

CONCEALED CARRY HANDGUN TRAINING



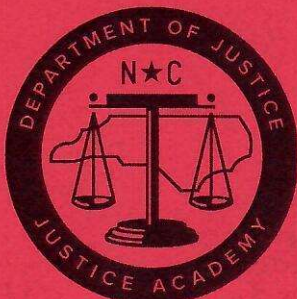
VII

North Carolina
Justice Academy

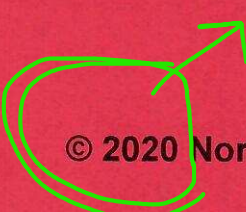
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CONCEALED CARRY HANDGUN TRAINING

**North Carolina Justice Academy
Concealed Carry Handgun Training
General Outline**

- I. Introduction A: is WHY or WHY NOT "TO". A: does NOT matter if you CAN NOT B-I.

- II. Body
 - A. Legal Issues I always do this last. I "flipped it" because "Practical before legal."
 - B. Handgun Safety
 - C. Handguns
 - D. Marksmanship Fundamentals
 - E. Carrying Concealed Safety Issues
 - F. Presentation Techniques
 - G. Cleaning and Maintenance
 - H. Ammunition
 - I. Proficiency Drills

- III. Conclusion

HOW TO

CONCEALED CARRY HANDGUN TRAINING

Historical Note Regarding the Concealed Carry Handgun Training

In 1995, the North Carolina Justice Academy (NCJA) was tasked with developing a training program to train Concealed Carry Instructors in the newly enacted law, and to produce a "Model" training course manual which affectionately became known as the "Red Book" and an instructor training manual known as the "Yellow Book." These tasks were given to Reece Trimmer, the NCJA Legal Specialist and to Steve Johnson, the Instructor/Coordinator responsible for the NCJA Firearms Programs. Once the training materials were developed, Reece and Steve did a series of training programs around the state called "Laws Governing Concealed Carry and the Use of Deadly Force." Since the inception of the Concealed Carry program in 1995 several people have been instrumental in making sure that the "Red and Yellow" books are current with the changes in North Carolina Firearms Laws as regulated by the North Carolina General Assembly. The North Carolina Justice Academy would like to thank the following individuals for their work in maintaining these training manuals: John J. Aldridge, R. Steven Johnson, Dave Shick, and Chad Thompson. Chad Thompson, whose biography appears below, is currently responsible for conducting the "train the trainer" program titled "Laws Governing Concealed Handguns and the Use of Deadly Force."

Well, "actually"... since Steve Johnson DID IT ALL the part that is left out is:
In 1995, ...NC (in general) was tasked with tasking NCJA with developing a program BY NCJA.

Chad Thompson

RIP - Press F... :([no he's not KIA/DOA, only to "The State"]

Chad Thompson is the Senior Firearms Instructor and designated School Director for the Specialized Firearms Instructor Training Program with the North Carolina Justice Academy. Chad has a B.S., degree in Criminal Justice from Trinity University. He has attended numerous training programs in Basic and Advanced SWAT, ASP Instructor Training, General and Specialized Firearms Instructor Training, United Nations/U.S. State Department International Instructor Training, UN Close Protection/Executive Protection Training, Crucible Training Center Basic Training, armorer courses conducted by Beretta and Remington. Chad also has his Advanced Law Enforcement Certificate from the North Carolina Sheriff's Training and Standards Commission.

Chad is currently sworn as a deputy with the Sampson County Sheriff's Office. He has previously served with the Johnston County Sheriff's Office, Benson Police Department, United Nations International Police Officer, Kosovo, Serbia, Dunn Police Department, Roseboro Police Department, and the United States Coast Guard Narcotics Interdiction Detachment. Chad served in the U.S. Coast Guard during both Operations Desert Shield and Desert Storm. His training topic areas include Specialized Firearms Instructor, Basic and Advanced SWAT, General Instructor, ASP Instructor, Basic Law Enforcement Instructor, United Nations Special Operations Instructor and North Carolina Concealed Carry-Handgun Instructor. Chad is also a member of the United States Practical Shooting Association, the National Rifle Association, and the International Association of Law Enforcement Firearms Instructors.

Personal Note sent by DLW to 3 "School Directors (NCJA)", to the then Atty General (now Governor) Roy Cooper, current AG soon to be Governor Josh Stein, and any one else that I could: Chad T 9LL ONLY "was" the only government employee that I know/knew of that was (1) the RIGHT person for the job and (2) somehow, against all odds: in THE JOB. No mas.

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About the Authors

L. Reece Trimmer (In Memoriam) [RIP](#)

L. Reece Trimmer was one of the original authors of the North Carolina Concealed Carry Handgun Training course. Originally from Pennsylvania, Reece moved to North Carolina to attend graduate school. A graduate of Williams College and Harvard Law School, Reece first practiced law in Pennsylvania and then served as the Police Attorney for the City of Durham prior to joining the North Carolina Justice Academy as the Senior Agency Legal Advisor. Reece authored numerous articles in the areas of Pepper Spray, Search Warrants, Use of Force, Civil Liability for FATS (Firearms Training System) Instructors, Domestic Violence, Pursuit Driving Legal Issues, Nonlethal Force Law, Deadly Force Law, and Legal Issues in Media Relations. Reece did extensive research and training in the areas of Civil Liability for Firearms Instructors, Physical Fitness Instructors, and Defensive Tactics Instructors. After leaving the North Carolina Justice Academy, Reece became the Legal Advisor for the Cumberland County Sheriff's Office. Reece served as a guest lecturer for the International Association of Chiefs of Police, the Southeastern Center for Police Liability Management, the Administrative Officers Program at North Carolina State University, Wake Forest University School of Law, Southeastern Association of Internal Affairs Investigators, the Institute of Government at the University of North Carolina, and the North Carolina Association of Police Attorneys. Reece served as an expert witness in the areas of use of force and civil liability.

