

For Good Citizens Only :

How to Use Pepper Spray Safely And How to Win a Case In Court

Advice from a Pepper Spray Instructor and a Police Detective

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THE INTENT OF THIS PAPER IS TO EDUCATE **GOOD CITIZENS** ON

- THE USE AND ABUSE OF PEPPER SPRAY, AND
- EXPLAIN HOW TO WIN A CASE IN COURT

From PepperSprayCenter.com:



We would like to thank Hal Cutler for the wonderful book he wrote! He wants to share this information with as many people as possible and free of charge. We use our website to provide this special edition of the book to you and your loved ones. If you are interested how to beat a criminal in a dark alley and in a court room, please read this book, please use its links.

Just like a Pepper Spray, this book might save your life.

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Helpful Links:

[Pepper Spray:](http://www.PepperSprayCenter.com/buy-pepper-spray-c-7) <http://www.PepperSprayCenter.com/buy-pepper-spray-c-7>

[Buy Mace:](http://www.PepperSprayCenter.com/buy-mace-spray-c-5) <http://www.PepperSprayCenter.com/buy-mace-spray-c-5>

[Dog Spray:](http://www.PepperSprayCenter.com/dog-bear-spray/dog-spray-p-118) <http://www.PepperSprayCenter.com/dog-bear-spray/dog-spray-p-118>

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Introduction

I don't represent any companies nor am I getting paid anything to do this. I'm writing this paper just to help people. There are many things good people need to know about defending themselves that are not common knowledge.

I have deliberately left out the names of companies, government entities, and everyone else. I do name a medical journal so you can read the reference yourself. I alone accept responsibility for the contents of this paper.

The information presented here was taken from these 4 sources:

1. Two pepper spray manufacturer's police instructor courses.
2. The experiences of police detective (now retired) and pepper spray instructor, Hal Cutler.
3. A Utah District Attorney's Office.
4. The North Carolina Medical Journal, 1999, 60:268-274

During my 30 years in public safety, I found there were many people that could have been saved from injury or worse by pepper spray, IF they had it with them. They didn't have it because they didn't know what the law says about it or what pepper spray actual does. Many saw no need for extra protection. Too many good people have thought, "It will never happen to me". **Unfortunately, some of them were dead wrong.** Goodness is not a defense against violence.

Also, there were many cases I could never file with the DA's office because of poor witnesses. They didn't do what needed to be done to successfully prosecute the criminal. However, no one ever taught them what did need to be done. This paper will answer many of these questions.

I've tried to pack as much information into this paper in as short a space as I can. If you don't like it, throw it away. If you do like it, make copies for friends and relatives, so they can be safer too.

When I retired and had more time, I wrote this paper to help people. I like helping people. It's a very important thing to do. That's what the Lord wants us to do. I don't want to see anyone become a victim of crime if I can do something to help prevent it.

I only want good people to have this information. I don't want to train criminals how to be any better at it.

The legal information in this paper is more important than the pepper spray training.

Part I

How to use Pepper Spray

Pepper Spray or OC (Oleoresin Capsicum)

I taught 4 police departments how to use pepper spray. I was also an instructor of stun guns and Tasers, but pepper spray is better suited to the needs of the general public.

Most people know very little about pepper spray or OC, including the people that sell it. Salesmen sometimes claim to know much about OC but few of them really do.

In addition, it's very important to understand how our legal system actually works. Unfortunately, it's complicated and it keeps changing.

Pepper spray will be referred to as OC for the remainder of this paper. OC is short for ***Oleoresin Capsicum*** (the active ingredient in pepper spray).

OC can be purchased at most sporting goods and gun stores. There are several different manufacturers. "Mace™" is a brand name of OC and tear gas. It's not a different chemical from the other makers. Mace used to make their own chemical but it was not as effective. Now, they produce only OC and tear gas.

In Utah (where I live), no license or permit of any kind is needed for adults to carry OC. The law does not forbid people under 18 from having it, but if you have a teen with a pressing need to carry OC, I recommend that you have them study this paper. Then, write a note for them explaining why they need OC and how you can be contacted. (There are a few states or cities that don't allow minors to have OC.)

No one likes to think about meeting vicious criminals, mad dogs, crazed lunatics, jealous relatives, or other dangerous encounters, but these things clearly exist and are a real threat. **They need to be taken very seriously.**

The information in this paper is not police training. Police training is more in-depth and covers additional legal matters the general public doesn't need to know. By the time you finish reading this paper, you'll know more about our legal system than most people and more about OC than nearly everybody.

I've found that some people are intimidated by the volume and technicality of the information presented here. **Don't worry about it.** The bottom line is, if you need to defend yourself, or someone else, spray the attacker in the eyes, mouth, and nose. Then quickly run away to safety. Call the police as soon as you can. Give them as much time as possible to get there before the criminal escapes.

Even if you don't want the OC information, read the Legal section. If you become a victim or a witness to a crime, this legal training could be vital. I have included much information about OC for those that want a detailed understanding of it, and of the legalities of self-defense.

What Is Pepper Spray or OC?

It's a self-defense spray made from the hot waxes and oily extracts of pepper plants of the genus *Capsicum* (principally Cayenne pepper). The active ingredient is called ***Oleoresin Capsicum*** (Oh-lee-oh-resin, Cap-see-come). The amount of capsicum can vary widely in different plants. Propellants and solvents used by the manufacturer may include water, alcohol, organic solvents, nitrogen, carbon dioxide, or halogenated hydrocarbons. The exact formulas the manufacturers use are proprietary (trade secrets) and are not available. OC is in the form of fine particles, not a liquid. Solvents mix the contents together into a liquid form. Propellants force the OC out of the pressurized can.

