



Written by [Staff](#) on July 4, 2016

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## Exercising the Right

### Okies & Gun rights

The *Tulsa World* out of Tulsa, Oklahoma, published a very informative article on June 6 about a citizen's rights and responsibilities as a gun owner in the state of Oklahoma. While the piece was directed toward residents of the state, there was information in it that was valuable for gun owners across the nation. The article opened with a profile of an Oklahoma woman who had recently been the victim of a home invasion.

The woman, 59-year-old Diane Cook, was at home watching basketball when she was alerted to the presence of intruders by her dog's barking. Cook went to investigate and witnessed the front door being kicked in by intruders. Cook reacted quickly and ran to her bedroom as fast she could to retrieve her loaded 9mm pistol. She returned to the hallway that led to the front door and confronted a man who was standing there. She fired her gun and struck the man in the chest. The injured intruder and an accomplice fled the scene, while Cook called 911.

Cook told the *Tulsa World* that she was impressed by her quick reflexes under pressure: "Usually when I'm at the gun range, I'll flinch when somebody else is shooting.... I didn't flinch once when my own gun was going off inside the house. I don't remember the flash. I don't remember anything except the guy turning around and running out my door." The man Cook shot survived his injuries and will face charges for burglary.

The *Tulsa World* profiled other citizens who were forced to defend themselves from criminal attackers and reviewed the state legislation that protects that defensive right.

John David Luton, Tulsa County first assistant district attorney, told the *Tulsa World* that the "legislature provides the citizens ... the absolute safety to be in their homes or businesses." Luton explained that the law protects Oklahomans who use defensive force against assailants when they are experiencing "reasonable fear of imminent peril of death or great bodily harm."

For the law to apply, the perpetrator against whom the force was used must have entered a residence, occupied vehicle, or business contrary to the law. Luton also explained that the law's protections do not extend to people involved in criminal activities. "If someone is using a home to grow pot or manufacture drugs, that sort of thing, they would not have the right to use that defensive force," Luton explained to the *Tulsa World*.

Gun use is limited under the law to defending legal interests, as in a case that happened on February 19. A man was at his home with his girlfriend when a stranger knocked on his door and asked to use the phone. Once the resident fully opened the door, the stranger pulled a .38-caliber pistol and forced his way into the victim's home.

The armed suspect threatened to rape the man's girlfriend, as he shoved the barrel of the pistol into her mouth. The suspect then turned his attention away from the man long enough for the resident to grab a gun that he kept hidden in his couch and shoot the suspect five times, ending the terrifying ordeal. The wounded suspect fled the house, but collapsed nearby, where he died.

District Attorney Luton explained to the *Tulsa World* that the case "was clearly a justifiable use of force under Stand Your Ground.... It was just a no-brainer. I talked to Detective (Nathan) Schilling, too, as I



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was reviewing the report, and we both agreed that if there was ever a clear-cut case of Stand Your Ground, this is it.”

Tulsa Police Sergeant Shane Tuell discouraged using a firearm unless it’s absolutely necessary; however, he did admit that an armed homeowner is a deterrent for most criminals, who often flee when faced with a gun. Tuell told the *Tulsa World*, “I would never say, yes, shoot everyone that shouldn’t be in your home. I would never say that.... [But] do whatever you need to do to ensure your safety and the safety of your family.”

Eric Fuson, a certified gun instructor and general manager of the 2A Shooting Center, stressed the importance of being familiar with your firearm and proficient in its use. He told the *Tulsa World* that taking a firearms course is good, but there’s no experience like the real thing and that gun owners should regularly be shooting to keep their skills sharp.

Fuson advises gun owners to seek professional training from someone who is truly qualified so that they can work on improving their marksmanship skills, as well as participating in manipulation drills to prepare themselves for being involved in a real-life situation. Reinforcing his point, he said once “you’ve sought training and you have good fundamentals, then you have to use those fundamentals.... Shooting is a perishable skill, and if you don’t practice semi-regularly, what you learn in your training you will lose.”

The newspaper spotlighted shooters who did that very thing, profiling a father-daughter team who routinely go to the shooting range together. Jerry Fashing and his 14-year-old daughter, Jaden, take biweekly trips to the gun range, and have been doing so for the past few years.

Jaden is not yet old enough to own a gun, but the young girl has definitely honed her shooting skills. Fashing introduced his daughter to firearms for personal safety, but he admits that seeing how much she enjoys shooting is an unintended benefit.

Fashing is a firm believer that children need to learn how to handle guns at an early age. Fashing told the *Tulsa World* that you “have to teach them early.... Teach them young how to handle guns, the proper way to handle and fire guns. She’s home every once in a while by herself, and with her knowing how to protect herself, I feel more comfortable.”

Diane Cook, the woman mentioned previously who shot a home intruder, told the *Tulsa World* that the episode has left her struggling with feelings of insecurity. “I’m really leery about answering my front door.... I’m really mad I don’t feel secure in my own home,” she said, explaining that the paranoia hangs over her, and she wonders if this will last forever. “I don’t know.... I’ve never had this before. I have no way to judge it. Even if I had security and cameras and lights and everything, if they want in, they’re going to get in. It’s not going to stop them. They’ll be in and out before anybody gets here.”

— Patrick Krey



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