R. Steven Johnson [A/The Living Human Encyclopedia of ALL THINGS Firearms and Ballistics.](#)

R. Steven Johnson was an original author of the North Carolina Concealed Carry Handgun Training course. A native of North Carolina, Steve is from Raleigh where he attended North Carolina State University. Steve joined the staff of the North Carolina Department of Justice in 1972. He has been a sworn law enforcement officer since 1976 and continues to serve as a reserve officer. Steve holds certifications from the North Carolina Education and Training Standards Commission as a Firearms Instructor and a Concealed Carry - Handgun Instructor; from the National Rifle Association as a Submachine Gun Instructor and a Police Firearms Instructor. He has attended armorer's schools conducted by Smith & Wesson, Remington, Glock, SigArms, Colt, Beretta, H&K, Mossberg, and Springfield. Steve is currently a member of the North Carolina Law Enforcement Officers Association and the National Rifle Association. As an instructor for the North Carolina Justice Academy, Steve was responsible for the certification training of North Carolina Law Enforcement Firearms Instructors, Armed Security Instructors, Concealed Carry Instructors as well as training in such topic areas as sniper training, transitional pistol training, firearms for female officers, and many in-service firearms activities for entry or tactical teams. Steve has served as an expert witness in the areas related to the use of force. Steve continues to serve on the Board of Directors of the International Association of Law Enforcement Firearms Instructors and is currently the Director of Special Projects for the North Carolina Sheriffs' Association. He also serves as a member of the Criminal Justice Education Training Standards Commission and the Private Protective Services Board.

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Title: Concealed Carry Handgun

Lesson Purpose:



NO NO and H* NO!!!

Citizenship is NOT required. "No foundation." "Starts this bad can't end good..."

Training Objectives:

The purpose of this block of instruction is to explain to the student the aspects of the North Carolina Concealed Carry Handgun law as it applies to the rights of the [citizen] to carry a concealed handgun and to teach and apply the fundamentals of safety and basic marksmanship fundamentals.

At the end of this block of instruction, the student will be able to perform the following objectives in accordance with the information received during the instructional period:

1. Demonstrate proficiency in the safe handling of the handgun to include loading, unloading, storing or securing, and firing the handgun.
Yes.
2. Identify the places that handguns may not be carried even if the individual has a Concealed Carry Handgun permit.
Yes, OK.
3. Identify the major parts of the revolver or semiautomatic pistol.
And so IT begins: not "or" - "and"; and, pistol? better: handgun.
4. Demonstrate proficiency in marksmanship fundamentals.
5. Explain the provisions under North Carolina Common and Statutory Law in which the use of deadly physical force would be justifiable.

Hours: Minimum of Eight (8) plus Handgun Qualification

Instructional Method: Lecture/Demonstration

Still not "clear" but "generally accepted" by all involved: 8 Hours MINIMUM in the "classroom". Range qualification (not at the range training) does not get included.

Materials Required:

Lesson Plan
Blackboard/Easel
Handgun/Ammunition
Range Equipment (eye and ear protection, targets)

Start to finish including "away from students" paperwork and book-keeping: A NCCCH class takes the "instructor[s]" about 18-20 or more "human/labor" hours.

Testing Requirements:

Written Exam Still in "dispute": "A" written exam, or "NCJA's"
Proficiency Exam (qualification) I have always "just used" theirs because: Why not? Don't re-invent the wheel.

References:

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Felter, Brian A. *Police Defensive Handgun Use and Encounter Tactics*. Englewood Cliffs, NJ: Prentice-Hall, Inc., 1988.

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Morrison, Gregory Boyce. *The Modern Technique of the Pistol*. Paulden, AZ: Gunsite Press, 1991.

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Parts List Manual. Springfield, MA: Smith & Wesson, 1994.

The Basics of Personal Protection. Washington, DC: National Rifle Association, 1988.

Prepared by: R. Steven Johnson
Instructor
North Carolina Justice Academy

L. Reece Trimmer
Legal Specialist
North Carolina Justice Academy

Date Prepared: October 1995

Revised by: R. Steven Johnson
Adjunct Instructor
North Carolina Justice Academy

Date Revised: October 2006
December 2009

Revised by: R. Steven Johnson

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Adjunct Instructor
North Carolina Justice Academy

Dave Shick
Associate Attorney General
North Carolina Department of Justice

Date Revised: November 2011

Revised By: Chad Thompson
Instructor/Coordinator
North Carolina Justice Academy

Date Revised: January 2013

Revised By: John J. Aldridge
Special Deputy Attorney General (retired)
North Carolina Department of Justice

R. Steven Johnson
Adjunct Instructor
North Carolina Justice Academy

Date Revised: August 2013

Revised By: John J. Aldridge
Special Deputy Attorney General (retired)
North Carolina Department of Justice

R. Steven Johnson
Adjunct Instructor
North Carolina Justice Academy

Chad Thompson
Instructor/Coordinator
North Carolina Justice Academy

Date Revised: August 2015

Revised By: Chad Thompson
Instructor/Coordinator
North Carolina Justice Academy

Date Revised: February 2016

Revised By: Chad Thompson
Instructor/Coordinator

CONCEALED CARRY HANDGUN TRAINING

North Carolina Justice Academy

Date Revised:

December 2019

CONCEALED CARRY HANDGUN TRAINING

I. Introduction

A. Opening Statement

I am not going to type a "margin note" for all of these occurrences. people/persons NOT "citizens"

North Carolina has in place a Concealed Carry Handgun law that allows qualifying ~~citizens~~ of our State the opportunity to obtain a permit to carry a concealed handgun. As a provision of this legislation, the individual must complete a required training program in the use of deadly force, carrying a concealed handgun and demonstrate proficiency in the use of the handgun.

(Wait until you see the red-lettered margins about "weapon[s]").

B. Student Performance Objectives

C. Reasons

Catch them doing/saying something right! ---> "tremendous responsibility" <3

With the right under law to carry a concealed handgun, comes a tremendous responsibility. The owner of a handgun must have complete knowledge of handgun safety, knowledge of the laws regarding the use of force, and the ability to use the [weapon] safely and in a responsible manner. Finally, and most importantly, is the ability to use good judgment in any facet of handgun operation and use, whether in self-defense, practicing the fundamentals of marksmanship, or basic gun handling.

