plutocratic organizations.'" He looked up. "That's pretty definite, wouldn't you say?"

"There's another thing. The court there was clearly saying that people had the right to buy inexpensive firearms, if they couldn't afford high-quality ones. The gun-grabbers who sneer at what they choose to call 'Saturday Night Specials' and 'junk guns' are really trying to keep the poor from defending themselves."

He put down the paper and continued, "This business of defending yourself against local government is not just a theory. In fact, in 1947, in Athens, Tennessee, there was an armed revolt against a corrupt local government. The government officials had stolen the elections, threatened the lives of opposing poll-watchers, and had their thugs beat up at least one voter. The people's appeals to state and federal government officials did no good. So the citizens of Athens took up arms. They were led by World War II veterans who said they had fought against this kind of government overseas, and they weren't going to put up with it at home. After an all-day siege of the county jail, where the corrupt sheriff had hidden the ballot boxes, the citizens got the resignation of the corrupt officials."

"That's strange," Judith whispered to Tom. "That wasn't in any of my history books."

"Nor mine," he replied. "You'd think something like that would be important enough to write about."

Tom spoke up. "Excuse me, Judge, but neither my wife nor I ever learned about that in school. Was it very widely known?"

Judge Leahy shuffled through the papers on the podium and came up with one. "It was reported in Time, Newsweek, and The New York Times. A local Congressman also gave a favorable speech about it." He waved the paper. "Here's a copy of his speech from the Congressional Record. The revolt got national publicity at the time. Hollywood even made a movie about it, although they changed some of the story around. I can't say why it wasn't in your history books."

Tom thought to himself, *Maybe I'm being cynical, but I have an idea why it wasn't.* Aloud, he said, "Thank you, Judge."

Leahy smiled and looked toward the man who had asked about modern quotations. "Satisfied?"

"Yes. Thank you."

Leahy replaced the papers on the podium and continued. "The people who wrote the Constitution had two things in mind. First, you have a right to own a gun to protect yourself against criminals. Second, you and your fellow citizens have a right to own guns to protect yourselves against a tyrannical government. Remember, the Constitution is only a piece of parchment. It doesn't enforce itself. Your gun, and your neighbors' guns, are the ultimate defense of the Constitution against a government that usurps unconstitutional powers, just as it was not only for the citizens of Lexington and Concord, but for the

citizens of Athens, Tennessee.

"However, the right to own a gun doesn't extend to committing a crime with it. In this state, if you have a firearm in your possession while you're committing a felony, you get a mandatory minimum sentence of three years. Moreover, the three- year sentence for carrying a firearm must be served prior to whatever the sentence is for the felony.

"Unfortunately, that law hasn't worked out very well. Too many prosecutors make their work easier by accepting a plea bargain that reduces a felony to a misdemeanor. That way the mandatory sentence never comes into play. Even worse, judges often reduce the sentence for the crime itself, to balance the extra sentence for using a gun."

Tom heard someone behind him mutter, "Yeah, that's what happened the last time my gas station was held up. The cops caught the crook as he was drivin' away. He got off with six months plus probation. The next robber'll get six feet deep in the cemetery, not six months in the county jail."

Judge Leahy continued. "That law shows that while the Second Amendment protects your right to own a gun, that right can be limited by the several states.

"Another limitation is that convicted felons are prohibited from owning guns. The Supreme Court put a peculiar twist on that. If a state or city passes a gun registration law, it can't be applied to felons. Requiring a convicted felon to register a gun violates his right against self-incrimination. So only honest people can be required to register their guns."

Tom heard the gas station owner mutter, "Sounds like something the politicians would do."

"All right," Leahy continued, "you're allowed to own a gun for self-defense. What can you do with it?"

"Under the law in this state, you may use a firearm to prevent what the law calls 'forcible and atrocious crime.'" He picked up the paper and read again. "That includes crimes such as murder, robbery, burglary, rape, and arson. It does not include felonies not accompanied by force, such as theft, picking a pocket, or larceny." He laid the paper down and leaned on the podium.

"Even in crimes accompanied by violence, you are justified in using a gun to defend yourself only in absolute or apparent necessity. The danger must be evident and immediate.

"However, the danger need not be real if you have reasonable grounds to believe that danger exists. For instance, when someone breaks into your house, and you fear for your life, you are justified in using a gun, no matter what the intruder's actual intentions were. You don't have to wait until he shoots at you or stabs you before shooting at him.

"Once the danger is past, though, shooting is no longer justified. If the intruder surrenders to you at the sight of your gun, or turns and runs away, you are no longer justified in shooting him.