The heat of OC is measured in Scoville Heat Units (SHU's). You can't really tell how hot a can of OC is based on the label rating of 5%, 10%, etc. The SHU's vary between different manufacturers. You have to know 10% of what? Some 5% formulations are hotter than 10% ones. You'll probably have to contact the manufacturer to find out exactly how hot the OC content of their cans really is. Some manufacturers print the actual SHU's on the label. Most don't. Some that do, list the SHU's in their formulations **before they dilute** it to the 10% or 15% or whatever percentage they actually do put into their cans. It can be confusing. Most makers put information on their cans that they believe will help sell their products, not information that will really be helpful to you.

What Does Pepper Spray Do?

The main advantage of OC is that it's one of the few ways to temporarily disable someone without causing injuries. Most weapons will injure or kill. Even a punch to the nose can break the nose. OC is designed to temporarily disable someone **without causing any injuries**. When the OC wears off, he's fine. Rarely is any medical treatment necessary. Of the many people I have seen sprayed, only one needed medical attention, and he recovered quickly.

In 1996, the North Carolina Department of Health studied 6,000 students sprayed with OC. Only 61 of those subjects needed medical attention. That's only 1% of the total number sprayed. No one was injured seriously and all of them recovered. If those 6,000 people had been involved in fist fights or had any kind of weapon, many more than 1% would have needed medical treatment (a good point to mention to the judge, if you have to testify in court).

The main action of **OC is that it causes great pain**. The pain is similar even if you are using 5%, 10%, or even higher concentrations of OC. The real difference I've noticed is that the higher the amount of OC in the can, the longer it will hurt (burn).

More specifically, **OC causes temporary vision difficulties and severe burning of the mucous membranes (eyes, nose, mouth, lungs)**. Mucous membranes are the moist

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areas of the body. Your nose will run and your eyes will flood with tears as they try to wash out the OC. OC also causes temporary skin redness and looks like a sunburn. It burns much less on the skin than on the mucous membranes, but it's still painful. (The eyes are moist but technically they're not mucous membranes.)

After someone is sprayed in the eyes, the pain may not start for a few seconds. With other people, the pain may start immediately.

After you spray OC, run to safety and call the police. **Be sure to wash your hands before touching your face or going to the bathroom!** A few drops may have fallen onto your hand.

Some people say OC causes blindness. My experience was that it doesn't really make you blind. Vision may be blurry for a while, but you can see if you open your eyes. However, you don't open your eyes. It reduces the pain considerably if you clamp your eyes shut and keep them shut--until the pain diminishes. It's more accurate to say that OC causes involuntary eye closure.

It can take 2 hours or longer for the pain to reduce significantly. An average time is about 50 minutes. It depends on how much spray you get into your eyes, the amount of SHU's in the spray, your sensitivity to it, and how diligently you wash your face afterward. (It can take up to 24 hours for the pain to go away entirely.)

OC will not work if the person is not feeling any pain. If the person is really drunk, stoned on certain drugs, or for whatever reason is not feeling pain, it will not work.

The person will still have some temporary breathing difficulty due to swelling, but that by itself will likely not be enough to disable them.

Some mental subjects do not feel pain. I've never heard a medical explanation for that but I know from experience that it's true. I think what happens is that the brain doesn't process information correctly. Pain nerve impulses go to the wrong part of the brain. That prevents the brain from processing the pain messages. I think the same thing can happen with some kinds of drugs that also reduce pain sensitivity.

A few brands of OC are so hot that I have been told they have no failures. However, I think that's unlikely. I know it doesn't work on people who don't feel pain.

After you spray someone, you need to run away fast! Don't stand there and watch to see if the OC is working. Run!

If the OC doesn't work, have a Plan B. **You should always have a back up plan!**

If you have to defend yourself against injury, some other options that don't involve weapons may be to **kick the attacker hard**. Low kicks are the most effective, especially to the groin of a male. Shoes with hard toes are an asset. Other sensitive areas are the shins and knees. Use your weight when you kick the knee. Scream for help to attract

attention. **Pelt his face hard with rocks, dirt, sand, salt, or whatever you can find**, to distract him and make him turn away, or to temporarily blind him. Then, run away to safety as fast as you can.

If he's trying to kill you, or cause serious bodily injury, and you have no weapons, most effective of all would be to poke him in BOTH eyes. Don't be shy. Poke him hard. Poking just one eye may only make him angry.

It's even more effective against the eyes if you use a pen or pencil, screwdriver, knife, or other similar implements. Use your thumbs if you have nothing else. Then, quickly run away to safety.

I have seen people yell "**Fire!**" to get help. Then, I looked at the reaction from people around them. Yelling "**Fire!**" is usually ineffective. People will look for a fire. Not seeing one, they will often think you are crazy and will not understand that you need help.

OC is not tear gas. Tear gas is man-made and comes in 2 formulations, called CN (chloroaceto-phenone) and CS (omega-chlorobenzylidene malonitrile). Tear gas also causes great pain, but spreads through the air too easily and too far. It's difficult to control so it affects everyone in the area. It hurts nearly as much as OC but it burns less, and it lacks the breathing difficulty caused by OC. That's why OC is more effective than tear gas. Some makers put OC and CS in the same can. Together they complement each other and are more effective than each chemical alone. Do not buy a can if it contains OC and CN together.