* see above "weapon". Hand-Gun[s] ONLY!!! "If you can't use your words (to say what you mean...) then you CAN NOT use a HANDGUN or any other "weapon" to KILL SOMEONE (if everything goes "right").

II. Body

A. Legal Issues

1. North Carolina common law Define: "Common Law" (court rulings, not "necessarily" (codified in) statute(s))

a) Use of force to protect a person

(1) Justified self-defense

A ~~citizen~~ is legally justified in using deadly force against another if and only if:

- (a) The ~~citizen~~ ^{actually and "reasonably"} actually believes deadly force is necessary to prevent an imminent threat of death, great bodily harm, ~~or sexual assault and~~ ^{"serious sexual assault"}
- (b) The facts and circumstances prompting that belief would cause a person of ordinary firmness to believe deadly force was necessary to prevent an imminent threat of death, great bodily harm, or sexual assault, and ^{+1 NCJA "person" not "citizen"} ~~-1000000 NCJA "Cobb" replaced LAW words:~~ ^{VIII book says "intelligence" instead of "firmness"}
- (c) The ~~citizen~~ using deadly force was not an

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instigator or aggressor who voluntarily provoked, entered, or continued the conflict leading to deadly force, and

- (d) ^{*The force used...} Force used was not excessive - greater than reasonably needed to overcome the threat posed by a hostile aggressor. ^{^^^ "threat" see (a)}
^{^^^ "perceived"}
- (e) Retreat

This letter (e) NCJA ONLY "version" is a mess and a disaster. The "language here" about "the Aggressor and retreat" is a "caveat" to letter (c) (above/previous page).

Myself and Chad Thompson (his doing, with my assistance when 'requested') "cleaned this up" MANY TIMES. MANY TIMES we "removed" the "citizen" nonsense "cop-shop" lingo. MANY TIMES after Chad submitted it as a "Revision" to the NCJA "bookstore/press": The changes either vanished or "got un-done with a vengeance" meaning MANY more words got "added (back)" and "citizen" put over properly used "person" or "people" or "individual."

Yes. It's that "childish and STUPID."

- (f) Explanation of Terms:

Screamed or Howled at the Moon:
NO!!! see the NC Supreme Court Documents: "Imminent THREAT" not "harm". Yes, sort of, "immediate danger" is "a" sub-definition of "imminent threat". Carefully PARSED (L-R the way we read in English): Imminent (about to) WHAT??? THREAT. The "THREAT" is (or could reasonably be believed to be) ABOUT TO happen.

Blah blah blah bloat bloat bloat. POLICE should ABSOLUTELY NOT be allowed to and NEVER "take upon themselves" to "teach others" about "law or legal issues".

They cannot and DO NOT (willfully) empathize with those that do not enjoy LIMITED QUALIFIED IMMUNITY.

A ~~citizen~~ faced with an imminent threat of death or great bodily injury generally does not have a duty to retreat prior to using deadly force, when all the other elements of self-defense are satisfied. [Regardless, it may be advisable for a ~~citizen~~ to retreat to safety if feasible, as this may not only avoid the use of deadly force, but may also remove the ~~citizen~~ from a situation that could result in loss of their own life.] However, a duty to retreat does exist where the ~~citizen~~ was the initial aggressor or instigator in the incident that caused him to eventually use deadly force in self-defense. If the aggressor completely withdraws from this confrontation, and clearly communicates this to his adversary, the right to use deadly force in self-defense is restored if all the requirements for the use of deadly force in self-defense are still met. (John Rubin, *The Law of Self Defense in North Carolina*. UNC-Chapel Hill, 1996.)

Imminent harm means "immediate danger," or is "about to" happen.

Great bodily harm is not defined; however the statutory definition of "serious bodily injury" contained in the North Carolina Criminal Law provides guidance as to the type of injuries that may qualify as great bodily harm. "Serious bodily injury" includes injury that creates a substantial risk of death, or serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of

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Above Blue letter block and:

What the (expletive or "police radio code") is: (1) all of this verbiage?!; and (2), NCPI Crim. 308.70, FN 1)

Since 2011 I have been saying (screaming into the Void):
- (above) can't use your words? can't KILL (I promise you)
- It's 201x, then 202x, there is this magic THING in our new millennium called "The Internet". Put LINKs to the court rulings (common law) or the "statutes" (NCGS) and STOP "spewing this filth" that was what you got "teachered" at NCJA when you went to a "child school" of theirs. (BLET in NC is not taught to Baby-Cops at NCJA. ...mostly.)

the function of any bodily member or organ, or that results in prolonged hospitalization.

A "sexual assault" would include rape, sexual offense, or forcible crime against nature or attempts to do any such act. (NCPI Crim. 308.70, FN 1)

*Not all sexual assaults justify the use of deadly force. Much of the law on justified self-defense in North Carolina was written before the Legislature redefined sexual offenses in this state. Basically, there are two categories of sexual offenses: 1) "rape," and 2) "sexual assaults." Therefore, if it is not rape it is sexual assault. Many sexual assault offenses do not meet the standard for inclusion in the justified self-defense formula. ONLY sexual assaults that have a risk of death or great bodily harm should be included.

Excessive Force:

A ~~citizen~~ has the right in self-defense to use only such force as reasonably appeared necessary under the circumstances to protect themselves from death or great bodily harm. In determining the amount of force necessary, and in order to avoid excessive force, the ~~citizen~~ should consider the size, age and strength of the citizen as compared to the attacker, the fierceness of the assault, if any, upon the ~~citizen~~, whether the attacker possessed a weapon, and the reputation of the attacker for danger and violence, and any other circumstances relevant to this issue. (NCPI Crim. 308.45A)

PERSON HUMAN SHUT UP COP

Where an assault being made upon a ~~citizen~~ is insufficient to give rise to a reasonable apprehension of death or great bodily harm, then the use of deadly force by the ~~citizen~~ to protect himself from bodily injury or offensive physical contact is excessive force. (State v Clay, 297 N.C. 555 (1979).)