"Shooting someone who threatens you must be a last resort. You may not do it if there is some other way of avoiding the problem. Outside your home, you must retreat if you can possibly do so. Otherwise you'll be charged with using excessive force. However, inside your home, you are not required to retreat. You may defend your home as soon as an intruder enters.

"Defending your life with lethal force doesn't extend to defending your property. Only in the face of a threat to your life or safety, or that of someone in your household, are you justified in using lethal force, including a gun.

"Now, do you have any questions?"

Someone in back spoke up. "What if a burglar breaks into my house and starts carrying off my TV set. Can I shoot him?"

"If he's already leaving, he's no longer a threat to your life. You would not be justified in shooting him. You may not use deadly force to defend mere property."

George, the black man next to Judith, spoke up. "Judge, you're talkin' 'bout property like it ain't important. That ain't so. Momma always tol' us to work hard and make somethin' of ourselves. Couple years ago, my older brother got a job after school in a car-wash. End of the first week, he was comin' home with his pay. He got jumped by one of the neighborhood no-goods. Took all his money. Momma say, 'It happen all the time. Don't let it stop you.' So he went back the next week, worked all week, and the same thing happen. Same guy jumped him and took his pay. The cops wouldn't do nothin', even though he told 'em who done it. They say, 'Only fifty bucks. Petty larceny. We got bigger crimes to worry about.' That was it. He tol' me, no point in workin', you only get robbed. He dropped out of school. Now he's livin' with a girlfriend who's on the welfare, jus' drinkin' up her money. Only one of her kids is his. That thief didn't steal just fifty bucks. He stole my brother's whole life."

"I finished school last month. I'm an apprentice down at the mill. I'm gonna be a tool 'n' die maker. Then I'm gonna get Sis and Momma outa there before Sis ends up on the welfare with a bunch of different guys' kids."

"And Judge, I ain't goin' to let some no-good steal my life, like they done to my brother. Don't try to tell me my property ain't as important as some no-good's life. You hear what I'm sayin'?"

Leahy held up his hand, palm out. "Young man, I can understand your feelings. When you've worked hard for something, only to see it disappear down the street in some burglar's sack, it can look like he's carrying away part of your life. However, I'm telling you what the law is, not what it should be. If you shoot him when he's no longer a threat to your life, you'll be charged with murder."

Tom spoke up. "What about us?" He gestured at Judith. "We were key witnesses in getting a dangerous criminal put in jail. He threatened to get revenge on us when he got out. He was released this past week. You've been telling us what we can do if he breaks into our house. But what about the rest of the time? Do we have to go around all the time scared that he'll ambush us somewhere? Do I have to worry that he'll go to the law office where she works and kill her? Do I have to worry that he'll be waiting for me in the parking lot at my plant, if I work overtime some night? What can we do to defend ourselves outside our home?"

"If you can verify the threat, the law says you can get a permit to carry a concealed weapon."

"I've been told that the police in my town won't issue permits. Is there anything I can do about that?"

"You can always sue the city. If you try, though, just remember you're fighting your own tax money. You'll go broke before they do. And carrying a gun without a permit is itself a felony."

"I'm not going to break the law by carrying a gun without a permit. But what can I do to protect myself when I'm outside my home?"

"Be careful. Avoid dark streets and dark parking lots. Go only where there's a lot of people. Don't fall into a pattern that's predictable. Vary the time you leave for work. Take a different route each day. Don't go to church at the same time every week. Keep an eye out for people and cars that don't belong in your neighborhood. And watch to see if anyone's following you."

"You're telling me I have to skulk around like some criminal, while he's free to come and go as he pleases. That's not right."

The judge held up both hands, palms out. "I didn't say it was right. I said it was something you might do. Until he commits an overt act, the law can't touch him."

"And if he does commit an overt act," Tom responded heatedly, "one or both of us will be dead. I'll bet he isn't sweatin' out any five-day waiting period, either. He probably had a gun before dark, the day he walked out of jail."

"To you, and to this young man here," Leahy pointed at George, "I can only say, I don't make the laws. As a judge, I just impose sentence when a jury decides someone has broken the law. If you don't like the laws, get your legislators to change them."

Baron broke in at that point. "Folks, that's all the time the Judge has. Take a quick break, have some coffee, and then we'll talk about defensive tactics inside your home."

Tom leaned over to speak to Judith. "From what the judge said, it sounds as though if Grubbs breaks into our house again and we have to shoot him, we'll be the ones on trial."

She frowned. "That's the way I felt last time. I'd rather be on trial for shooting him than go through that again."

With that she got up and headed for the coffee urn. Tom slowly followed her, a concerned look on his face.

