



Written by [R. Cort Kirkwood](#) on October 6, 2021

Use Of Force Expert: Rittenhouse Shot Rioters In Self Defense

A reasonable person could believe Kyle Rittenhouse fired his rifle in self-defense when he killed two men and injured a third during last year's Blake-Hoax riots in Kenosha Wisconsin.

John Black a use-of-force expert, delivered that opinion during a preliminary hearing on Tuesday.

Rittenhouse faces charges of first-degree intentional homicide and first-degree reckless homicide for shooting two hardened, leftist criminals who had attacked him. He faces an attempted first-degree intentional homicide for shooting a third criminal with a handgun.



Kyle Rittenhouse (AP Images)

Judge: No Ruling

Rittenhouse's legal nightmare began when he showed up in Kenosha to help police and residents defend the city from unhinged Antifa and Black Lives Matters rioters. They were trying to destroy it because [a policeman shot](#) fugitive sex-assault suspect Jacob Blake on August 25. Rittenhouse [also helped scrub leftist graffiti](#) from a school and provided first aid to injured rioters.

Rittenhouse killed two men that night. One was deranged sociopath Joseph Rosenbaum, a [convicted child rapist](#). The other, Anthony Huber, was a convicted strangler and domestic abuser. Both attacked Rittenhouse, video shows; Huber used a skateboard. Rittenhouse also shot gun-wielding [convicted criminal](#) Gaige Grosskreutz, who [later said](#) he wished had killed the then 17-year-old.

At Tuesday's preliminary hearing, the judge heard arguments for and against Black's testimony as a witness during trial.

District Attorney Thomas Binger said jurors won't need an expert to help decide whether Rittenhouse acted reasonably, the [Milwaukee Journal Sentinel reported](#). But Judge Bruce Schroeder said prosecutors rely on experts. And Black's report on the matter might be helpful.

"On Tuesday, Black, appearing via Zoom from Oregon, said he believed that in each instance that Rittenhouse fired his assault-style rifle, a reasonable person could have believed it was required to prevent death or serious bodily injury to Rittenhouse," the newspaper reported:

Binger ... asked Black if he would reach the same conclusion if all the facts were the same but Rittenhouse had not had a rifle, since the defense has raised the theory that, while Rosenbaum and Huber were unarmed, they were trying to take Rittenhouse's rifle, possibly to use against him.



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Black said that was a difficult hypothetical to ponder, but admitted his conclusion might be that deadly force was not justified, though he later opined that in Huber's case, the skateboard he used to strike Rittenhouse could be considered a deadly weapon.

How Did The Shooting Unfold

"Black explained that his expertise relative to Rittenhouse's case really involves 'how people make sense of situations and turn them into decisions,'" [Courthouse News Service reported](#):

Use-of-force situations involving police and civilians can be looked at differently to a degree, Black said, but he offered that the first thing he looks at is "how is the human being involved interacting with the event that's unfolding in front of them." ...

The heart of Black's testimony encouraged thinking about the shootings in the larger context of that night, pointing to "the backdrop of things like riots, crowds, cacophonous noise, violence" taking place.

Based on the context — including that Rittenhouse was not the only one armed with a weapon at the protest, that he was being chased by crowds and individuals that closed in on him at points to possibly do him serious or lethal harm and possibly tried to take away his AR-15, particularly after he shot Rosenbaum — Black considered Rittenhouse's use of deadly force at the protest to be reasonable.

After reviewing video, which showed the leftist rioters chasing and attacking Rittenhouse, Black observed that the event occurred "amazingly fast," [Courthouse News reported](#):

The man with the skateboard, referred to at one point during Tuesday's hearing as "Skateboard Man," was Huber, who was shot and killed by Rittenhouse during their confrontation. Black said he could not speak to Huber's intentions but would not rule out that he intended to use the skateboard to harm Rittenhouse and tried to reach for his gun. ...

Binger attempted to complicate the context offered by Black and the defense during questioning, stopping to point out that Rosenbaum was not armed when Rittenhouse shot him, according to the video evidence.

Black pointed out that Rosenbaum threw something in a plastic bag at Rittenhouse and continued to move toward him with intentionality and appeared to reach for his assault rifle before he was shot, maintaining that Rittenhouse was justified given the totality of the circumstances.

Ditto for gun-packing goon Grosskreutz.

No one would know his intentions, Black said, but the expert "considered the use of force against him reasonable as well."

The judge did not rule on Black's testimony, but did reject a motion from Rittenhouse's attorney to drop a misdemeanor gun charge.



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The next evidentiary hearing, where the judge will hear from a prosecution expert, is set for October 25. Jury selection begins on November 1.

[Video evidence clearly shows](#) that Rittenhouse shot the men in self defense.

Kenosha County District Attorney Michael Graveley [issued an 87-page report](#) that said the shooting of Jacob Blake was justified.



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