

Gun owners arming themselves with lawyers even before shots are fired

<http://news.yahoo.com/blogs/lookout/gun-owners-lawyering-even-shots-fired-191305...>

Beyond guilt or innocence, the case against Florida murder suspect George Zimmerman will undoubtedly leave him broke.

The controversial concealed handgun license holder made headlines last spring when he claimed he killed 17-year-old Trayvon Martin in self-defense during a violent scuffle. Zimmerman hasn't worked in the year since the shooting and faces a mountain of debt to avoid a possible 25 years to life in prison. "He's going through \$1 million of costs, and his life is being destroyed because he acted properly in the use of his weapon," his attorney, Mark O'Mara, told Yahoo News. "Other people need to learn a very expensive lesson from George, in that you need to be careful even when you use your weapon properly." Gun owners seem to be heeding the message that, even in self-defense, pulling the trigger can be a costly proposition. Exact stats aren't kept, but anecdotal evidence points to more gun owners proactively seeking legal assistance.

Around the country, a growing number of attorneys and gun-rights groups now offer prepaid legal plans for self-defense shootings. The programs, which are sold as either insurance or legal services, range from \$100 to \$300 a year and vary in coverage. Some reimburse set amounts for attorney fees, while others are like having a lawyer on retainer.

In Texas, 49,000 gun owners have signed on with the legal defense program U.S. Law Shield in less than four years. The firm made up of gun-rights attorneys recently expanded to Florida and Oklahoma. Last year, the NRA began selling self-defense coverage to its members. Oklahoma City attorney Doug Friesen now markets his prepaid services at YourGunLawyer.com.

"For the first time in the last year, we're seeing people buying guns because they are genuinely afraid of what can happen in life to them," said Friesen, who offers single coverage and family plans. "And they are saying something bad can happen if I'm not prepared to defend myself. I think it's that reality." Zimmerman, whose parents are mixed-race, did not have a prepaid legal plan. He and his wife were living paycheck to paycheck when the volunteer neighborhood watchman shot Martin, who is black,

during a violent scuffle in their gated Sanford, Fla., community, O'Mara said.

"No savings, no nothing, so they are well worse than broke," the attorney said. "It's a great idea that gun owners have some type of insurance coverage to protect themselves from the liability of their weapon and from having to defend their actions."

While O'Mara has vowed to represent his client without compensation if necessary, he said at least \$30,000 a month in donations is needed for experts, security and other expenses. Zimmerman now sends autographed thank-you notes to donors of his legal defense fund.

"We're at the point now where we need money to literally survive," O'Mara said.

Media attention and the circumstances of his case have made Zimmerman's legal fight extremely expensive, but legal experts agree that even routine gun cases can escalate from thousands to tens or hundreds of thousands of dollars.

For \$10.95 a month, U.S. Law Shield clients get criminal and civil representation for any gun-related charge as long as the member was lawfully carrying the weapon. Exclusions vary by state but could include incidents occurring in a bar, hospital or at a school sporting event.

While not all calls involve actual shootings, U.S. Law Shield attorney Kirk Evans said the phone rings with new cases nearly every day.

"Part of the benefit hopefully is getting cases dismissed earlier or getting you no-billed at the grand jury," Evans said.

One of his cases that went to trial involved a motorcyclist whose money was falling out of his pockets on the freeway. The man shot at people who were attempting to steal his cash before he could scoop it back up.

"He plea-bargained to attempted obstruction of a highway, which is a Class C misdemeanor," Evans told Yahoo News. "He did not receive a complete acquittal, but he sure as heck didn't get convicted of attempted murder or assault with a deadly weapon."

Texas attorney Philip Hilder scoffs at the defense-by-subscription trend.

"There is no rule of thumb," said Hilder, a former prosecutor who now defends criminals. "Every case is going to be fact-specific. What they are charging is unrealistic. You get what you pay for."

Staying out of jail is one thing, but gun owners are also being warned about being sued by people they've shot.

The NRA's self-defense plan, priced at \$165 and \$254 a year, includes liability insurance in addition to civil and criminal defense. Options include \$100,000 and \$250,000 limits.

"It does not surprise me that the products are out there," said Amy Bach, co-founder of United

Policyholders, a nonprofit advocate for insurance consumers.

"Homeowner policies seldom pay for shootings", she said.

"Insurance is supposed to cover accidents, not when you do something on purpose," Bach said. "If I were a gun owner, which I am not, I would consider this a worthwhile expense."

Alan Korwin, author of "AFTER YOU SHOOT: Your gun's hot. The perp's not. Now what?" doesn't endorse any particular lawyer or plan, but he does advocate being proactive.

He warns on GunLaws.com: "If you're not able to put up decent money, you're simply not a player and you are likely to be trampled by the system."

A lesson Jay "Rodney" Lewis learned during 103 days behind bars in 2011-2012.

Four months before Zimmerman made headlines, Lewis, who is black, said he shot a drunken driver who sideswiped his car and then physically threatened to attack him in West Des Moines, Iowa. The white man he shot suffered a nonlethal shoulder and arm wound.

Lewis, a former law enforcement officer and concealed handgun permit holder, wasn't aware of prepaid gun lawyers and didn't hire an attorney.

"I was very naïve," he told Yahoo News. "I honestly believed that if I told the police the truth that they would investigate and let me go."

Instead, police charged the 49-year-old with three felonies. Lewis, who was barely earning \$30,000 as an IRS call taker, couldn't afford to make bail and was appointed a public defender. He refused to accept a plea deal.

"I didn't do anything wrong," Lewis said. "I wasn't going to sign something saying I did something illegal."

Lewis lost his job, his apartment and most of his possessions while in jail. He was finally freed when a jury acquitted him of all charges.

"There's not a day that doesn't go by that I don't think about it," he said. "I don't think it's done me any favors. I'm stone-broke."