



Exercising the Right

Sisters vs. Burglar

The *Pantagraph* reported on April 22 out of Bloomington, Ohio, about a terrifying ordeal for two women who were visiting their elderly parents. Kim Sinnott and her twin sister, Tamie Leshner, came from Hamilton to Bloomington to celebrate their father's 75th birthday. The sisters were staying overnight at their parents' house when the incident occurred. The parents had recently installed a security system after being the victims of a burglary. Fortunately, no one was home at the time of the crime, and the only thing lost were possessions that were stolen by the burglar. Things would be different this time when the home security alarm went off at 1:30 a.m. The two sisters got out of bed, and Sinnott grabbed her father's .32-caliber handgun while her sister grabbed a metal pipe for self-defense. The two sisters went downstairs to investigate, and they encountered an intruder in the detached garage.

Sinnott yelled at the man that she was armed and for him to stop moving, but the burglar charged at her. Sinnott said she was "fearing for her life" as the intruder tackled her to the ground. "Anything could have happened by just the way he lunged at me, and I had the gun in his face and told him not to come out because I would shoot.... He probably thought I wouldn't shoot," Sinnott told the *Pantagraph*. She was terrified of the man's mental state considering that he still attacked her after her warning. "I told him that I had a gun. I was standing there looking at him with the gun pointing at him.... I told him a hundred times not to come out because I had a gun and that I would shoot and that we were waiting for the cops, that we had the cops on the line right now." Sinnott says that as the man wrestled with her, dragging her to where her sister's car was parked, she was left with no other option but to fire at him. "When he grabbed me and pulled me down I was fearing for my life.... I shot him just for him to let me go. I don't know if it was in the leg or in the foot. I was scared to death."

The injured suspect fled after being shot but was picked up by authorities responding to the 911 calls. The burglary suspect was later identified as 21-year-old Mykale B. Davis. Davis was treated at a nearby medical facility for non-life-threatening injuries and has been charged with one count of burglary and one count of battery. Sinnott said she was not physically injured during the scuffle but expects to feel the emotional effect for some time. She said she's "still shook up because I had my granddaughter in (the house) with my parents. My folks aren't doing too well. They're elderly." Sinnott explained that she has been raising the granddaughter since her own daughter, the girls' mother, tragically passed away when the child was two years old. Sinnott also lost her husband to cancer more than a year earlier. Sinnott remains strong even in the face of such losses: "God doesn't give you anything you can't handle, but I'm about done."

Acted Wisely

The *Times Record* reported on April 19 out of Fort Smith, Arkansas, about a man under the influence of drugs who terrorized employees of a local business. The suspect, identified as Michael A. Woith, would later admit to injecting and smoking methamphetamine the morning before the incident occurred.

The crazed Woith entered Fort Smith Blue Print, Inc., shortly before 11 a.m. waving a large rock in the air and wildly claiming that he was being chased. After repeatedly being told to leave, Woith ran around the business slamming into walls and knocking over displays. A terrified employee of the business



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grabbed a 9mm handgun and pointed it at Woith and ordered him to leave the store. After not responding to the demand, the employee fired the pistol, and the bullet hit Woith in the shoulder. Woith stumbled backward from the impact and then threw the rock he was holding at the employees. Fortunately he did not hit anyone. Woith ran from the store and out into traffic, where his erratic behavior continued. Police soon arrived on the scene and apprehended him. He was treated at a nearby medical facility, and a police hold was placed on him for suspicion of aggravated assault, disorderly conduct, public intoxication, and resisting arrest.

Sebastian County Prosecutor Dan Shue would later issue a news release stating that the employee, James Wisely, acted lawfully in shooting Woith: "It is the opinion of this office that James Wisely was justified in his use of force, which does not merit the filing of any criminal activity." Shue cited the applicable statute, which states that a "person is justified in using deadly physical force upon another person if the person reasonably believes that the other person is committing or about to commit a felony involving force or violence; using or about to use unlawful deadly physical force." Shue went on to explain that the law's duty to retreat requirement was met because Wisely "could not retreat ... with complete safety, while witnessing the frightening and aggressive actions made by Mr. Woith.... Furthermore, the criminal intent of Michael Woith placed Mr. Wisely in imminent fear for his life and he is entitled to act upon his honest belief that deadly physical force should be applied."

Message Sent

WFIE reported out of Evansville, Indiana, about a 76-year-old woman who used a warning shot to scare off an intruder. The woman was fast asleep in her bed when she was jarred awake by the sounds of her front door being kicked in. She quickly grabbed her gun, which she has kept nearby ever since she was the victim of a break-in years ago. The woman ran to the front door in time to witness a shirtless man attempting to break in to her house. She yelled to the intruder that she was armed and that she would shoot him if he didn't stop. The burglar continued to try to force his way in, so the elderly woman fired her gun. The woman said she wasn't trying to hit the man and just wanted to fire a warning shot. The bullet hit the ground near the suspect, close enough to scare him away. The woman's home alarm system alerted the authorities to the break-in, and responding officers soon arrived, but the suspect had already fled.

Sergeant Jason Cullum of the Evansville police told WFIE that the victim is "in her upper 70s, and she has every right to defend herself. That's her castle and in Indiana, the castle doctrine is in effect."

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