Animals and OC.

OC was originally invented by 2 DVM's in 1960. Most animals sprayed will run away, or turn away and rub their face in the dirt to try to wipe off the material. Some animals may not react much at all.

Do not depend on bear spray to protect you from a bear. It will probably stop a curious or hungry bear, but it may not stop a determined charge! **Bear spray is good, but don't rely on it alone.**

I have seen trained attack dogs that did not react to OC until their masters called them off. The best OC target for a dog is the nose, then the eyes. A dog's nose is its most sensitive organ.

Some people will buy OC cans made for dogs, thinking it's stronger than cans made for people. Actually, the contents are weaker, so stay with cans made for people.

I've heard only one report of a mountain lion sprayed with OC. It screamed and rolled around in the snow before running away.

Have a plan C for vicious animals. If attacked by an animal but the OC doesn't work, it could be vital to have a back-up weapon available. However, if you have no other weapons, here are some suggestions.

Do not run away from a vicious animal, it encourages their hunting instinct and they'll only attack harder. Back away slowly and face the animal. Do not show fear. Do not panic. Straighten up and make yourself look larger. Yell. Try to intimidate the animal. If it gets too close, pelt it with rocks and scream at it.

Pick up a stick and keep the stick between you and the animal. Wave the stick menacingly at its face. If it's trying to bite you, throw sand or dirt into its eyes. Yell for help. When it moves in to bite, poke both eyes hard with the stick. If you can't reach the eyes, feed the stick into its mouth. If you don't have a stick, feed it your coat, shirt, or anything else to keep its jaws busy and away from you. If nothing else works, feed it your left arm if you are right handed, or your left leg. Keep it away from your face, head, and neck. Kick it as hard as you can, **poke it in both eyes**, bite it, punch it in the nose. Do whatever it takes. If you can cause the animal pain, it will usually run away. **Poking both eyes hard should blind it long enough for you to escape.**

If you are going out where wild animals can be found, take a can of bear spray with you. Take a knife, gun, hiking stick, cell phone, or other things that will help you defend yourself or other people less prepared than you are.

Playing dead in a grizzly bear attack will usually work unless the bear intends to eat you. However, I would not play dead with a black bear. Fight black bears off as **viciously** as you can. Your life depends on it!

Black bears are not always black. Some are brown or tan. Even a few white or yellow ones have been seen. Brown bears (grizzlies) have a hump of fat above their shoulders that black bears lack, and black bears are usually smaller.

The most important thing in any fight is to be prepared mentally. **Never give up. Never panic.** You can't think clearly when you are in these emotional states. Keep your wits about you. Your state of mind is very important. Be determined to win and survive, no matter what. **If you are willing to do whatever you need to do, you will win.**

How You Use Pepper Spray On People

Use your OC carefully. **You must get the spray into his eyes** for the best results. In addition, spray it into his **nose and mouth**. It will hurt him greatly, especially if he inhales it into his lungs. It will also make him cough and snort for air.

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It's best to buy the kind of can that you do not need to untwist the cap first to use it. When you are fighting for your life, you probably aren't going to think about untwisting the cap first, **unless you have practiced**. Buy 2 cans and use one for practice. Buy a practice can containing water if you can find one. If not, OC cans and practice cans without OC in them may be purchased from the manufacturers through the internet.

Do not let the attacker see the can or warn him that you are going to spray him if he doesn't leave you alone. **It's best to have the spray be a complete surprise**. If he doesn't know it's coming, he can't turn his head, close his eyes, move away, or try to take it away from you. More important, he can't prepare himself mentally for the attack.

Hold the can in the upright position. Nothing but propellant may come out if the can isn't held upright.

To make sure you get the spray into his eyes, wiggle your wrist from side to side when you spray. If he's wearing glasses, it's best to spray his forehead so it will drip down into his eyes.

You can also spray up the side of his nose to get under the glasses. But, it must get into his eyes for the best control.

Spraying up and down will get his mouth and nose. Try to spray his eyes, nose, and mouth. For example, you could spray his face in a "Z" pattern.

OC hurts the MOST if he inhales it into his lungs. However, the eyes are still the priority target. If he can't see you, he can't catch you.

If he doesn't react soon after being sprayed, that's your sign that he's not feeling pain and Plan B may be necessary. Get ready to use Plan B! There are some people that take several sprays, and then they'll react big, but that's uncommon. If he doesn't react by the 3rd spray, he probably never will.

Get the kind of OC can that sprays in a straight stream, not in a mist like a can of hairspray. The mist type has a limited range and it's too much affected by the wind. The same applies to the foam or gel type.

Be very aware of wind direction. Most OC sprays will go at least 8 feet. Some cans of OC may go 15 feet or farther.

If there's an easily noticeable wind and it's blowing sideways, it could blow your spray off the target. You may miss! If the noticeable wind is blowing into your face, it will reduce the distance the spray will go, and it might even blow back into your face! However, if he's standing close to you that probably won't happen.

If you are outside and see that you may have to defend yourself, adjust your position so

the easily noticeable wind is blowing into HIS face. If the wind is not easily noticeable, there shouldn't be a problem. But, remember to **account for wind direction and speed, or the lack of a wind.**

If you have to use OC at very close quarters (within 3 feet) and can't keep your distance, some of the spray may bounce off him and hit you. Plan on it. Turn your head away when you spray and hold your breath. (Remember not to let a stranger get close enough to grab you in the first place.)

