



BECAUSE I WAS ARMED

By Daniel McElrath

In this column we report incidents in which victims of criminal attack have repelled one or more assailants with the help of firearms. Each incident has been verified by news accounts and, if possible, interviews with the victims involved. Names given may have been changed for privacy reasons or to protect the victims from retaliation.

DOWN, BUT NOT OUT

"If you're in a certain neighborhood at certain times of the day, you know you might be in trouble. I wasn't doing that."

Oregonian Jim Shaver had had growing concerns about the deterioration of the neighborhood between his home and his job. A nurse at a medical clinic, Shaver daily walks to work to begin his early morning shift. Over the past several months, the neighborhood he is obliged to walk through has changed. Drug dealing and reports of assaults had made him wary.

Though trained in martial arts, Shaver decided to obtain a right-to-carry permit. A peaceful man more interested in healing than hurting, Shaver learned and adheres to the belief that force, particularly deadly force, is the last option. "Martial arts teaches you that force is the last resort. I firmly believe that" said Shaver.

Anxious to avoid trouble, Shaver takes one route to work in the early morning when street activity is minimal, then another home in the afternoon, once activity has increased. As Shaver explains, "if you're in a certain neighborhood at certain times of the day, you know you might be in trouble. I wasn't doing that. I was being cautious, going on a well-traveled street to [work]..."

As he walked to work at 5:30 a.m. one cold Tuesday morning in March of this year, Jim Shaver's caution was shown to be wholly justified. As he walked he suddenly heard the rapid thump of running footsteps behind him. Before he could turn around, Shaver was driven to the ground by two men. The attackers, who were unknown to Shaver, began hitting and cursing him. Using his martial arts training, Shaver tried to fend off their blows, but he was outnumbered and on the ground. He protected his head and body as best he could from his position.

His attackers proved relentless, continuing to punch and shout. "When you're down on the ground, you're at their mercy," conceded Shaver.

As the muggers continued their assault, Shaver told them he was armed. He in fact told them twice, but to no avail. The beating went on unabated.

Shaver had his primary arm, a SIG Sauer P-229 pistol chambered in .40 S&W, in a holster. The problem was that the gun was under two winter coats he was wearing to fend off the early morning cold. Shaver couldn't get to that gun.

Fortunately, he had imagined such a scenario and had gotten into the habit of carrying a second gun, a North American Arms .22 Magnum mini-revolver, in his coat pocket. The little gun was accessible when his more powerful pistol was buried beneath layers of clothing.

Shaver grasped the small gun, which was secured in an OEM pocket holster. Struggling to free the gun while being struck by his attackers, Shaver finally worked the gun loose from the holster. He was on his hands and knees with the two men standing over him, pummeling him, when he reached back with the diminutive revolver and fired. "I used as little force as I could until I felt I was threatened with my life, then I resorted to the ultimate force," explained Shaver.

One shot struck one of the attackers in the pelvis and both fled. The wounded culprit ran approximately 200 yards before collapsing on the sidewalk. He had been struck near the pelvic artery and his blood pressure had dropped precipitously.

The other suspect ran into the nearby home of an acquaintance and called 9-1-1. Several witnesses to the attack also summoned emergency services.

Although his blood pressure had dropped to 50, the wounded suspect recovered following emergency surgery.

According to a police spokesman, the suspects mistook Shaver, who was carrying a duffle bag, for a drug dealer and decided to rob him. The men are suspected drug users and were charged with assault and robbery. Both have prior rap sheets.

Police also indicated that the matter seemed to be a clear case of self-defense and no charges were filed against Shaver.

When asked whether the shooting will have much of an impact on crime in the area, Shaver said, "It's not going to dissuade the bad guys. But I hope it persuades the good guys to think about your security and your self-defense." As for resorting to deadly force to save his own life, Shaver says "It's nothing I'm proud of. But it's nothing I'm ashamed of. I was in a position where I had to defend myself."

Thankfully, he had the tools to do so.



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