Aggressor: A citizen who is found to be an

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aggressor voluntarily provoking the conflict, or who used excessive force, can be convicted of voluntary manslaughter even though the use of deadly force complied with the other requirements of self-defense. An instigator, or person using excessive force, is not excused from all criminal liability but may be guilty of a lesser degree of homicide.

A citizen who is an aggressor voluntarily provoking a conflict leading to deadly force can avoid criminal responsibility for deadly force only if the aggressor attempts to withdraw from the conflict before using deadly force and gives notice of withdrawal to the adversary. "One enters a fight voluntarily if one uses toward one's opponent abusive language which, considering all of the circumstances, is calculated and intended to bring on a fight." (From NCPI Crim. 206.310) A ~~citizen~~ who provokes a fight through an unlawful assault would likewise be considered an aggressor. (John Rubin, *The Law of Self Defense in North Carolina.*)

(2) John/Jane Q. PERSON all caps, take that preamble

Define: DUTY

[TOOL] and CLASS is YOURs for YOU.

+1 against -70M already NCJA for simplifying this

Do you believe in Destiny?

Deadly force in defense of others

A ~~citizen~~ may intervene and use deadly force in defense of another person when, under the facts and circumstances, it reasonably appeared necessary to save the other person from an imminent threat of death, great bodily harm, ~~or sexual assault but only~~ to the extent the other person was entitled to use deadly force in self-defense. Excessive force in defense of others is not allowed, and neither the intervener nor the person threatened can be an instigator voluntarily provoking the conflict for deadly force to be used. If you are not sure of the circumstances that initiated the action, it would be more prudent to contact a law enforcement agency or attempt to assist using ~~less lethal~~ means rather than immediately imposing the threat of deadly force.

(3) Deadly force **MAY NOT** be used:

(a) To stop a simple assault

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While a simple assault can be truly terrifying, the law only allows the victim to resist force with equivalent force. Force used to resist a simple assault must be proportionate to the assault. Even a real and legitimate fear of greater injury, standing alone, does not justify the use of deadly force. When does a simple assault become an imminent threat of death? When can a victim use deadly force to repel an unarmed attacker? The exact point in time a simple assault becomes aggravated or deadly in nature is often unclear. Repeated blows to vital body areas, choking, continued beating on a helpless or weakened victim, are some indicators.

Because the law requires retreat from a simple assault but does not require retreat from a murderous or felonious assault, an assault victim is once again faced with a decision: when does a simple assault become a murderous assault? No clear answer exists for the multitude of circumstances constituting an assault.

(b) Because of the use of violent language

Violent language often leads to violent acts, but language alone does not justify deadly force.

(c) Because you are a victim of past violence and fear future violence.

The law requires that there be an imminent threat of death or great bodily harm. The threat must be an immediate danger of death, not remote and uncertain in time and place. If the facts and circumstances are not reasonably apprehended as an immediate danger of death here and now, deadly force in self-defense is not allowed as a justified excuse for homicide.

(d) Because a trespasser refuses to leave

Trespassers may be in violation of the law but the law does not allow deadly force to end the trespass. While non-lethal force is allowed

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against a trespasser, deadly force is not. Old court cases establish a sequence for using force to eject trespassers: first, words must be used; second, if words do not work, then gentle hands may be laid on the trespasser; if gentle hands do not work, the owner may use whatever force is necessary to remove the trespasser but may not use force likely to kill or cause great bodily harm. A trespasser who refuses to leave should be considered "hostile" and it would be more prudent to call law enforcement than risk attack and injury by approaching and putting hands on said trespasser. The prohibition against using deadly force to expel a trespasser does not apply to a trespasser who is immediately threatening death, serious injury, or sexual assault.

un-speak = say [then via 'but'] UN-say
IN THE SAME SENTENCE

- (e) To arrest a criminal or prevent a criminal's escape

define: arrest (in NC)

North Carolina law does not give a citizen the right to make a citizen's arrest. Since the power to make a citizen's arrest does not exist, the right to use deadly force to effect an arrest or prevent escape is not given to citizens. No matter how serious the crime, a citizen cannot shoot to stop a fleeing criminal. PEOPLE have limited power to detain under North Carolina General Statute § 15A-404(c).

- b) Use of force to protect property

The law does not ~~permit~~ ^{ALLOW} the use of deadly force solely to protect property, or to prevent theft, or to regain the stolen property. An owner can defend his or her property using reasonable and necessary force but not deadly force. An owner MAY ~~CANNOT~~ shoot at a thief before, during, or after a theft. The same rule prohibits deadly force to prevent injury or vandalism to property.

define: Property

"Real (Estate) Property" is different than "stuff you own"

see (A) of the big 4: imminent threat of WHAT????

A different rule applies if ~~life~~ is imminently threatened at the same time the property is taken. For example, an armed robbery is a theft through use or threatened use of a deadly weapon. The victim is allowed to respond to the imminent threat to life of an armed robbery by using deadly force. Deadly force to prevent an armed robbery is force used to protect life, not to protect property. If only property is threatened, deadly force cannot be used.

de minimis ... de minimis

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+1 not "citizen"

North Carolina does allow the use of "defensive force" up to and including deadly force against an individual who has unlawfully entered or is attempting to unlawfully enter a home, motor vehicle, or workplace (N.C.G.S. §14-51.2), as discussed below.

2. North Carolina statutory law

<https://www.sog.unc.edu/sites/default/files/2024%20PJI%20Updated%20Criminal%20Instructions.pdf>

- a) Home, workplace, and motor vehicle protection; presumption of fear of death or serious bodily harm. (N.C.G.S. §14-51.2 and §14-51.4)

+10 for "occupant/occupied"

+10 more for no s**ual assault

The lawful occupant of a home, motor vehicle, or workplace is presumed to have held a reasonable fear of imminent death or serious bodily harm to himself, or herself or another when using defensive force that is intended or likely to cause death or serious bodily harm to another if both of the following apply:

- (1) The person against whom the defensive force was used was in the process of unlawfully and forcefully entering, or had unlawfully and forcibly entered, a home, motor vehicle, or workplace, or if that person had removed or was attempting to remove another against that person's will from the home motor vehicle, or workplace.
- (2) The person who uses the defensive force knew or had reason to believe that an unlawful and forcible entry or unlawful and forcible act was occurring, or had occurred.

