



Exercising the Right

Taking Responsibility for Community Safety

NBCConnecticut.com reported on February 26 about a debate raging in Hartford, Connecticut, over how to deal with the city's rampant crime problem. Reverend Dexter Burke has decided that enough is enough, and he is now encouraging his congregation to get armed and establish civilian patrols in high-crime areas.

According to Burke, the straw that broke the camel's back was a double homicide that occurred only blocks from his church. Burke was frustrated that the community only reacted to such violence with the same old prayer vigils, which he criticized as "a practice that has gotten old and [is] seen only as a strategy to placate communities of color."

Reverend Burke is adamant that his idea of armed civilian patrols will drive down crime, and he assured NBC Connecticut that the people manning the patrols "are going to have licensed, concealed weapons [and are] going to assist in fighting crime." Burke has at least 10 volunteers, whom he described as "an armed security [force] that's going to walk the streets with individuals, help them to the bus stop. Help them to the grocery store and patrol the area."

You would think people in the city would welcome the added protection, but not everyone is on board with the idea. Hartford Mayor Arunan Arulampalam was extremely critical, mainly because of the use of firearms. "Adding more guns into the midst of trauma, into the midst of pain in our communities, is just going to lead to more deaths," Arulampalam cried to NBCConnecticut. A local group named Mothers United Against Violence released a statement opposing the patrols, exclaiming, "We are not supporting any individual patrolling the streets. We are about finding solutions and peace.... We don't need more guns."

On the other end of the spectrum, neighborhood resident Zach Williams was supportive, telling NBC Connecticut, "I think it's appropriate. Especially for those who have a permit to carry."

"Can I Shoot Them?"

12News.com reported on February 28 about a recent crime spree in Phoenix, Arizona, that law enforcement is referring to as "dinnertime burglaries." Scottsdale Police Chief Jeff Walther told 12News that there have been more than 130 of these crimes reported around the Valley. Based on such brazen crimes, it's not surprising that local residents are concerned and asking questions about how far they can go to defend their families. Walther explained, "Most questions went along the lines of 'Can I shoot them?'"

To answer that most-pressing question, 12News featured interviews with experts trying to provide straightforward answers, and their responses are mostly true for residents of other states as well. Arizona attorney Benjamin Taylor explained that Arizona state law only allows people to use deadly force if they feel they are physically threatened. "If you feel like they're a threat or they're coming to attack you on your property or inside your home, the law allows you to defend yourself and use physical force or even deadly force," Taylor said.

Marc Victor, the owner of Attorneys for Freedom, added, "In Arizona, you never get to use deadly



Written by [Patrick Krey](#) on March 26, 2024

Published in the April 15, 2024 issue of [the New American](#) magazine. Vol. 40, No. 07

physical force to protect property.... You have to at least be able to articulate that there's an imminent threat of death or serious physical injury." *Imminent*, according to Victor, means that the threat is occurring "right now" or "it's about to happen." You also have to be careful that your defensive force is proportionate to the threat: "You never get to use more force than is reasonably necessary to repel that attack." Failing to adhere to these rules could have someone "looking at a very serious felony that's definitely going to carry mandatory prison," he warned.

12News.com concluded its report with news that there is a bill being considered during the current legislative session that might expand Arizona's Castle Doctrine law to allow people to use deadly force on trespassers on their property even if the trespasser never enters a dwelling. The law is intended to protect ranchers and farmers who own large parcels of land.

"I Felt as Though I Was Protecting Myself"

KSAT.com reported on February 27 about a late-night shooting in San Antonio, Texas, that involved using lethal force to stop the theft of personal property.

KSAT interviewed a man who said he was inside his home fast asleep when his alarm system alerted him to someone on his property. The 36-year-old homeowner, who happens to be a decorated military veteran who was awarded a Purple Heart, quickly retrieved his firearm and went outside to investigate. He discovered a man wearing a red hoodie inside his truck, going through his belongings.

The homeowner confronted the would-be car burglar, and the man exited the vehicle and began running toward the front door of the house. The homeowner suspected the burglar was armed with a weapon and, in fear for his life, discharged his handgun at the suspect, hitting him multiple times in the legs.

The wounded man fled the scene in a different vehicle, and the homeowner immediately called 911. The suspect later showed up at a nearby medical facility with gunshot wounds to his legs, and police investigators were able to link him to the crime. The suspect denied that he was involved with the attempted car burglary, but police discovered his car in the hospital parking lot; it had blood inside it and the vehicle matched the description of the one that fled the scene of the crime. Detectives believe that there was a getaway driver who was with the suspect at the time of the crime, but that he fled from the hospital parking lot.

The suspect's injuries are not life-threatening. The homeowner stressed to KSAT that he seriously felt that he was in danger of imminent physical harm when he fired his gun: "I felt as though I was protecting myself. It wasn't about protecting my property." That is the critical factor in determining whether or not the homeowner's actions were within the confines of the law. As of the writing of this column, police say he is not expected to face any charges.



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