If someone is about to spray you, close your eyes, turn your head away, hold your breath, and run away quickly to fresh air.

If You Were Sprayed Yourself

If you were sprayed, immediately move to fresh air. Face the wind to help clear your vision and make it easier to breathe.

I have never gotten any OC into my lungs, but I've been told the pain there is especially intense! Do not breathe it in!

After you are safe, remove your contact lenses, and **remove the spray from your face as soon as you can.**

First, blot your face with an absorbent material, like paper towel. **Don't wipe, blot.** Then move to a clean spot on the towel and blot again and again and again. Remove as much of the OC as you can. Then, **flood your face with cool water.** It hurts more at first, but then the pain will start to diminish in about 5 minutes or so.

Soap and water reduces the pain even faster, but it still takes a long time for the pain to go away completely. Baby wipes with Aloe or diluted baking soda can also be used. Once you've washed thoroughly and the pain starts to subside, ice can reduce the pain even further. Don't use ice too soon, it will only hurt more.

Some manufacturers now make cleaning compounds to help you remove the OC.

Do not use salves or creams as it only holds the OC onto your skin. **Do not inhale any of the vapor or liquid as it causes very intense pain.** Do not go to the bathroom until your hands are thoroughly washed.

Remove contaminated clothing as soon as you can and keep them away from other items. Wash or dry clean them as soon as you can. Normal machine washing is fine.

If cool water continues to hurt more, you were sprayed with tear gas, not OC. Use warm water instead. **Do not use hot water.** Face into the wind or toward a fan.

The skin redness fades in about 40 minutes or so, if you are flushing with cool water.

The skin pain disappears when the redness does. Even when scrubbing with soap and water, it takes about an hour for the pain to mostly go away from your mucous membranes.

Later that night when you take a shower, the OC washes out of your hair and into your eyes. You get dosed once again! Fun, huh? To avoid getting it into your eyes, tilt your head back and close your eyes before washing your hair, eyelashes, or eyebrows.

Other Precautions

A common error many women make is carrying the OC in their purse. Real crimes have shown that when a woman is attacked, the first thing she does is to hold her hands up to defend herself. In the process she drops her purse. She can not reach the pepper spray can! Nor could she reach a cell phone, gun, knife, or anything else that might have helped her. If you need to defend yourself, **you must have the can ready in your hand**, or in a pocket you can easily reach, but in your hand is best.

If you decide to carry the can in your purse anyway, put it in a protected spot so the cap will not be pressed down by movement inside the purse. If you don't protect it, some day it might discharge into your purse!

Learn how to operate the can. Most OC units have a twist top that requires ¼ turn to allow you to press down on the discharge cap. Don't carry the twist top can in the open position. It may accidentally discharge if something pushes against it. Keep it in the closed position. Some cans have a protective lid to prevent accidental discharge and don't need to be untwisted. Practice holding and aiming the can and untwisting the top or whatever you need to do to be ready to spray it. You should be able to point and spray your can without having to think about it.

Another precaution is temperature. The OC liquid may freeze in cold weather. In hot weather, the pressure will increase and the valve may leak, causing the propellant to escape and making the can unusable. If you shake the can, it will sound like its still full, but if you test spray it, nothing will come out (the pressure is gone). In other words, **don't leave it in you car**, especially in hot or cold weather.

If you are using Tear Gas instead of OC, spray his eyes, nose, mouth and his chest, not his forehead. Tear gas is lighter than air and will rise from his chest to keep him controlled longer. OC is heavier than air, so spraying his forehead keeps the OC dripping down into his eyes. If your can contains both OC and tear gas, spray his eyes first, then his forehead, nose, mouth, and chest. In other words, spray side-to-side to get the eyes and up-and-down to get the forehead, nose, mouth and chest.

Remember, tear gas is a gas. It spreads through the air easily. To avoid getting gassed yourself, move away quickly to fresh air.

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CN is sometimes used in the can as it dissipates faster than CS. Some makers use CS because it hurts more than CN, and it's safer. CN has caused many deaths mostly in Europe. OC is usually more effective if it's mixed with CS rather than CN. Remember, OC and tear gas are very different chemicals. The most effective sprays of all are the cans that contain both CS and OC.

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Helpful Links:

[Pepper Spray:](http://www.PepperSprayCenter.com/buy-pepper-spray-c-7) <http://www.PepperSprayCenter.com/buy-pepper-spray-c-7>

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[Pepper Blaster:](http://www.PepperSprayCenter.com/pepperblaster2) <http://www.PepperSprayCenter.com/pepperblaster2>

Part II

Legal Section

Since I reside in Utah, I have written this paper under the auspices of Utah state law. Most of the legal information in this paper applies to anywhere in the U.S. but not all of it.

Since laws differ from state to state, you should study the laws in your home state, county, and city. That information can be accessed at the library or through the legal section of your state or local government's web sites. As an American citizen, it's your responsibility to **know the laws where you live**. It's not the government's responsibility to train you about your own laws.

As of this writing, OC is legal in all states. However, **some states, counties, or cities, do have restrictions**.

When Do You Use OC spray?