The ~~citizen~~ using deadly force under this statute does not have a duty to retreat prior to using defensive force.

- b) The presumption set forth in the ABOVE section shall be rebuttable and does not apply in any of the following circumstances:
- (1) The person against whom the defensive force is used has the right to be in or is a lawful resident of the home, motor vehicle, or workplace, such as an owner or lessee, and there is not an injunction for protection from domestic violence or a written pretrial supervision order of no contact against that person.

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- (2) The person sought to be removed from the home, motor vehicle, or workplace is a child or grandchild or is otherwise in the lawful custody or under the lawful guardianship of the person against whom the defensive force is used.
 - (3) The person who uses defensive force is engaged in, attempting to escape from, or using the home, motor vehicle, or workplace to further any criminal offense that involves the use or threat of physical force or violence against any individual.
 - (4) The person against whom the defensive force is used is a law enforcement officer or bail bondsman who enters or attempts to enter a home, motor vehicle, or workplace in the lawful performance of his or her official duties, and the officer or bail bondsman identified himself or herself in accordance with any applicable law or the person using force knew or reasonably should have known that the person entering or attempting to enter was a law enforcement officer or bail bondsman in the lawful performance of his or her official duties.
 - (5) The person against whom the defensive force is used
 - (a) has discontinued all efforts to unlawfully and forcefully enter the home, motor vehicle, or workplace and
 - (b) has exited the home, motor vehicle, or workplace.
- c) Self-defense and defense of others.

N.C.G.S. § 14-51.3 provides that a person is justified in the use of deadly force and does not have a duty to retreat in any place he or she has the lawful right to be if he or she reasonably believes that such force is necessary to prevent imminent death or great bodily harm to themselves or another.

A citizen who lawfully uses defensive force in compliance with these statutes is immune from civil and criminal liability.

N.C.G.S. § 14-51.4. Justification for defensive force not available.

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The justification described in N.C.G.S. §14-51.2 and N.C.G.S. §14-51.3 is not available to a person who used defensive force and who:

(1) Was attempting to commit, committing, or escaping after the commission of a felony.

(2) Initially provokes the use of force against himself or herself. However, the person who initially provokes the use of force against himself or herself will be justified in using defensive force if either of the following occur:

(a) The force used by the person who was provoked is so serious that the person using defensive force reasonably believes that he or she was in imminent danger of death or serious bodily harm, the person using defensive force had no reasonable means to retreat, and the use of force which is likely to cause death or serious bodily harm to the person who was provoked was the only way to escape the danger.

(b) The person who used defensive force withdraws, in good faith, from physical contact with the person who was provoked, and indicates clearly that he or she desires to withdraw and terminate the use of force, but the person who was provoked continues or resumes the use of force."

d) Storage to protect minors (N.C.G.S. §14-315.1)

Any person who resides in the same premises as a minor (defined as a person under the age of 18 years), who owns or possesses a firearm, and stores or leaves the firearm in a condition that the firearm can be discharged and in a manner that the person knew or should have known that an unsupervised minor would be able to gain access to the firearm, is guilty of a Class 1 misdemeanor if a minor gains access to the firearm without the lawful permission of the minor's parents or a person having charge of the minor and the minor:

(1) Possesses it in violation of N.C.G.S. 14-269.2(b) [Unlawful to possess a firearm on any educational property, public or private, of any kind];

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- (2) Exhibits it in a public place in a careless, angry, or threatening manner;
 - (3) Causes personal injury or death with it not in self-defense; or
 - (3) Uses it in the commission of a crime.
- e) Permitting young children to use dangerous firearms (N.C.G.S. §14-316)

“It shall be unlawful for any person to knowingly permit a child under 12 years of age to have access to or possession, custody or use in any manner whatever, of any gun, pistol or other dangerous firearm, whether such weapon be loaded or unloaded, unless the person has the permission of the child’s parent or guardian, and the child is under the supervision of an adult. Any person violating the provisions of this section shall be guilty of a Class 2 misdemeanor.”

- f) Concealed Carry Handgun (N.C.G.S. §14-415.10)

- (1) Definition of a handgun

A handgun is defined as a firearm that has a short stock and is designed to be held and fired by the use of a single hand.

The definition of a handgun has two characteristics in this statute. First, the firearm must have a short stock. Second, the firearm must be designed to be held and fired by the use of a single hand. Revolvers and semiautomatic pistols are treated alike. Caliber of the firearm is not specified. While length or configuration of the firearm’s stock is not defined, presumably it must be shorter than a standard rifle or shotgun. A judge might reasonably conclude that a standard rifle or shotgun is not **DESIGNED** to be held and fired with one hand, even if the rifle or shotgun has been cut down so it can in fact be so held and fired. **(Federal and state firearms laws prohibit possession of a sawed-off shotgun or rifle.)** This law applies only to handguns. No other types of weapons (eg., knives, clubs or martial arts weapons) are within this definition.

- (2) Concealment defined

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The statute further requires the concealed weapon be about the person, which generally means it must be concealed either on the person or within an arm's reach or within ready access of the person.

(3) Required documentation

The permit issued to carry a concealed handgun must be in the possession of the permit holder at all times the person is carrying a concealed handgun off of their own premises. In addition, the statute, in N.C.G.S. §14-415.11(a), also requires possession of valid identification, which is not defined. The application form to apply for a permit requires listing a driver's license number or State identification number if either document is used for identification in applying for a permit. Note again that carrying a concealed handgun off one's premises is not lawful unless both the actual permit and a second form of identification are also possessed at the time.

(4) Places where permit does not ^{empower} ~~authorize~~ carrying a concealed handgun

Areas where the possession of a Concealed Carry Handgun permit does not authorize the carrying of a concealed handgun are listed later in this lesson plan as well as other statutes that regulate the carrying of a firearm.

