

WORST CASE SCENARIO

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In many discussions of emergency and disaster preparation, the subject of self defense usually comes up. As seen by the events surrounding Hurricane Katrina and other major disasters, it's very possible there could be a break-down of public order. Organized gang activity and looting often becomes a problem in urban centers, but can spread to rural areas as people become increasingly desperate. Whether it's *MS-13*, *Isis*, *Hells Angels*, the *Crips* or *Bloods*, there is an evil mindset among some folks who will not hesitate to use violence to take what they want. Although that's not much of a problem here in Columbia County, the evil-doers have cars. Plus, otherwise law abiding citizens when faced with starvation of their families are capable of anything to survive. The police can quickly become overwhelmed as criminal activity sky-rockets under the cloak of chaos, and the fact that officers also have their own families to care for.



Continuing with the theme of *worst case scenario*; little would be more tempting to evil people than a bunch of retired seniors living in a manufactured home park in a small town where the police are already short-handed. In many major disaster situations throughout history, human predator groups, especially those in urban environments, believe the myth that those who reside in sub-urban and rural areas have greater access to food and resources. Once upon a time in an agrarian society that may have been the case, but is no longer true. Modern food distribution has centralized food resources which are critically dependant on a viable transportation system. If the trucks aren't rolling, the food doesn't move, but the myth lives on.



The state laws of self defense do not change during disaster situations, with the possible exception of a declaration of [1] *martial law*. Every use of force is subject to review by county or state prosecutors. If you find yourself in a situation where you need to defend yourself and or others, it is helpful to be aware of the legal factors involved. The legal restrictions on use of force are the same for police officers and civilians alike. What's more, the examples of force seen in countless movies and television programs are almost always

wrong. There are also many myths that have been around for decades, that if followed, can place you in serious legal jeopardy. For instance: the myth is if you shoot someone outside, you should drag him into the house before the cops get there. No kidding, that one is actually believed by some. In reality, moving a corpse is a separate crime.

Oregon law clearly says the use of deadly physical force for self defense or the defense of others is not justified unless; ORS 161.219 a person is not justified in using **deadly** physical force upon another person unless the person reasonably believes that the other person is: (1) Committing or attempting to commit a felony involving the use or threatened imminent use of physical force against a person; or (2) Committing or attempting to commit a burglary in a dwelling; or (3) Using or about to use unlawful deadly physical force against a person.

AND

ORS 161.225 Use of physical force in defense of premises (1) A person in lawful possession or control of premises is justified in using physical force upon another person when and to the extent that the person reasonably believes it necessary to prevent or terminate what the person reasonably believes to be the commission or attempted commission of a criminal trespass by the other person in or upon the premises.

(2) A person may use **deadly physical force** under the circumstances set forth in subsection (1) of this section **only:**

- a) **In defense of a person** as provided in ORS [161.219 \(Limitations on use of deadly physical force in defense of a person\)](#); or
- b) **When the person reasonably believes it necessary to prevent the commission of arson or a felony by force and violence by the trespasser.**

(3) As used in subsection (1) and subsection (2)(a) of this section, “premises” includes any building as defined in ORS [164.205 \(Definitions for ORS 164.205 to 164.270\)](#) and any real property. As used in subsection (2)(b) of this section, “premises” includes any building. [1971 c.743 §25]

I am not an attorney, nor am I offering legal advice. I strongly urge anyone who has a firearm for the purpose of self defense, to get **professional self defense training.** (*A concealed carry permit class is NOT training.*) It's important that both lethal and less-than-lethal weapon ownership for self defense be followed up with professional training and practice, practice, practice.



Having said all of that, I believe and recommend; the best way to survive a fight is to avoid it. Perhaps the wisest thing to do if you see that kind of scenario shaping up, is to **Bug Out!** Sentimentality notwithstanding, **no property is worth violent confrontations with anyone.** Is anything like that likely to happen? Probably not. I think our greatest fear

should be from natural causes, but *the worst predicament you can find yourself in is to have NO OPTIONS.*

As a reminder, I'm in no way predicting that any of these scenarios WILL happen to us Springlakers. In all likelihood, they will NOT. To use the old axiom, "*Hope for the best, but prepare for the worst.*"

[1] *Martial law is the imposition of direct military control of normal civilian functions of government, especially in response to a temporary emergency such as invasion or major disaster, or in an occupied territory. Typically, the imposition of martial law accompanies curfews; the **suspension** of civil law, civil rights and habeas corpus.*

Ron