As Tom stepped away from the coffee urn, he noticed that Judith was standing in the back of the room, talking to a woman who was wearing a safety-orange vest like Baron's.

George leaned across Judith's empty seat and spoke to Tom in a low voice.

"That judge, he's okay, I guess, but he don't understand how I gotta live. Drug pushers! Pimps! Numbers runners! All struttin' 'round my neighborhood, wearin' five-hun'erd-dollar suits. They all carryin' guns, but they ain't got no permits. And The Man? He don't do nuthin'. But if I carry a gun, wham! I'm in jail! It ain't right."

"It isn't right," Tom replied, "but like they say, you can't fight city hall. The only thing you can do is move. I hope you make it."

"That job of yours sounds like a good one," Tom went on. "How'd you get it?"

"My shop teacher. He made a deal with the comp'ny. If we stay in school, pass our shop courses 'n' graduate, they hire us."

"What's the job like?"

"First thing in the morning, they got a teacher come in to teach us to read and write, and do shop math. Then we learn to read blueprints. Then the rest o' the day I spend watchin' one o' the older workers, and doin' what he tells me. I been helpin' him set up the machines. This week he'll let me start runnin' 'em."

"You got to learn to read and write? But you said you graduated from school."

"I did." The bitterness in his voice couldn't be hidden. "But just 'cause I got a diploma don't mean I learned how to read."

Judith came back to her seat, still carrying a cup of coffee.

Tom nodded toward the woman in the orange vest. "Who was that you were talking to?"

"That's Gerry. She's a certified firearms instructor. I guess I'm still a bit nervous about this whole thing, but she was very encouraging. She was telling me about how she shoots in competitive matches. I never realized shooting was a competitive sport. She even said it was part of the Olympics"

"You never see much about it on TV," Tom replied. "Maybe the TV networks don't want people to know there's something good about guns."

Baron stood at the front of the room. "Take your seats, folks. Bring your coffee with you. We need to

get started.”

There was a general shuffling of feet and scraping of chairs as people started to seat themselves. When the room was quiet, Baron spoke again.

“Now we’ll talk about defensive tactics. You have three lines of defense to your home. Your gun is only the third line of defense. Those first two lines of defense can help you avoid the kind of situations Judge Leahy was talking about.

“The first line of defense is your property line. Anyone has the right to walk on the sidewalk or drive on the street. It’s when they reach your property line that you want to discourage them with that first line of defense. That means a fence of some kind.”

A question came from behind Tom. “Does that need to be a chain-link fence?”

“No, it doesn’t,” Baron replied. “Even a picket fence or a hedge will mark off your property.”

Tom leaned over to Judith. “One of the things I liked about our house was the hedge in front. I thought it looked nice. Looks like we made a good choice.”

Judith replied in a low voice. “Our hedge marks off the front yard, but we need something in back. Especially if we want to keep a dog, and eventually have kids play there.”

“Yeah, and a chain-link fence is probably what we want. Even if it makes the back yard look like a prison-yard. Maybe we ought to get that done soon.”

Baron spoke again. “Okay, that leads to your second line of defense, your house itself. A determined burglar is going to get into any house. What you want to do is discourage him. Make your house a tough enough nut to crack that he’ll go elsewhere.

“First, the doors. Make them tough to get through. And I mean every door. It doesn’t make sense to put in a burglar-resistant front door, when your back door is an easy target. Even if you can’t afford to spend much on doors, divide it between front and back doors. Make them equally tough to get through.

“Your outside doors should be solid, not the hollow-core doors they put on cheap houses. You can practically put your fist through a hollow-core door. It may keep the wind out, but it won’t even slow down a burglar.

“Now, what about locks? Most doors have spring locks, the kind that snaps locked when you shut the door. The problem with them is that someone can spring them open with a credit card. You’re better off with a deadbolt that you have to turn by hand.”

“What about windows?” came from someone behind Tom. “Do you recommend bars on the windows? I see you have bars on the windows here in the cabin.”

“I won’t say you shouldn’t put bars on the windows, but I don’t have them on my own house. They’d give me the feeling I was in jail.

“This cabin is empty most of the week. We really want to make it tough to break in. But in your own house, I recommend locks on every window. Hang the keys near the windows, but not so near that someone could break a small hole in the glass, reach in, and get the key. If they insist on entering through a window, force them to break out the entire pane. That’ll slow them down, and might make them decide to go somewhere else.

“An important addition to your second line of defense is a dog. A dog can alert you to someone in your yard, or inside your house. The sound of a dog barking may also discourage an intruder. The bigger the dog, the more the discouragement. But don’t get a bigger dog than you can manage. Consider the size of your house, how much yard space you have, and so on.”