(5) What to do if approached by a law enforcement officer

(a) **DO NOT ATTEMPT TO DISPLAY THE HANDGUN.**

(b) If in a vehicle, roll the window half-way down. At night, turn on the interior light. Place both hands on the steering wheel. Once the officer approaches the vehicle, notify the officer that you have a permit, that you are armed, and where the handgun is located.

(c) If not in a vehicle, ~~DO NOT ATTEMPT TO DISPLAY THE HANDGUN.~~ KEEP BOTH HANDS VISIBLE. As early as feasible notify

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the officer that you have a concealed carry permit and are carrying a handgun.

- (d) ONLY ATTEMPT TO REMOVE THE PERMIT OR THE HANDGUN ON INSTRUCTIONS FROM THE OFFICER.

3. Escalation of force

Escalation of force is merely the increase in the level of force based on that force which is being used against you. Force must be proportionate to the level of force used against you. For instance if you are verbally assaulted you cannot use deadly force to settle the argument. If we were to look at the various levels of force, the escalation would be something like this:

Physical Presence

Verbal

Soft Hands

Hard Hands

Chemical (mace, OC spray)

Impact Weapons (stick, club)

Deadly Force

The increase in force does not need to follow these various levels. The level that is used against you and the imminent threat imposed against you will determine the lawful reaction to the situation.

4. Prohibited carry areas

There are a number of areas where the carrying of a concealed handgun is prohibited either by state or federal law regardless of the issuance of a Concealed Carry Handgun permit. In other words, a **concealed handgun permit does not allow a permittee to carry a weapon in these prohibited areas.**

- a) Any educational property, public or private, of any kind.
(N.C.G.S. §14-269.2)

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This prohibition applies in/on any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education or school board of trustees, or directors for the administration of any school.

A person with a concealed carry handgun permit MAY possess a handgun in a closed compartment or container within the person's locked vehicle or a locked container securely affixed to the person's vehicle. The person may unlock the vehicle to enter or exit the vehicle, provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit.

The permittee may also possess the handgun on their person, as long as the permittee remains in the locked vehicle and only unlocks it to allow the entrance or exit of another person.

NOTE: It is a defense to a prosecution if the handgun were removed from the vehicle in response to a threatening situation in which deadly force was justified.

Private educational facilities may still prohibit the possession and carrying of a firearm on school grounds in accordance with N.C.G.S. 14-415.11 (c)(8)

b) Certain state property and courthouses. (N.C.G.S. 14-269.4)

It is also unlawful under State law for any person to possess or carry a weapon not used for instructional or officially sanctioned ceremonial purposes, in the State Capitol Building, Executive Mansion, Western Residence of the Governor, or on the grounds of these buildings, including any building used to house any court of the General Court of Justice.

NOTE: Concealed handguns may be carried at State-owned rest areas, rest stops along highways, and State-owned hunting and fishing reservations with a valid permit.

NOTE: Any person who has a concealed handgun permit may carry a concealed handgun on the grounds or waters of a park within the State Parks System as defined in N.C.G.S. § 113-44.9.

NOTE: Weapons may be secured in vehicles on State property.

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“A person with a permit issued in accordance with Article 54B of this Chapter or considered valid under N.C.G.S. §14-415.24 who has a firearm in a closed compartment or container within the person’s locked vehicle or in a locked container securely affixed to the person’s vehicle. A person may unlock the vehicle to enter or exit the vehicle provided the firearm remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit.”

- c) Pursuant to N.C.G.S. §106-503.2, the Commissioner of Agriculture is authorized to prohibit the carrying of firearms into the State Fairgrounds during the State Fair. Permittees may however, secure the weapon in their vehicle in the parking lot. Individuals that are listed in N.C.G.S. §14-269(b)(1)(2)(3)(4) & (5) may carry on these grounds during the State Fair.

if you are in doubt DON'T -----

- d) Picket lines, demonstrations at private health care facilities. (N.C.G.S. §14-277.2)

North Carolina law further makes it unlawful for any person participating in, affiliated with, or present as a spectator at any picket line, or demonstration upon any private health care facility to willfully or intentionally possess, or have immediate access to any dangerous weapon, regardless of whether they possess a concealed carry handgun permit.

- e) Areas of emergency and riot
governor ONLY
Pursuant to the North Carolina Emergency Management Act, N.C.G.S. §166A-19.31(b)(4), local governments may impose restrictions on dangerous weapons such as explosives, incendiary devices, and radioactive materials and devices when a state of emergency is declared, but may not impose restrictions on lawfully possessed firearms or ammunition.
- f) Any federal property including building or land as prohibited by 18 U.S.C § 922 or any other federal law. For detailed information on this federal law, persons are urged to contact the Bureau of Alcohol, Tobacco, and Firearms, or their local U.S. Attorney’s Office.

Q: Banks? A: PRIVATE NOT FEDERAL SINCE THE forever

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NOTE: Concealed handguns are allowed in Federal Parks in states in which the concealed carry permit is recognized.

- g) On any private premises where notice that carrying a concealed handgun is prohibited by the posting of a conspicuous notice or statement by the person in legal possession or control of the premises. (N.C.G.S. §14-415.11)

Verbal "notice" IS CONPICUOUS NOTICE.

- h) Any law enforcement or correctional facility, to include state, county, municipality, university police, or company police. (N.C.G.S. §14-415.11)

- i) In an office of the State or federal government that is not located in a building exclusively occupied by the State or federal government. (N.C.G.S. §14-415.11)

- j) Anywhere while consuming alcohol or at any time while any alcohol or any controlled substance is in the blood (N.C.G.S. 14-415.11), including improper use of prescription drugs.

