

## GETTING LEGAL REPRESENTATION

**Police will conduct an investigation.** A police officer may decide to arrest you on the scene or decide to collect your personal information and allow you to go. If you are allowed to go, a police officer may prepare a warrant for your arrest after additional investigation or may decide not to press charges.

Normally, if you are arrested, a financial condition will be set for your release. If you are able to meet that condition you will be released. If you cannot afford an attorney, you will be appointed one during your first court appearance. If you have an attorney or if you have CCW insurance which pays for an attorney, then you will be able to contact the appropriate parties while in custody. **The only confidential communication you will have in custody is between your attorney and yourself with nobody else present.** You should assume that any call made to a business or a loved one will be recorded and used against you. It is strongly advised that you do not speak about the case to anyone except your attorney.

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## SELF-CARE & THE DAYS AHEAD

**The use of a firearm against another person, even in self-defense can be extremely traumatic.** Symptoms may not appear immediately. You should remain conscious of the effects that disturbing images, anxiety, fear, guilt, and shame can have on you. **These feelings are perfectly natural but you should seek out help to process these feelings with medical professionals.** Avoid the temptation to post about the DGU on social media or to discuss it with anyone, except your attorney. If you are facing criminal charges, you can make the state's case against you much easier by posting something on the Internet. If you are not facing criminal charges, that situation can change because of something you decided to write in a space you assumed the police would never see. The days that come after the lawful use of lethal force against an attacker can be expensive and stressful, but if you practice mindfulness and common sense you can get through this.

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# DEFENSIVE GUN USE AFTERMATH



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# WHAT TO DO AFTER A DGU\*

The use of lethal force to defend yourself or another person is a traumatic event. The act of ending another person's life or causing serious bodily harm will impact everyone differently. Unfortunately, the fear and anxiety that often accompanies the use of a firearm in self-defense increases the chances of poor decision making. Therefore, **it is critical to plan what you will do in the moments immediately after discharging your firearm as well as in the days to come.**

## SCENE SAFETY!

It is important that you remain aware of your surroundings at all times. You cannot render aid to another person or yourself until you know that all immediate threats have been eliminated. If it is not safe to remain on the scene, you should get to the nearest safe area available to you. If you can safely remain on scene than do so. If you are able to render medical aid to yourself, a third-party, or the attacker, you should do so. However, you are not legally obligated to do so.

If the attacker was in possession of a weapon, consider moving the weapon to an area within your control and away from the attacker. If you are rendering medical aid, make sure the area is free of any objects or hazards which could cause additional harm.

A DGU can cause a person to be unaware that they suffered an injury. It is important to check whether you have suffered any life-threatening injuries.

\*DGU: Defensive Gun Use

## NOTIFYING POLICE

**You must always contact the police as soon as reasonably possible after a DGU.** If you fail to do so, you may seriously undermine a future self-defense claim. An emergency phone call will be recorded. For that reason, it is very important that you only share the necessary details. You can expect that the 911 operator will ask you questions which call for information that could be used against you. You are not obligated to answer any of these questions and your failure to do so is rarely as big a problem as answering all of them. If you are unable to make the phone call because you are having trouble operating a phone or speaking, you should have a third-party make the call.

**YOU SHOULD NEVER LIE TO THE 911 OPERATOR. ALWAYS ASSUME THAT ANY LIE YOU TELL WILL BE DISCOVERED AND THAT ONCE THAT HAPPENS ANY CREDIBILITY YOU HAD WILL BE GONE.**

**It is recommended that you do not tell the operator how the attacker was injured.** In some instances, indicating that someone was shot can result in police arriving on scene primed to use their own firearms. **It is much safer and perfectly acceptable to say that a person has been seriously injured and appears to be bleeding.** You should also tell the operator where you are. You should never lie to the 911 operator. Always assume that any lie you tell will be discovered and that once that happens any credibility you had will be gone. **Your right to remain silent begins before the police arrive.** Your invocation of that right cannot be used as evidence against you.

If you left the scene of the DGU because it was not safe to do so, inform the 911 operator of where you are and where the attacker is located and that you left the scene because it was not safe to remain there. Stay in whatever location you gave the 911 operator until police arrive.

## TALKING TO POLICE

- ✓ **Re-holster your firearm before police arrive.** When police arrive, it is a good idea to remain in place unless ordered to do otherwise by police.
- ✓ **You should keep your hands raised if possible and free of any objects.**
- ✓ **Inform the officer that you have a valid permit for a firearm and that the firearm is safely holstered.**
- ✓ **DO NOT move towards your firearm.** Tell the police officer exactly where it is and say that you are going to freeze in place until the police officer can safely take possession of the firearm and secure it.
- ✓ **For your own safety, you must do everything you can to make the officer feel safe.** Consider repeating back the orders a police officer makes while performing the command. If there is a bystander nearby that is willing to record, ask them to do so.
- ✓ **You should say as little as possible to police when they arrive.** You have the right to remain silent and the right to speak to an attorney before talking to police. Use these rights. It is perfectly acceptable to tell an officer that you don't want to answer any questions until after you have gone to the hospital and spoken with an attorney.
- ✓ **DO NOT lie to a police officer ever. You will get caught.** Do not attempt to smooth over the situation. Even if the police officer threatens you with arrest, it is better to spend a brief period of time in jail than to spend decades in jail because you thought you could talk your way out of it. You will get a chance to assert your defense and to tell your side of the story. That time is not now.