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## Be Discreet... Avoid A Fight

Posted by Massad Ayoob. [Author Archive](#) »

If a fight is inescapable, be swift, positive and accurate!



It's always good to take additional training from local instructors who know the local laws and moods of the courts. For instance, if you're one of the privileged few licensed to carry a gun in public in New Jersey, you need to realize that hollowpoint bullets are not permitted for that in the Garden State. They're okay for home defense, they're okay for shooting at the range, but they are absolutely forbidden in a weapon carried concealed in public, even by retired New Jersey police officers. It's the prevailing local law and ignorance is no excuse for violating it.

By way of another example, an increasing number of us who carry concealed have recognized the need for a back-up gun. However, the CCW (concealed carry weapon) carrier in New Mexico needs to know that a carry permit there entitles the bearer to carry only one handgun at a time.

One also needs a handle on how the local courts feel about self-defense shootings. And when I say "local," I mean local, not just statewide. For example, you'll often hear people on Internet gun forums happily stating that Texas or Arizona tends to understand private citizens who shoot people in self-defense. However, I've seen people wrongly accused of Murder or Manslaughter, and even convicted after what should have been obviously clear-cut instances of self-defense in both of those states.

Defense Associates

Frank Cornwall founded Defense Associates, which has made it perhaps the best-known private firearms training group in Connecticut, and one of the best in the country. His school draws in students from all over the nation, but the majority of his students live in his home area, and Cornwall goes out of his way to make sure they are fully informed on local laws affecting personal defense.



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Beginning as an assistant instructor in 1986, working with more experienced trainers whom he brought in to do seminars, Cornwall has been a full instructor himself since 1993. He is the only individual certified to teach both American Small Arms Academy (ASAA) shooting classes for Chuck Taylor, and StressFire shooting programs for Lethal Force Institute.

While Frank flies Chuck Taylor and I in to teach our respective courses for Defense Associates regularly, he is an outstanding instructor in his own right and offers affordable local shooting classes on outdoor ranges, spring through autumn. Cornwall maintains a training staff hand-picked from his graduates, not only for their skill at arms, but for their abilities in diagnosing, correcting, and patiently teaching shooters from the very basic to the upmost advanced levels.

To the best of my knowledge, only Chuck Taylor himself has graduated more Master pistol shooters through the ASAA program than Cornwall and if you're familiar with the extremely demanding ASAA Master shooting test, you know that says a lot. Cornwall, by the way, earned his own Master status in a class administered directly by Taylor.

Cornwall's training is a classic example of why it's a good idea to leaven general knowledge with understanding specific to the given locality. Let's look at why that is so.

#### Home Invasion

The local instructor will make a point of knowing a lot of cops in the area, and staying on top of crime trends in the vicinity. A case in point is what I'll call Case One, a horrendous home invasion/mass murder that took place in Cheshire, Connecticut, in July 2007. A pair of parolees with long criminal histories forced their way into the home of endocrinologist William Petit, Jr., 50, and his wife Jennifer Hawke-Petit, 48. Daughter Hayley, 17, was also at home at the time as was her younger sister, Michaela.

After a hideous outburst of robbery, violence and sexual assault, the two monsters set the house afire and left the entire family for dead. Only Dr. Petit, severely injured, survived. Police captured the perpetrators after they fled in an SUV stolen from the Petit family driveway.

The atrocity shocked a nation, not just a state. In Connecticut, there was a run on gun shops for home defense firearms. Defense Associates, a local training school, was inundated with phone calls from people wanting to purchase their first family protection weapon. "I told them to start with a shotgun," says Defense Associates founder Frank Cornwall. "In Connecticut, it takes eight weeks to get a permit to purchase a handgun. But you can have a shotgun much quicker, it takes only two weeks."

#### Prevention

Cornwall is a realist who lets his students know that the aftermath of a self-defense shooting won't be pleasant and he goes out of his way to train them to withstand such a storm. Of course, he is also realistic enough to emphasize that prevention is less painful than cure. Though Cornwall and his team have graduated a significant number of Master shooters, Cornwall says, "None of our graduates have been involved in a gunfight yet. What we've had instead are a number of cases where the graduates were able to use what they learned here to prevent a gunfight, and I'm very pleased with that result."

Consider, for example, Case Two. An individual broke into the home of a Defense Associates graduate. Rather than opening fire, the graduate drew his weapon, positioned himself behind cover and then took the intruder at gunpoint. "He gave a command and the suspect fled. No one was hurt. The student's command voice did it," says Cornwall proudly.

#### Bare-Handed Attack

"Connecticut is one of those states that does not forbid going into a bar while carrying a licensed, concealed handgun," says Cornwall, "but I advise caution there. Drink sparingly in a bar if at all." He cites Case Three where a man who had been drinking took his girlfriend to an establishment in Danbury. He was assaulted by another patron, and was getting the worst of the fight when he drew his gun and backed the other man down.

Retreating into the kitchen to get away from his assailant and take care of his bloody nose as he holstered his gun, the man heard his erstwhile opponent shout, "If he pulls a gun on me again, I'll kill him!" Then, the man who spoke burst into the kitchen, coming straight at him. The licensed armed citizen drew and fired, killing the man who had started the fight.

The defendant in Case Three was criminally charged. His first trial, for Murder, resulted in a mistrial when the jury became hopelessly deadlocked. The State tried him again, this time for Manslaughter and he was found guilty. The verdict was skillfully Connecticut's appealed, but the appellate court upheld his conviction,

which found that the defendant had failed to retreat when attacked in the public place and that disparity of force had not existed to justify the use of deadly force against what the evidence showed to be a bare-handed attack.