Tom leaned over to Judith. "I hadn't thought about a watch-dog, but that sounds like a good idea. I know you've been wanting a dog, but I thought it was just for a pet."

"We always had dogs around the farm. I miss having one. But they were working dogs, not just pets. Watch-dogs and rat-catchers. So yes, I'd like to get the yard fenced and get a dog."

Baron went on. "You should also consider a burglar alarm, if you can afford it. Alarm the doors and the windows. Don't forget the basement windows. Or at least alarm the basement door. And don't forget the door from an attached garage. It should be just as strong as the other doors, and it should be alarmed too."

Judith whispered to Tom. "Our first floor windows are too high for anyone to get in without a ladder, but they might get in through a basement window. Should we have a burglar alarm?"

Tom thought, *A burglar alarm wouldn't have done us any good the night Grubbs broke in. Once he was through the front door, he was already in the living room. Would a burglar alarm do us any more good if he attacked us again? But if he did attack, and we didn't have an alarm, I'd blame myself for not doing everything I could.*

"I guess we better have one," he responded. "It's probably just as important as the smoke detectors we have now. I'll talk to some dealers and try to get some prices."

Baron continued. "So, that's your second line of defense. First, discourage anyone from crossing your property line. Second, discourage them from entering the house. If you can't discourage them, slow them down.

"Now we come to your third line of defense, your gun.

"Okay, it's happened. You've been alerted to someone breaking in, either by your dog or by a burglar alarm. Where are you? Where's every other member of your household? Where's your gun? These things all determine the tactics you can use.

"First, your gun. If you ever need it, you'll need it in a hurry. It has to be where you can get it quickly. It has to be loaded and ready for use. You don't want to be unlocking a gun safe, or fumbling with a trigger lock or some such nonsense, or hunting for the ammunition and trying to load your gun, while someone's already in your house or maybe even grappling with you.

"Next, what about the rest of your household? What is everyone supposed to do when you're alerted to an intruder? You need a plan.

"You should have some part of the house designated as the retreat. Everyone goes there at the first warning of trouble. Make sure you have a phone there. A cell phone, if possible, so you don't have to worry about the wires being cut. Call the police and wait there until they arrive.

"When you have every member of the household accounted for, anyone else must be the intruder. If someone starts breaking open the door of your retreat, you can shoot, knowing that it's not one of your kids.

"Where should the retreat be? If you have a two-story house, I recommend putting it upstairs. Stairways are what we call a 'fatal funnel.' Anyone going upstairs is confined to that staircase. They don't have much room to dodge or maneuver."

Judith whispered, "I'm glad we decided to use one of the upstairs rooms as our bedroom. We better figure on having the kids' bedrooms up there, too."

"Right. We can make ours the retreat, since it's at the end of the hall."

Baron continued. "What if your house has only one floor? A hallway can also be a fatal funnel. Make

your retreat the room at the end of it, so the intruder has to pass through the hallway to reach you.”

“Go over your house carefully. Think in terms of how to put an intruder at a disadvantage. Do you have anything that would be a fatal funnel? Is there anything that would give you concealment while allowing you to see the intruder? Can you take advantage of lighting, so you’re in the dark while the intruder is in the light? Can you move the furniture so there aren’t any blind spots where the intruder could hide? Once you’ve done that, you have the advantage. If the intruder comes at you, you have a clear shot.”

A voice came from behind Tom. “Should we fire a warning shot? Should we try to wound him, or should we shoot to kill?” Tom turned to see who had asked the question. It was an older man, in the next row back.

Baron responded, “Let’s take your last question first. You never shoot to kill. You shoot to stop. Remember what Judge Leahy told you. You are justified in using a gun to stop an attack on you. If the intruder is killed, that’s his tough luck, but your intent was to stop him. If your first shot drops him to the floor, but you see he’s still alive, don’t shoot to finish him off unless you can see he’s still holding a weapon. If he still has a gun in his hand, keep shooting until you’re sure he’s not going to use it. But as soon as he’s out of the fight, you’re no longer justified in shooting.

“Now about shooting to wound. That’s tricky. What would you aim for? An arm or a leg? Even if your intruder is down with a hole in his leg, he can still shoot back. Besides, are you a good enough shot to hit a leg on a man running toward you?

“Your best bet is to shoot for the center of mass of the torso. That’s the easiest to hit, it’s usually effective in stopping the attack, and even a fight-stopping wound there isn’t always fatal.

