

What to do AFTER a Self Defense Shooting

A step-by-step guide for dealing with law-enforcement under stress



by Sean Maloney, Defense Attorney

As an American citizen, you have the legal and moral right to defend yourself and your family against death or grievous bodily harm. But even if you act properly, it is possible that you will find yourself in trouble with the law. What you do and say in the minutes following an act of self defense can mean the difference between freedom and imprisonment.

No matter how prepared you think you might be to defend yourself, a life or death situation is like nothing you have ever experienced.

Your body will release a massive dose of adrenaline to give you the strength and willpower to fight and survive. But like any chemical, it also has negative side effects, including time distortion, tunnel vision, hearing loss, and emotional detachment.

Even after you survive an attack, your body and mind will suffer from the effects of this dose of adrenaline for hours. You can experience nausea and vomiting, exhaustion, and the urge to pace, yell, or babble rapidly.

The bottom line is this: in the minutes and hours after using your weapon to defend yourself, your body and mind will work against you. You will be unable to remember or describe what happened accurately. You will do things you would not ordinarily do and say things you do not mean to say.

And unfortunately, this is the same time you will deal with law enforcement. This is the time when you are likely to say or do something that can set the tone for the investigation that follows.

That's why it is critical that you know what to say and do (and what NOT to say and do) immediately following a self defense incident.

Before you do anything, just STOP!

You need to call 911 promptly. However, before you call, take a moment to calm yourself. Breathe slowly and deeply. Collect your thoughts as best you can.

The moment you are connected to 911, a recorder will start and capture every word you say. This is the beginning of the police investigation.

While the 911 operator might be a nice person, he or she is not your friend at this moment. Operators are trained to keep you on the phone and prompt you to answer as many questions as possible.

Given your state of mind, you should be careful. While you must provide basic information to bring medical help and law enforcement, the less you say right now, the better.

Replay in your mind the exact sequence of events. Try to recall what made you believe that you were faced with an imminent threat. When you feel that you're ready, make the call.

Call 911.

Remember, you are being recorded and this is not the time to give details about what just happened. Your goal is to notify the authorities; "The Police and EMS".

Here is the information you should share with the 911 operator:

- Your name
- Street address
- What happened
- Request for ambulance and police
- Your location at the address
- Description of yourself

So your phone call would go like this:

Operator: *911. What is your emergency?*

You: *Operator, my name is <your name>. I'm at <street address>. I was attacked and feared for my life. There has been a shooting. Send an ambulance and the police. I'll be <your location at the address>. I'm <physical description> and I'm wearing <description of your clothing>.*

Let's say you're a white man with a wife and two kids. The call would sound like this:

Operator, my name is Sam Smith. I'm at my home at 123 Main Street. I was attacked and feared for my life. There has been a shooting. Send an ambulance and police. I'll be standing at the front door with my wife. My children have gone next door to our neighbor's home. I'm a white male, 6 feet tall with glasses and brown hair. I'm wearing blue jeans and a green t-shirt.

End the call. The operator may need you to repeat the address or other information. But you should avoid providing any details. Explain that you want to focus on your surroundings and that you need to hang up.

Note: when the police arrive, do not have the gun or any other weapon in your hand unless you are subduing your attacker. Be prepared to identify yourself and surrender your weapon immediately. You do not want law enforcement to mistake you for the attacker.

Call the Emergency Legal Hotline.

The Second Call Defense Emergency Legal Hotline is a private number printed on your membership card. This hotline is manned by a staff attorney 24 hours a day, 7 days a week. Call this number only if you have recently used a gun in self defense.

You will be asked to provide your name, phone number, and Member ID Number. This will help us access your emergency contacts and other information we have on file.

Explain what happened. The Second Call Defense Attorney will provide a refresher on how to interact with police. If necessary, the attorney could speak with police on the scene.

In most cases, you will need to speak to the police yourself. Keep it as short as possible. Here is what you should say to police:

- *Officer, this person attacked me.*
- *I will sign the complaint.*
- *Here is the evidence (whatever tool the assailant used to attack you).*
- *These are the witnesses (if there are any).*
- *You will have my full cooperation after I meet with my attorney. Until then, I wish to assert my 5th Amendment right and remain silent.*

Every self defense situation is different. It is impossible to predict how local authorities will react to your particular situation. However, you should mentally and emotionally prepare to be arrested and taken to jail.

In some jurisdictions, the police will arrest anyone who shoots another person regardless of the circumstances. So don't be surprised or alarmed if this happens.

Once a police officer makes the decision to arrest you, there is nothing you can say to avoid going to jail. Don't argue. Don't try to plead your case. Just assert your 5th Amendment rights, Cooperate fully with all police commands, but say nothing more about the attack.

If you are arrested, you should call the Emergency Legal Hotline again.

We will provide immediate assistance in arranging bond, refer you to qualified attorneys in your area, and wire a retainer to the attorney you choose.