#### Road Rage

Those who want to believe they can shoot a man to keep from being savagely beaten often cite a famous incident in Texas. In *Case Four*, the first armed citizen to shoot an attacker in self-defense after the Lone Star State went to shall-issue concealed carry licensing went before the Grand Jury. The Grand Jury returned "no true bill," effectively concluding that he had committed no crime. It is incorrect to infer from this, however, that even in Texas, that one can automatically respond to a barehanded blow with deadly force. The circumstances in *Case Four* were unusual and not commonly found in most attacks.

It began as road rage on the part of the deceased, who reached through the window of the shooter's car and began punching him in the face. The man who was being beaten couldn't drive away. When someone is seat-belted into a sitting position, he is "disadvantaged" as surely as if an accomplice of the assailant was pinning him from behind. Finally, the deceased in this case had already smashed the shooter in the head, causing facial fracture and a serious eye injury before the fatal shot was fired.

#### Report It First

Cornwall emphasizes the fact that the problem hasn't ended when the opponent falls or runs away. He hammers home a recurring theme from this column: Be the first to report the incident, and make it clear that you are the complainant and the intended victim, not the perpetrator.

Cornwall cites as support for his argument many instances he's aware of. *Case Five*, for example, involved a good guy who became the victim of another "road rage" driver. After a bit of hassle on the highway, the angry motorist followed the soon-to-be defendant off at an exit and caused him to stop. As the other driver approached him on foot in a hostile fashion, the southpaw good guy drew his revolver and held it down discreetly between the seat and the driver's door of his car. The would-be assailant stopped short when he saw the gun, then hastened back to his car and sped away.

The victim driver, who knew Cornwall, holstered his weapon and drove to Cornwall's office. The driver did not have a cellphone. Neither did the attacking driver, but when that man came upon a police speed trap, he pulled over and told the officers a fanciful story of the good guy shooting at him from his car.

He had won the "race to report as complainant." Of course, he was able to describe the good guy's car and had jotted down the license number. Soon after leaving Cornwall's office, the man in question was pulled over by police and arrested for Assault with a Deadly Weapon (ADW). His vehicle and his unfired revolver were both impounded.

The situation was finally resolved in a just fashion, since evidence clearly showed that the defendant's handgun had not been fired. However, it cost a good man a small fortune and many sleepless nights facing serious felony charges and the possibility of a long prison term before the matter played out.

#### Maintaining Discretion

Cornwall has been licensed to carry for most of his adult life and for decades has worn daily a Colt Lightweight Commander customized to his taste. Sometimes it rides in an outside-the-waistband Kydex holster and sometimes in one of his many well-worn Milt Sparks Summer Special IWBs. He does not recall ever having been "made" as carrying a concealed weapon.

He emphasizes to his students the importance of maintaining that sort of discretion, and one example he uses is *Case Six*. Cornwall explains, "This guy in Connecticut was spotted carrying a concealed weapon. The police arrested him for disturbing the peace. The charges were thrown out, but his carry permit was automatically revoked when he was arrested on a firearms-related charge. He's now in the process of trying to get it back."

That, says Cornwall, is more trouble than it sounds like in his particular state. "The procedure here is that when your concealed carry permit is revoked, you have to go before the board of Pistol Permit Examiners. The board members is made up of police, sportsmen, and political appointees."

Cornwall adds, "Connecticut is not actually a shall issue state, but a should issue state. The board uses the reasonable person standard and has been known to interview the applicant's or permit-holder's neighbors and acquaintances, asking if he is known as a drunk or a person with a violent temper, and things of that nature. Reviews have been known to take as long as 18 months before a hearing is held, and you definitely want to have a lawyer."

#### Final Notes

The collective experience of Cornwall and Defense Associates speaks to

something larger than the boundaries of Connecticut or any other state. It reminds us of the importance of knowing the subtleties of the laws on our own particular turf, and of knowing the moods of the courts and the prosecutors where one lives.

Be discreet. Avoid conflict. But if conflict is inescapable, be swift with your defensive weapon, and positive, and unerringly accurate. Lessons to live by and to stay free with.

For more information about firearms training and courses contact: Defense Associates, PO Box 824, Dept CH, Fairfield, CT 06824; 203-261-8719; [www.defenseassociates.com](http://www.defenseassociates.com).

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pick up the March 2009 issue of Combat Handguns



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## 4 Responses to "Be Discreet... Avoid A Fight"

**Wade Pirieda** Says:

January 10th, 2010 at 3:45 pm

It is important to take care to look after your hearing, I in reality like taking care hearing and whilst I do agree with the above-mentioned poster and I really hope I do not get shot down for stating this, but I believe it is essential to take all things in moderation.

**Gary** Says:

May 31st, 2009 at 2:42 pm

I've been training at Def Assoc. for a number of years/seasons under both Frank and Chuck Taylor.  
{when he visits}  
DA's One-Day Handgun Clinics can't be beat for value, fun, camaraderie and..excel personal instruction!

**Lazy joe** Says:

April 23rd, 2009 at 5:11 pm

I am going to have to sign up to receive your feed. This is good stuff

**John Cox** Says:

February 7th, 2009 at 7:52 pm

Wow, I guess we are somewhat surprised at how each state does actually differ in gun laws. I know it obviously has to do with Ballistics but can anyone be more specific as to why? Just out of curiosity.

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