“Now, what about warning shots? That means you’re going to shoot away from your attacker. That bullet has to go somewhere. It’ll probably penetrate the wall of your house. Do you want to kill a neighbor, or someone who was walking down the street? Warning shots are only for the movies. Never fire a shot except at the person who’s threatening you.

“Okay, I’ve told you the good news: you can give your house a defense in depth. Now the bad news. Let’s say someone has broken into your house. You’ve been alerted by your dog or your burglar alarm. Your family has moved to your retreat. The bad guy is coming at you. You shoot him. He’s lying dead on the floor. Next you call the police.

“Don’t expect them to give you a medal. You’ve just committed homicide. Never mind how bad the guy was that you shot, the cops’ job is to assume you may have committed a crime.

“They’ll want a story from you. You’ll end up telling it to the prosecutor. You might have to face a grand jury. You might even end up in criminal court, trying to convince a jury that your shooting was justified.

“All those problems are if the bad guy is dead. If he isn’t dead, things could even be worse. Suppose your shot didn’t kill the guy, but crippled him for life. You might end up in civil court. The bad guy’s sleazeball lawyer will point at you, in good health, and at your victim, who’ll be in a wheelchair for the rest of his life, and tell the jury you used excessive force. You could end up paying that intruder ten million bucks in damages. Even if you do win the case, you’ll be out several thousand bucks in lawyer’s fees, while the bad guy’s sleazeball lawyer is working for a contingency fee.

“And if you think I’m exaggerating, consider this. Under the Constitution, the accused criminal has the following rights: right to due process; right to confront witnesses; right against self-incrimination; right

to a jury trial; right to a speedy trial; right to counsel; and the right to be free from unreasonable searches and seizures.

“What rights do you as the victim have under the Constitution? None whatsoever. You don’t have a right to be present at any proceedings such as the grand jury, or even be informed of them. You don’t have a right to a speedy trial. Your attacker’s lawyer can delay things until you give up. In fact, you don’t even have a right to see the criminal get a trial at all. Ninety percent of criminal indictments never go to trial. The Prosecutor allows a plea bargain down to some lesser offense that makes life easy for him, and makes a mockery of justice. You don’t have the right to be involved in any attempts at plea-bargaining. You don’t have the right to be informed if your attacker is released or escapes from jail. You don’t have the right to be present at any parole hearings.

“The criminal’s Constitutional rights are intended to protect honest citizens against government tyranny. We wouldn’t want to give them up. Nevertheless, the Constitution says nothing about the rights of victims. Starting with the Constitution itself, the law is stacked in favor of the criminal and against the victim.”

Baron continued, “The police aren’t the only people you’ll have to deal with. You may have to deal with the press. Just remember, you don’t owe them a single word. The First Amendment belongs to you, too, not just to them. You’re within your rights to answer ‘no comment’ to any question they ask. Sure, they may crucify you on the eleven o’clock news, but if you don’t say anything, you won’t have to explain to a jury why you said what they videotaped you saying. Most reporters side with the gun-grabbers. They don’t own guns, they don’t like guns, and they don’t like gun-owners. They’d like nothing better than to paint you as a wild-eyed lunatic who’s been hoping for the chance to blow somebody away. They’ll twist anything you say. It’s hard for them to twist silence.

“Back to the aftermath of a shooting. After the reporters and the police are gone, you’ll have more problems. You’ll have a psychological reaction to shooting someone, whether you kill him or just wound him. It’s called post-shooting trauma. Even cops go through it. That’s why most police departments now require cops to undergo counseling after being involved in a shooting.

“I recommend that if you have to shoot someone in self defense, get counseling afterwards. Don’t go to some pacifist clergyman who’ll tell you that you should have turned the other cheek. But do get counseling.

“Now, am I giving you all this bad news to talk you out of shooting an intruder? No. But I want you to realize that the laws are stacked against you and in favor of the criminal. The laws are written by legislators who live in well-policed, low-crime neighborhoods. Those laws are interpreted by judges who live in those same low-crime neighborhoods, and who have armed guards around their courtrooms. These legislators and judges don’t have any personal fear of crime, and they don’t see why you should either. They start out with the assumption that you didn’t need to shoot, and you have to prove you did.

“If it goes to a trial, your fate is going to be decided by a jury who will be second-guessing whether you really needed to shoot. And the lawyer for the other side will have done his damndest to make sure that no one on that jury has ever been the victim of a violent crime. No one on that jury will have the experience of being robbed, or beaten, or having their person violated by a criminal. They won’t have the experience of being frightened by an intruder, and having to make a split-second shoot or no-shoot decision. They’ll take hours to discuss what you had to decide in an instant.

“So what to do? Just remember that it’s better to be tried by twelve than carried by six. The whole

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