There's no Utah law specific to OC. It follows the general laws on the use of force. You can not use it to attack someone. That is a crime! **You can use it only to defend yourself**, or someone else, against an attack by a person or by an animal.

It's common for people to feel uneasy just before an attack. Some feel like they are being watched, or they are in danger. Pay attention to those feelings! **Take out your OC can and hold it in your hand, ready to use it**. Leave the area immediately!

It's best to take your OC can off and away from keys or other things that will alert the attacker that you have a can of OC. Hide the can in your hand so **the attacker will not know it's there** until you need to use it.

If you do have to spray someone, medical problems might occur to the person you sprayed if he's severely allergic to any of the contents of the can, or if he has an already existing breathing or heart problem. But those things are unlikely. It would be rare for someone with a serious medical condition to attack you. However, someone's medical problems aren't something you would know about anyway.

It's not your fault if the attacker has a medical condition, or if he does something stupid after being sprayed. Everyone has the right to self-defense. You should be safe from his winning a law suit against you.

There have been deaths reported after being sprayed with OC. The deaths nearly always involved people high on drugs or alcohol. The pathologist's reports rarely listed OC as a contributing factor or as the cause of the deaths.

However, using physical force against anyone, with any technique, can cause death. For example, if someone is punched in the face, falls down backward and hits his head on a rock, he could be killed. **No technique is 100% safe.** OC is as safe or safer than other self-defense techniques.

Once you are safe, call the police. They'll check his condition.

Reasonable Person Test

Some people have trouble understanding the legal standards for when force can or can not be used and how much force is allowed. Police have to contend with these issues frequently. I'll make these standards as clear as I can.

When a court of law (judge or jury) decides if the use of force was justified, they use the **Reasonable Person Test**.

IMPORTANT: The test standard is defined as the Average Reasonable Person. If the "Average Reasonable Person" was attacked, or was convinced he was going to be attacked momentarily, then **that person is justified in using force in defense.**

Never use any more force than is needed. For example, if someone is going to punch you with his fist, you can not shoot him or stab him. That would be using **Deadly Force**, and he can't normally kill you with a punch, so deadly force is not needed or allowed. You must use **Less-Than-Deadly-Force**, such as punching, kicking, etc. However, you can use OC. **OC is not deadly force.**

Deadly force can only be used if the attacker is using deadly force against you.

Deadly force is defined as the amount of force likely to cause death or serious bodily injury. Common examples are guns, knives (or any sharp objects), a wrench or hammer, or any similar devices. It could also include being thrown off a roof, run over by a car, or anything else likely to cause death or serious bodily injury. Only then can you use deadly force in defense. You can also use OC, even though OC is less-than-deadly force.

Some of the worst criminals in the world are very adept at pretending to be innocent and trying to blame others for their own crimes. They may even claim you caused the problem or you attacked them first.

Don't worry about it. You'll have no problem if you are in the right! But be prepared, in case you encounter that kind of criminal.

If you do spray an attacker, **always call the police. The criminal should be prosecuted.** Another reason to call the police is that you can explain to them what happened and why

you sprayed him. That protects you against his possible later claim that it's your fault, not his. If you do not report the incident to the police, it may look like you were trying to hide something and it can lend support to the attacker's story. In other words, you have not protected yourself against what other attorney may try to do to you later.

You can't spray someone just because he threatens or scares you. He can not injure you with words. **You must be in some jeopardy.** You must **reasonably believe** that you are about to be attacked, or you are already under attack. **You don't have to warn him or show him the can before you spray him.** In fact, it's better if it's a complete surprise.

To help you understand how attorneys and judges think, imagine a situation you possibly could be in. Imagine what the average reasonable person would think he could do in that same situation. That's your standard for when force can or can not be used, and what level of force should or should not be used.

However, be aware that the standard you think applies may be wrong. Some people have strange beliefs about what is or should be allowed. Try to get a feel for how the courts think, just to be sure.

Some people don't want to go to court and don't want to testify. They don't want to take the time off of work or maybe they're afraid of the attacker.

Understand that nothing can be done to criminals unless good honorable people are willing to testify in court. **If you don't testify you have allowed him to get away with his crime! Crime will never be stopped unless good people will stand up against criminals.** The constitution guarantees that anyone accused of a crime has the right to be confronted by his accusers in court. A written statement is not allowed. You have to be there in person. However, if the criminal pleads guilty then no trial will be held.

Yes, it takes guts to confront violent people but it needs to be done. Life requires all of us to do tough things sometimes, but it's very important that we do it.

Deadly Force

Some people have concealed weapons permits and think that's all they need. **Wrong!** The situations when you can use guns, or other deadly weapons, are very rare. It's far more common that an attacker would not use deadly force against you. In those situations, a gun is useless. Don't even point a gun at him and warn him you will shoot him if he attacks, unless it's a deadly force encounter.

Even when deadly force can be used, it's wise to consider other options first. 5 times in my police career I could have used deadly force, but I never did so. Why? Even if you are in a situation where you are authorized by criminal law to use deadly force, it doesn't mean you won't be sued in a civil court.

The police and the DA's office will review the situation to be sure deadly force was

legal. If not, you'll face felony assault or homicide charges in a criminal court.

You may lose your job or your concealed weapons permit. The news media may ruin your reputation by calling you a murderer. Your insurance may be named in the lawsuit. Your insurance company may cancel your policy or raise your rates. You may need to hire a lawyer to help defend you.