NCJA: at home = OK (forgotten)

5. Statewide Uniformity (N.C.G.S. 14-415.23)

* "It is the intent of the General Assembly to prescribe a uniform system for the regulation of legally carrying a concealed handgun. To insure uniformity; no political subdivisions, boards, or agencies of the State nor any county, city, municipality, municipal corporation, town, township, village, nor any department or agency thereof, may enact ordinances, rules, or regulations concerning legally carrying a concealed handgun. A unit of local government may adopt an ordinance to permit the posting of a prohibition against carrying a concealed handgun in accordance with G.S. 14-415.11(c), on local government buildings and their appurtenant premises. A unit of local government may adopt an ordinance to prohibit, by posting, the carrying of a concealed handgun on municipal and county recreational facilities that are specifically identified by the unit of local government. If a unit of local government adopts such an ordinance with regard to recreational facilities, then the concealed handgun permittee may, nevertheless, secure the handgun in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle. For purposes of this section, the term 'recreational facilities' includes the following

- a) An athletic field, including any appurtenant facilities such as restrooms, during an organized athletic event if the field has been scheduled for use with the municipality or county office responsible for operation of the park or recreational area.

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- b) A swimming pool, including any appurtenant facilities used for dressing, storage of personal items or other uses relating to the swimming pool.
- c) A facility used for athletic events, including, but not limited to, a gymnasium.
- d) For purposes of this section, the term, 'recreational facilities' does not include any greenway, designated biking or walking path, an area that is customarily used as a walkway or bike path although not specifically designated for such use, open areas or fields where athletic events may occur unless the area qualifies as an 'athletic field' as noted in 'a' above, and any other area that is not specifically described this section..."

6. Obtaining the concealed carry permit
applicant

In order to obtain a permit the ~~citizen~~ must apply to the Sheriff's Office within their county of residence. The applicant will sign a release of mental health records as part of the application process and effective October 1, 2015 no entity can charge a fee for the release of those records. The Sheriff shall issue a permit to an applicant if the applicant qualifies under the following criteria according to N.C.G.S. 14-415.12.

there is a NO BID not answerable to anybody contractor for this and Private Security called: permitium

- a) The applicant is a citizen of the United States or has been lawfully admitted for permanent residence as defined in 8 U.S.C. § 1101(a)(20), and has been a resident of the State of North Carolina 30 days or longer immediately preceding the filing of the concealed carry application. Proof of citizenship should be brought to the Sheriff's Office.
- b) The applicant is 21 years of age or older.
18-21 open carry
- c) The applicant does not suffer from any physical or mental infirmity that prevents safe handling of a handgun.
ordinarily firm is the opposite of "infirm"
- d) The applicant has successfully completed a Concealed Carry Handgun training course that has been approved by the N.C. Criminal Justice Education and Training Standards Commission, and whose instructor is certified by this same Commission as a Concealed Carry Handgun Instructor. The applicant must submit the original certificate issued from the course to the Sheriff's Office as part of the application process.

not even the appearance of...
F-ING CRAZY

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- e) The applicant is eligible to own or possess or receive a firearm under the provisions of state or federal law.
- f) The applicant is not under indictment or against whom a finding of probable cause exists for a felony.
- g) The applicant has not been adjudicated guilty of a felony.
- h) The applicant is not a fugitive from justice.
Steven F's 'student' in 2012 or 13: Federal Warrants walked in to H.C.S.O. for CCH
- i) The applicant is not an unlawful user, or addicted to marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 USC § 802.
- j) The applicant is not currently or has not been previously adjudicated by a court or administratively determined by a governmental agency whose decisions are subject to judicial review to be, lacking mental capacity or mentally ill. Consultative services or outpatient treatment alone shall not disqualify an applicant.
get help VOLUNTARILY so that INVOLUNTARILY does not happen
- k) The applicant has not been discharged from the armed forces under less than honorable conditions. (“Honorable, General, and Entry Level Separation” are considered acceptable. Individuals receiving “Other Than Honorable, Bad Conduct Discharge, or Dishonorable Discharge/Dismissal” would not be eligible for a Concealed Carry Permit)
- l) The applicant has not been adjudicated guilty of, or received a prayer for Judgment Continued, or suspended sentence for offenses constituting a misdemeanor under the following specific statutes, or any other crime of violence:
 - (1) Assault on handicapped person (N.C.G.S. § 14-32.1)
 - (2) Simple assault (N.C.G.S. § 14-33(a)), within three years prior to the date on the application.
 - (3) Assault inflicting serious injury or using a deadly weapon. (N.C.G.S. § 14-33(c)(1)).
 - (4) Assault on a female (N.C.G.S § 14-33(c)(2)).
 - (5) Assault on a child under the age of 12 (N.C.G.S. § 14- 33(c)(3)).

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- (6) Assault inflicting serious injury or using a deadly weapon on a person in a personal relationship and in the presence of a minor. (N.C.G.S. § 14-33(d)).
- (7) Assault by pointing a gun (N.C.G.S. § 14-34)
- (8) Manufacture, sale, purchase or possession of teflon-coated bullets. (N.C.G.S. § 14-34.3)
- (9) Criminal use of a laser device. (N.C.G.S. § 14-34.8)
- (10) Domestic criminal trespass (N.C.G.S. § 14-134.3)
- (11) Violation of court orders (N.C.G.S. § 14-226.1), within three years prior to the date on the application.
- (12) Furnishing poison, controlled substances, deadly weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental or penal institutions, or local confinement facilities (N.C.G.S. § 14-258.1), within three years prior to the date on the application.
- (13) Carrying weapons on campus or other educational property (N.C.G.S. § 14-269.2,) within three years prior to the date on the application.
- (14) Carrying weapons into assemblies and establishments where alcoholic beverages are sold and/or consumed (N.C.G.S. § 14-269.3), within three years prior to the date on the application.
- (15) Carrying weapons on state property and courthouses (N.C.G.S. § 14-269.4), within three years prior to the date on the application.
- (16) Possession and/or sale of spring-loaded projectile knives (N.C.G.S. 14-269.6), within three years prior to the date on the application.
- (17) Impersonation of a law enforcement or other public officer (N.C.G.S. 14-277), within three years prior to the date on the application.
- (18) Communicating threats (N.C.G.S. 14-277.1), within three years prior to the date on the application.

