

On Friday, November 26, 1993, I was nearly murdered in San Francisco California.

I was not carrying uncut diamonds to and from a jewelry store.

I was not making a large cash deposit from my business late at night.

I was not attacked by my stalker who had previously threatened my life.

I wasn't even in a particularly bad neighborhood... At least I certainly didn't think I was.

No... like most victims of crime I wasn't engaged in some "special behavior" that hypothetically made it more likely I might be victimized by highly skilled professional criminals who had specifically targeted me and planned their attack for months. I was merely doing what thousands of Californians do every day. I was walking down a fairly busy public street in the evening, and like the vast majority of crime victims was randomly targeted by common street thugs looking for a quick score. I was at the proverbial intersection of wrong place and wrong time.

In terms of stereotypes, I was the most unlikely victim of crime a Sheriff issuing CCWs could imagine. I was a six foot three, two hundred and forty pound, twenty three year old man who just days earlier had played in my last game as an NCAA Division One College Football player. I had studied martial arts for years. I was in the best physical shape of my life. I wasn't rich. I wasn't wearing any jewelry, and I had a total of seven dollars in my pocket.

Four armed young men I had never met before, with no prior warning, struck me from behind and began screaming "Give me your money!" I knew I had very little money on me, and I would have gladly given it to them if they would have stopped hitting me long enough for me to get my wallet out of my pocket. They didn't. So I had no choice but to try to defend myself. I immediately learned how over-rated martial arts training is, especially against multiple assailants when they have the advantage of surprise.

I tried to defend myself as best I could from the multiple onslaughts, but eventually one of the men struck me from behind to the base of my skull with some sort of small bludgeon. I later learned this is called a "Rabbit Punch" as its used to stun rabbits prior to butchering them. The blow immediately knocked me into a state of semi-consciousness and I fell to my hands and knees. It was at this point that I was certain I was about to die. One of the men was to my left and kicked me in the face. Another was to my right and he kicked me in the face. Then I was kicked again in the face by the one on my left... Despite the injuries I sustained I still tried to struggle to my feet because I knew if I didn't get up, I would certainly be killed as each assailant took turns with successive kicks to my head and neck... Or worse. Only my size, strength and youth saved me. A small or fragile person would have been killed by the repeated blows. When I struggled back to my feet in between the series of kicks, the group must have decided I wasn't worth the trouble and ran off. The attack ended as quickly as it had started. However, for me, the pain had just begun.

I suffered a bilateral fractured mandible, and severe injuries to the face, scalp and skull. In other

words, my jaw was broken in two places, and I was beaten to a pulp. I underwent a ten hour operation to reattach my lower jaw to the rest of my skull and had my mouth wired shut for twelve weeks. I ate no solid food that entire time and lost over 50 pounds. It's not a diet I would recommend. I underwent multiple invasive procedures to repair the damage, which affect me to this day. I have no feeling in my lower lip and chin, and my three remaining wisdom teeth (one mercifully came out from the attack) can not be removed despite the fact that they often cause me excruciating pain to my injured jaw.

Under California's CCW law, Sheriff's are put in the near godlike position to decide for other people whether they will have the tools to defend themselves. It's the height of hubris to decide some people deserve that right and others don't. My case should teach those trusted with such power that unless they can personally pledge to protect the applicant's safety, twenty four hours a day, seven days a week, they should approach the task with humility and deference to the applicant's self perceived need. If a criminal will target a tall, strong, athletic young man for a few dollars, who among us is truly safe? The elderly? A single mother? A disabled man? Any of them would have made an easier target than me on that Autumn night. Yet under the "good cause" requirement of California's CCW law, these people are often deemed to NOT have a right to defend themselves unless they can articulate some speculative heightened level of risk, which those in law enforcement know is a fiction. Criminals don't care. They target whoever is convenient. They don't warn their victims before-hand that an attack is coming. They don't make appointments that can be listed on a CCW application.

After my attack, the right to self defense became very important to me. I realized that our CCW law was based on a fundamental lie. The erroneous notion that some people are "more likely" to be the victims of crime than others and Sheriffs get to decide who they are, and all too often in exchange for political favors. It is faulty at its core and antithesis to the principles this nation was founded on. Then I learned of Sheriff Carona's non-politicized CCW policy, and it became a major factor in my family's decision to move to Orange County. I applied for a CCW and based on my articulated good cause was granted a permit. Will the new Sheriff agree my "Good Cause" is "Good Enough?" There's no way to know. Which exposes the fundamental flaw in the law. It's an arbitrary and capricious standard with no uniformity from county to county or administration to administration.

What magical psychic ability does an ordinary person acquire when they are honored with a Sheriff's badge, that allows them to predict the future safety of others? Based on a few lines on an application they haphazardly decide that some get to defend themselves, and others don't. What empirical formula do they use to make this determination? Where are the statistics that a person who owns a small business and can afford to make donations to a Sheriff's re-election campaign is more likely to need to defend himself than a poor waitress on the way home from work late at night?

In hindsight, Sheriff Carona's administration was very flawed. But I beg the new Sheriff not to throw the baby out with the bath water. The non-politicized, liberalized CCW policy Sheriff Carona instituted WORKS. It works better than any other large county's in California. And to dismantle it simply because it was instigated by a flawed person is short-sighted and dangerous

to the safety of the citizens of this county.