You are in for a hard time and it's likely you will be sued by his family. In the 5 cases when I could have used deadly force, I was able to solve the problems without resorting to deadly force.

If you can, try to solve the problem without using any force or by using less-than-deadly force. OC is still a good idea if it works for you. He'll have no injuries to sue you for. Only if there are no other viable options should you use deadly force. But, don't think about it too long! It's far better for the attacker to be injured or killed, instead of you.

Please understand me correctly: some situations obviously allow you to use deadly force immediately, and delaying to try other options could be fatal. Such as, if someone is shooting at you, or will be shooting at you momentarily, you don't have to try to talk them out of it first. The "Average Reasonable Person" would understand that immediate self-defense was necessary.

General statements about what always is or is not allowed can't be made. Each situation is judged by the exact circumstances and options available at that time. My point is, the sentiments of the courts these days are against using any more force than is necessary. OC would give you additional options for self-defense not available if you only had a gun.

What About Going To Court?

If you've been attacked, always get yourself to safety first. Then, call the police as soon as you can. Give them as much time as possible to get there and arrest the criminal before he leaves the area.

Always remember to be observant! Always. If you are observant, you can likely see what's happening and avoid the bad situations to begin with. You'll also be a much better witness.

Unfortunately, our schools are pretty bad when it comes to teaching people how our court system actually works. Here's some of the answer.

If you are attacked, you must identify the person in criminal court and explain exactly what occurred. Our legal system has many flaws. Even so, you can defend yourself in court successfully and convict the criminal of his crimes, if you have enough information to explain to a judge or jury why you did what you did, and how you can recognize the

attacker. In other words, why you “reasonably believed” you had to use force to defend yourself, or someone else, and what amount of force was necessary.

If you do have to testify at a criminal trial, **always remain calm**. The opposing attorney may try to discredit you by making you angry, by looking for inconsistencies in your story to use against you, or by saying things to confuse you. He’s trying to make you look bad to the jury, or trying to get you to change your testimony. Don’t fall for it! **Decide what happened in your mind and don’t change it**. State exactly what occurred and ask the attorney to explain any questions you are confused about. **Just tell the truth and ignore the antics of the attorney**. Don’t worry. Honesty and integrity will prevail.

Most cases are settled before the trial. You may not have to testify in court at all. However, some cases do go to trial, and you’ll look much better to a judge or jury if you prepare for trial. Felonies (serious crimes) have a step misdemeanors (small crimes) don’t have called a Preliminary Hearing. Some states use a grand jury system instead of a prelim. A prelim is not a trial. It’s an evidence hearing. If there is enough evidence, the case is bound over for a later trial. If the charge is a felony, you may have to testify at a prelim, and may or may not have to testify at a trial later on.

You can’t testify by reading your notes on the witness stand in court, but you can use your notes to refresh your memory.

To prepare for a trial, think like the opposing attorney. Think what the attorney may say to try to make you look bad, or make his client look good. **Write down in your notes what you’d say to counteract his comments. Make your case as strong as you can.**

For testifying in court, remember that your only intent was to protect yourself from unlawful assault and to temporarily disable the attacker long enough for you to get away to safety.

Again, try to think like the judge. To a judge, the legal principles and ideals involved (precedents) are more important than what happened in real life. If the judge rules against the standards set by the precedents, his actions can be overturned by a higher court. **Explain how you tried peacefully to solve it first, or why you had to act immediately to defend yourself, or another. Show your mental steps. Show how you acted reasonably, not emotionally.** (I know all this legal stuff is confusing. Welcome to the complex world of the American legal system.)

Helping the Police and Preparing For Court

After the attack and after you are safe, you should prepare for a possible future trial. Here are some things that will help you win any kind of case that goes to court:

1. Look for witnesses that saw what really happened.
2. If you were injured, take photos of the injury and get a copy of the doctor’s report.

Advice From a Pepper Spray Instructor and a Police Detective

3. Any photos of the evidence or the area where it occurred (crime scene) are also very helpful.

4. Look for physical evidence, such as torn clothing, blood stains, the knife he dropped, or anything else that supports your story.

If you scratched him, you may have his skin cells underneath your fingernails. Perhaps the criminal left his blood or semen on you. Those things help to identify the attacker.

Don't touch the evidence. Show it to the police. Some kinds of evidence may have the criminal's fingerprints on it. If the police don't want it, you can collect it yourself and save it for court. The prosecutor may want it later.

5. Take notes. Write down what happened in great detail so you won't forget anything for court.

I usually beat criminals and their attorneys in court for three decades. You can do it too. You just need a strong case (good detailed information).

The police normally will process the crime scene, but they may miss something or be in a hurry to leave to handle another call. If you find evidence, don't touch it. Let the police know. Collect it yourself only if the police don't want it.

Also, civil cases are those where you have sued someone, have been sued yourself, or are trying to force someone to take action or cease taking action (injunctive relief). You'll have to do your own investigation, or hire a private investigator. Police don't investigate civil cases. Be sure to consult an attorney, and don't worry about the case too much. If you are in the right, you will prevail.

Additional helps are to train yourself to notice what a suspicious person looks like.

Always be aware of what's happening around you.

Don't be scared or nervous, **just be alert**. Too many innocent people have been attacked by surprise because they didn't notice what was happening around them.