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- (19) Carrying weapons at parades and other public gatherings (N.C.G.S. 14-277.2), within three years prior to the date on the application.
- (20) Stalking (N.C.G.S. 14-277.3)
- (21) Exploding dynamite cartridges and/or bombs (N.C.G.S. 14-283) (Except for a violation involving fireworks – N.C.G.S. 14-414), within three years prior to the date on the application.
- (22) Rioting and inciting to riot (N.C.G.S. 14-288.2), within three years prior to the date on the application.
- (23) Fighting or conduct creating the threat of imminent fighting or other violence (N.C.G.S. 14-288.4(a)(1)), within three years prior to the date on the application.
- (24) Looting and trespassing during an emergency (N.C.G.S. 14-288.6), within three years prior to the date on the application.
- (25) Assault on emergency personnel (N.C.G.S. 14-288.9), within three years prior to the date on the application.
- (26) Violations of city State of Emergency Ordinances (N.C.G.S. 14-288.12), within three years prior to the date on the application.
- (27) Violations of county State of Emergency Ordinances (N.C.G.S. 14-288.13), within three years prior to the date on the application.
- (28) Violations of State of Emergency Ordinances (N.C.G.S. 14-288.14), within three years prior to the date on the application.
- (29) Child abuse (N.C.G.S. 14-318.2)
- (30) Violations of the standards for carrying a concealed weapon (N.C.G.S. 14-415.21(b)), within three years prior to the date on the application.
- (31) Misrepresentation on certification of qualified retired

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law enforcement officers (N.C.G.S. 14-415.26), within three years prior to the date on the application.

- (32) Domestic violence protective order violations (N.C.G.S. § 50B-4.1)
- (33) Has been adjudicated guilty or received a Prayer for Judgement continued or a suspended sentence for crimes involving an assault or a threat to assault a law enforcement officer, probation or parole officer, person employed by the State or local detention facility, firefighter, emergency medical technician, medical responder, or emergency department personnel.
- (34) Any person convicted of “misdemeanor crime of domestic violence” as defined in federal law at 18 U.S.C. § 922 (g) (8).

This is a non-inclusive list:

m) The person is not free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would disqualify him/her from obtaining a concealed handgun permit.

n) The applicant has not been convicted of an impaired driving offense under any of the following General Statutes within the three years prior to the date on which the application is submitted:

N.C.G.S. § 20-138.1: Impaired driving.

N.C.G.S. § 20-138.2: Impaired driving in commercial vehicle.

N.C.G.S. § 20-138.3: Driving by person less than 21 years old after consuming alcohol or drugs.

o) Domestic violence issues

A court in any domestic violence protective order can prohibit a party from possessing, purchasing or receiving a firearm for a time fixed in the order. Further, effective September 30, 1996, 18 U.S.C. § 921(a) was modified in the “Lautenburg Amendment” to prohibit the possession of firearms and ammunition by anyone convicted of a misdemeanor under federal or state law which has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with, or has cohabited with the victim as a spouse,

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parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

7. Reciprocity

see: ncdoj.gov; [NC Sheriffs Association](#); [NRA](#); [USCCA](#);

North Carolina law allows residents of other states who have a Concealed Carry Handgun Permit issued by their state to carry concealed handguns in North Carolina.

For North Carolina permittees who wish to carry in another state you may obtain a current list of those states that honor the North Carolina permit by visiting the N.C. Department of Justice website at www.ncdoj.gov. Under the Crime & Law Enforcement section, a drop down menu will appear. Click on Law Enforcement Training & Standards, click on Law Enforcement Liaison, and then click on Concealed Handguns Reciprocity. This will direct you to the latest information on those states that allow North Carolinians to carry concealed. Remember that while traveling in other states, you are subject to the laws of that state. Permittees should be aware that the use of deadly force laws may be different as well as those places where carrying concealed is prohibited. Consider contacting the Attorney General's Office of the state in which you will be traveling for the current laws of that state.

8. Course requirements

The Concealed Carry course that an individual attends must meet several minimum standards as set forth by the North Carolina Administrative Code. Those requirements include:

- a) Course must be a minimum of eight hours long plus the range qualification time.
- b) The legal block of instruction must be a minimum of two hours in length.
- c) A written legal examination is required. (The mandatory exam is included in the back of this manual)
- e) A shooting proficiency examination is required. The course of fire must be a minimum of 30 rounds with 10 rounds fired from the three yard line, 10 rounds fired from the five yard line, and 10 rounds fired from the seven yard line.
- e) The Concealed Carry course must cover the following topics or it does not meet the minimum state standards:

- 1) Legal Issues

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- 2) Handgun Safety
- 3) Handguns
- 4) Marksmanship Fundamentals
- 5) Carrying Concealed Safety Issues
- 6) Presentation Techniques
- 7) Cleaning and Maintenance
- 8) Ammunition
- 9) Proficiency Drills

B. Handgun Safety

1. Four cardinal rules of safe gun handling

- ALWAYS**
- a) **ALWAYS** → TREAT ALL GUNS AS LOADED - until you have personally inspected the weapon. **ALWAYS**
 - b) Point the muzzle in a safe direction at all times.
Pre-1986: NEVER point a g*word at any THING you are not WILLING to K**L or DESTROY (or worse)
 - c) Keep your finger outside the trigger guard and on the frame until you are ON TARGET and HAVE A LEGAL RIGHT TO FIRE, and ARE GOING TO FIRE. justification
Use your human WILL.
 - d) ~~Be sure of~~ your target and what's around and beyond it.
KNOW

These four basic rules should be applied to every aspect of gun handling. When storing a weapon, when handing the weapon to someone, or when loading or unloading, be sure of muzzle direction and trigger finger position. Handguns must be operational and the operator must have an understanding of this operation. The handgun owner should read the owner's manual carefully in order to completely understand the operational characteristics of a specific make, model, or type of handgun. Always, always **THINK SAFETY**. The handgun can be used for self-protection; it should not be used for self-destruction.

2. Storage of the handgun

- a) Use of commercial trigger locks