



## Exercising the Right

### “There Is No Way I’m Letting Them Inside the House”

*Inside Edition* reported on November 21 about a Los Angeles father who used his handgun to defend his family from a home invasion. Vince Ricci was interviewed by *Inside Edition* about the terrifying ordeal. He explained that he was returning home from the gym to his wife and five-month-old daughter around dinnertime when two masked men jumped him from behind. Ricci told *Inside Edition*, “I was like, there is no way I’m letting them inside the house.... I was walking in and my wife was about to have dinner. The only thing that went through my mind was protecting my kid.”

The incident occurred in central Los Angeles in a gated community that has been experiencing an uptick in daytime robberies. Security cameras at the home captured the ordeal on video, and two masked men can be seen jumping a wall and running up behind the homeowner while he is unlocking his door. One of the burglars pointed a gun at Ricci, who threw his hot tea at the suspect and then drew his own handgun. The burglary suspect began running backwards while pointing his gun at Ricci and firing at him, and Ricci shot back. Both suspects fled the scene during the exchange of gunfire, and a neighbor called 911. Police soon arrived, but the suspects were not apprehended.

Unfortunately, in the process of the criminal investigation, the Los Angeles County Sheriff suspended Ricci’s concealed-weapons permit. Ricci told *Inside Edition* that he’s begging the authorities to restore his concealed-carry privileges, and his plea to the Los Angeles County Sheriff was, “From a father to a father, let me protect my family.”

### Self-defense or Cold-blooded Murder?

The *St. Louis Post-Dispatch* reported on November 21 about a property manager in St. Louis who shot an intruder and then found himself being charged with first-degree murder. The incident occurred around 3:00 a.m., when the property manager, 48-year-old Shane Richmond, was investigating a noise and discovered a broken window in one of the six apartments he manages. It should be noted that Richmond also lives in one of the apartments, which is a key factor in determining whether this shooting would fall under the state’s Castle Doctrine.

Richmond told police that he brought a shotgun with him to investigate the broken window, and discovered an intruder in the apartment kneeling on the floor. Richmond confronted the man, who he said stood up with his hands in his pockets and started making “aggressive” comments. Richmond fired his shotgun, fatally wounding the suspect.

Police soon arrived on the scene, and Richmond cooperated with authorities. As part of the investigation, police determined that the suspect was not armed. Based on that investigation, the local prosecutors charged Richmond with first-degree murder. Is Richmond now doomed to spend years in prison for his actions on that fateful night?

Not so fast, says St. Louis University School of Law Professor Anders Walker, who told KMOV.com that there is a strong argument that Richmond’s actions were a justified use of lethal force under the state’s Castle Doctrine. “If someone is in your apartment at 3:15 a.m., rustling around, I think you have a reasonable fear they might harm you.... If you’re in your home, just having a stranger in there that could harm you in any way is grounds to shoot.” Professor Walker also clarified that it didn’t really



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matter that the deceased intruder wasn't armed: "If it's 3:15 a.m. in someone's home or apartment, you don't have to check for a weapon. What do you think they're going to do?" After reviewing all the details, Walker concluded that the facts of the case make it "a relatively easy defense to me," which raises a question as to why Richmond was charged in the first place.

The *Post-Dispatch* reported some additional details that might explain why prosecutors sought charges. First, there apparently was another witness at the scene who contradicted Richmond's account and claimed that Richmond opened fire without warning. Police also say the gunshot wound was on the deceased intruder's side, which, according to court documents, police felt indicated that he might have been facing away from Richmond at the time of the shooting. These additional facts still do not mean that Richmond has no chance of arguing self-defense. If the sole witness is an accomplice to the intruder who was shot, her testimony might be easily impeached at trial, as she is not an unbiased observer and she was actively involved in the commission of a crime. In addition, forensic experts who investigate the gunshot wound might have plausible explanations for why the entry wound was on the deceased suspect's side instead of his front. Also, as Professor Walker explained, under Missouri's Castle Doctrine, there is a presumption that the shooting of an intruder in someone's residence is justified unless prosecutors have evidence proving beyond a reasonable doubt that the shooting doesn't meet the requisite criteria. Based on the details that have been reported, Richmond has a very strong case for self-defense.

## **Female Rapper Proclaims Support for Second Amendment**

Fox News reported on November 15 about an interview with rapper Azealia Banks in which she made multiple statements that could be considered surprising coming from a hip-hop artist. The 32-year-old Banks emphatically declared, "you absolutely need guns," and boasted that she feels much safer in Miami, where she now lives, than she did back in Los Angeles, because in Florida, "everyone carries a gun." Banks also confirmed she will be voting for Trump in 2024.



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