If you or someone else is attacked, notice and observe -- Does the attacker have any scars, tattoos, studs, birthmarks, moles, etc? **Look for identifiable marks**. Does his face remind you of someone you know. Association helps the memory. How tall is he? How much does he weigh? Eye and hair color? Does he walk with a limp or talk with an accent? You'll have to point to the criminal in court as being the correct person that attacked you, so **memorize his appearance**. Don't worry much about his clothing. He'll be dressed differently in court. **Look for permanent identifying marks**.

What color and kind of car does he drive? What's the License Number? Does the car have any dents, broken glass, bumper stickers, etc? The more information you notice, the stronger your case will be.

If you find witnesses, have them wait for the police. If they can't wait, get their names and phone numbers so the police can contact them later. **Ask them to write a detailed statement of what they observed.**

The most important thing is that you are safe. Get away to safety, or hold the temporarily disabled attacker for the police. Then, if you can, look for evidence (witnesses, weapons dropped, etc.).

If you decide to risk it and hold the criminal for the police, wait at least 10 seconds for the OC spray to fall out of the air before you grab him. Then, grab him from behind so he won't wipe the spray onto you! (Yes, if someone has committed a crime, you can legally detain him for the police, but it's risky to do so. You could be injured or killed.)

Write all of what happened down as soon as you can so you won't forget it. You'll need every detail for court later on, and some cases take years before they go to court.

CONCLUSION

Don't be intimidated by the volume and technicality of the information presented here. If you need to defend yourself, or someone else, spray the attacker in the eyes, nose, and mouth. Then, run away to safety. Call the police as soon as you can. Give them enough time to catch the criminal before he escapes.

You can't use any type of force, including OC, if you are the aggressor. It's a criminal assault. You could go to jail and pay heavy fines. It will ruin your reputation. Your insurance may be canceled. You may be successfully sued and your house or other property seized and sold to pay the judgment against you. You will not be able to find a good job because employers don't want to hire criminals. You may go to prison for a long time.

OC works well the majority of the time and causes a severe and prolonged burning pain. Having been sprayed myself in training, it's amazing to me that it would EVER fail to work on anybody. The pain is really intense! But, it will not work on people who aren't feeling pain. **Have a back-up plan.**

Everyone has the right for self-defense. If you, or someone else, is under attack or (reasonably believes) you'll be attacked momentarily, you can use your OC. Don't warn the attacker or show him the can. It's best if it's a complete surprise. **Be aware of wind direction** if there's an easily noticeable breeze. **Spray directly into his eyes, nose, and mouth.** Spray his forehead if he's wearing glasses. Spray his chest also if you are using tear gas.

You must get the spray into his eyes for the best control.

Advice From a Pepper Spray Instructor and a Police Detective

Run away to safety or hold him for the police. **Call the police immediately.** Wash your hands as soon as you can (spray probably dripped onto your hand).

Be a good observant witness for court. Notice permanent identifying marks. **Write down exactly what happened.** Look for witnesses and evidence, if you can.

Prepare for going to court, but don't worry about it. You'll be fine if you are in the right, and if you have written detailed notes. (If you have poor notes and remember few important details about what happened, you will lose.)

Buy 2 cans. Use one for practice (preferably with water in it). Check the expiration date of the can you are going to carry. When it expires, use it for practice before you throw it away. Make sure the can you carry is not expired. (It's the can that breaks down first and leaks, not the OC. If you shake the can, it may still sound full. You can't tell if the propellant has leaked out just by shaking it. You must test spray it.)

Possible leakage of the can is the main reason for the expiration date. It's also wise to test spray your new OC can once (for about 1/2 second), just to make sure it works and to see how far it actually goes. However, the longer you test spray it, the more the pressure in the can lessens, and the range decreases.

The doctors in the North Carolina study understood that there's no such thing as a 100% safe way to use force in defense. OC is as safe as any. They recommended that OC was satisfactory in those cases where force was needed.

For many people, just having the can in their pocket gives them a feeling of confidence and security. It's terrible to feel helpless, and to fear that an attacker may be nearby, watching you. Carrying a can of OC may be worthwhile just for that reason alone. It can be a great relief from that feeling of doubt and fear.

The same could be said for self-defense classes, staying in good physical condition, or anything else that builds your abilities and self-confidence.

Practice your Plan B, in case the OC fails to stop the attacker. It's good to carry a back-up weapon, such as a gun or knife in deadly force encounters, or a stun gun in less-than-deadly-force situations, or anything else that may help you. Practice kicks, eye pokes, and so on, to keep them fresh in your mind if they're needed.

I have heard it suggested that spraying someone with a can of bug killer is a good idea. It's **only** a good idea **in deadly force situations.** Bug killer is a poison. You don't want to go to court and say you sprayed poison on someone in a less-than-deadly-force encounter.

Most states allow you to use deadly force sooner if someone breaks into your home and you fear for your safety.

Know the Laws in the state, county and city where you live!

If you have to go to court later on, the information here will be of great help to you.

The following is a true account of a real incident that occurred. I know, because I wrote the police report.

A young woman lived in an apartment building. One night after dark, she decided to dump her full trash can into the dumpster behind the building. She looked out her window and saw no one was around the dumpster. (She might have had to leave for other reasons, such as going to work or to the store.) **She knew it was smart to be prepared.** She held the trash can in one hand and her can of OC in the other hand. She saw no one in the area as she approached the dumpster. She dumped her trash and began to walk back to her building. Suddenly, someone grabbed her hair from behind, pulled her backward, and began to drag her away!

She was **terrified** but she was **also prepared!** She reached over her shoulder and sprayed her OC at the attacker. He groaned and released his grip. She ran back to her apartment and called the police immediately. **She was saved!**

What would have happened to her if she had not been prepared with the OC can already in her hand? What if it was in her purse? What if she couldn't remember how to operate the can? What if she left the can in her hot car and the propellant had escaped? What if she left it in her cold car and the contents were frozen? What if she held the can upside down and no OC came out?

If it started out that badly, how would it have ended if she wasn't prepared?

What would have happened to you if **YOU** had been that young lady?

From PepperSprayCenter.com:



We would like to thank Hal Cutler for the wonderful book he wrote! He wants to share this information with as many people as possible and free of charge. We use our website to provide this special edition of the book to you and your loved ones. If you are interested how to beat a criminal in a dark alley and in a court room, please read this book, please use its links.

Just like a Pepper Spray, this book might save your life.

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Helpful Links:

[Pepper Spray:](http://www.PepperSprayCenter.com/buy-pepper-spray-c-7) <http://www.PepperSprayCenter.com/buy-pepper-spray-c-7>

[Buy Mace:](http://www.PepperSprayCenter.com/buy-mace-spray-c-5) <http://www.PepperSprayCenter.com/buy-mace-spray-c-5>

[Dog Spray:](http://www.PepperSprayCenter.com/dog-bear-spray/dog-spray-p-118) <http://www.PepperSprayCenter.com/dog-bear-spray/dog-spray-p-118>

[Tear Gas:](http://www.PepperSprayCenter.com/buy-mace-spray/mace-tear-gas-p-78) <http://www.PepperSprayCenter.com/buy-mace-spray/mace-tear-gas-p-78>

[Pepper Blaster:](http://www.PepperSprayCenter.com/pepperblaster2) <http://www.PepperSprayCenter.com/pepperblaster2>

Part III

Video Resources

Advice From a Pepper Spray Instructor and a Police Detective

Video 1:

How Pepper Spray works:

Watch this entertaining video show about what effects pepper sprays produce on a regular human.

The TV series "Human Guinea Pigs" personalities volunteered to be pepper sprayed and filmed.

While being entertained, please pay attention to 3 things in this video:

1) Since many customers wrote to us they were surprised seeing a stream and not mist coming out their new can of pepper spray, please notice how the stream looks like. **It is a stream**, a tight cone that will come out of the can's nozzle (at 1 min 28 sec mark).

2) **See the distance chosen by the officer to deploy the spray (~ 4 feet).**

The spray hits the guys precisely where the officer targets. Depending on the size of your pepper spray can, you can usually double this distance (~8-9 feet) and still deliver the spray precisely where you aim.

3) Notice how **calm and confident** the officer applying the spray is.

No hesitation, no unnecessary movements -- he was done applying the spray in one sweep in less than a second.

It is a very simple act but to perform it easily and effectively -- **PLEASE PRACTICE.**



If the video does not play inside the e-book, click the link for the web version on our blog: <http://www.PepperSprayCenter.com/blog/index.php?itemid=65>

Advice From a Pepper Spray Instructor and a Police Detective

Video 2:

Basic Moves with Pepper Spray or Mace:

In this video you will see what very basic moves are necessary to develop in order to use the simplest can of pepper spray or mace.

The moves are misleadingly simple, most people think they can do it in their sleep... Well, maybe in their sleep but not necessarily under pressure of a dangerous situation.

To make sure you can use your pepper spray effectively under any circumstances – **PLEASE PRACTICE** these basic moves.



If the video does not play inside the e-book, click the link for the web version on our blog: <http://www.PepperSprayCenter.com/blog/?itemid=95>

Advice From a Pepper Spray Instructor and a Police Detective

Video 3:

Advanced Pepper Spray system - Pepper Blaster:

In this video you will see how to use advanced pepper spray systems like Pepper Blaster or Mace gun.

These systems do not spray liquid pepper solution toward attackers, they shoot it out with great force and velocity.

Running away from or blocking/dodging such a shot is impossible because it is so fast. The range of these devices also extends farther to 13-18 even 20 feet.

These advanced systems are great but they are as good as the person handling them. **PLEASE PRACTICE.**



If the video does not play inside the e-book, click the link for the web version on our blog: <http://www.PepperSprayCenter.com/blog/index.php?itemid=40>

From PepperSprayCenter.com:



We would like to thank Hal Cutler for the wonderful book he wrote! He wants to share this information with as many people as possible and free of charge. We use our website to provide this special edition of the book to you and your loved ones. If you are interested how to beat a criminal in a dark alley and in a court room, please read this book, please use its links.

Just like a Pepper Spray, this book might save your life.

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Helpful Links:

[Pepper Spray:](http://www.PepperSprayCenter.com/buy-pepper-spray-c-7) <http://www.PepperSprayCenter.com/buy-pepper-spray-c-7>

[Buy Mace:](http://www.PepperSprayCenter.com/buy-mace-spray-c-5) <http://www.PepperSprayCenter.com/buy-mace-spray-c-5>

[Dog Spray:](http://www.PepperSprayCenter.com/dog-bear-spray/dog-spray-p-118) <http://www.PepperSprayCenter.com/dog-bear-spray/dog-spray-p-118>

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[Pepper Blaster:](http://www.PepperSprayCenter.com/pepperblaster2) <http://www.PepperSprayCenter.com/pepperblaster2>