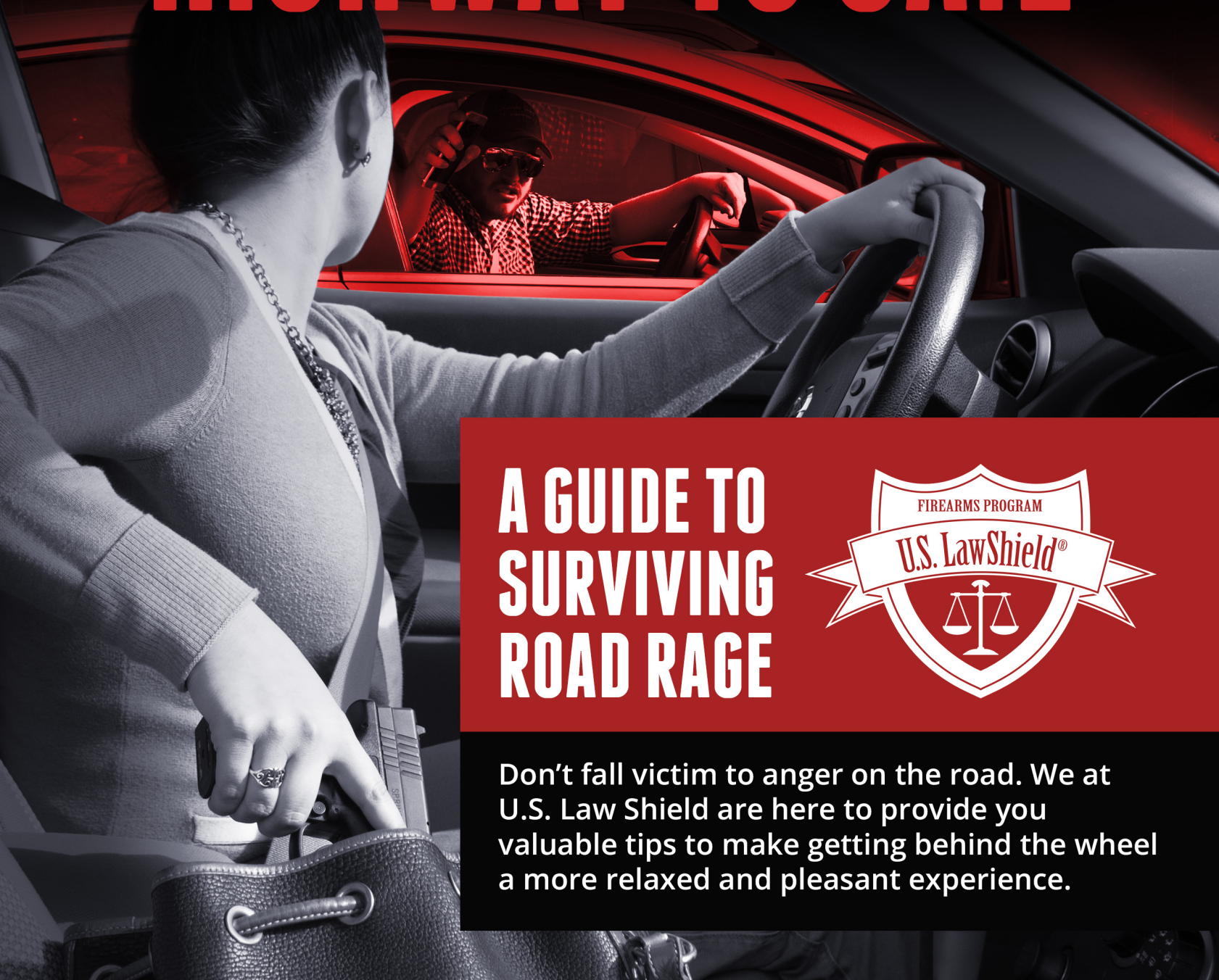


SPECIAL REPORT: **ROAD RAGE**

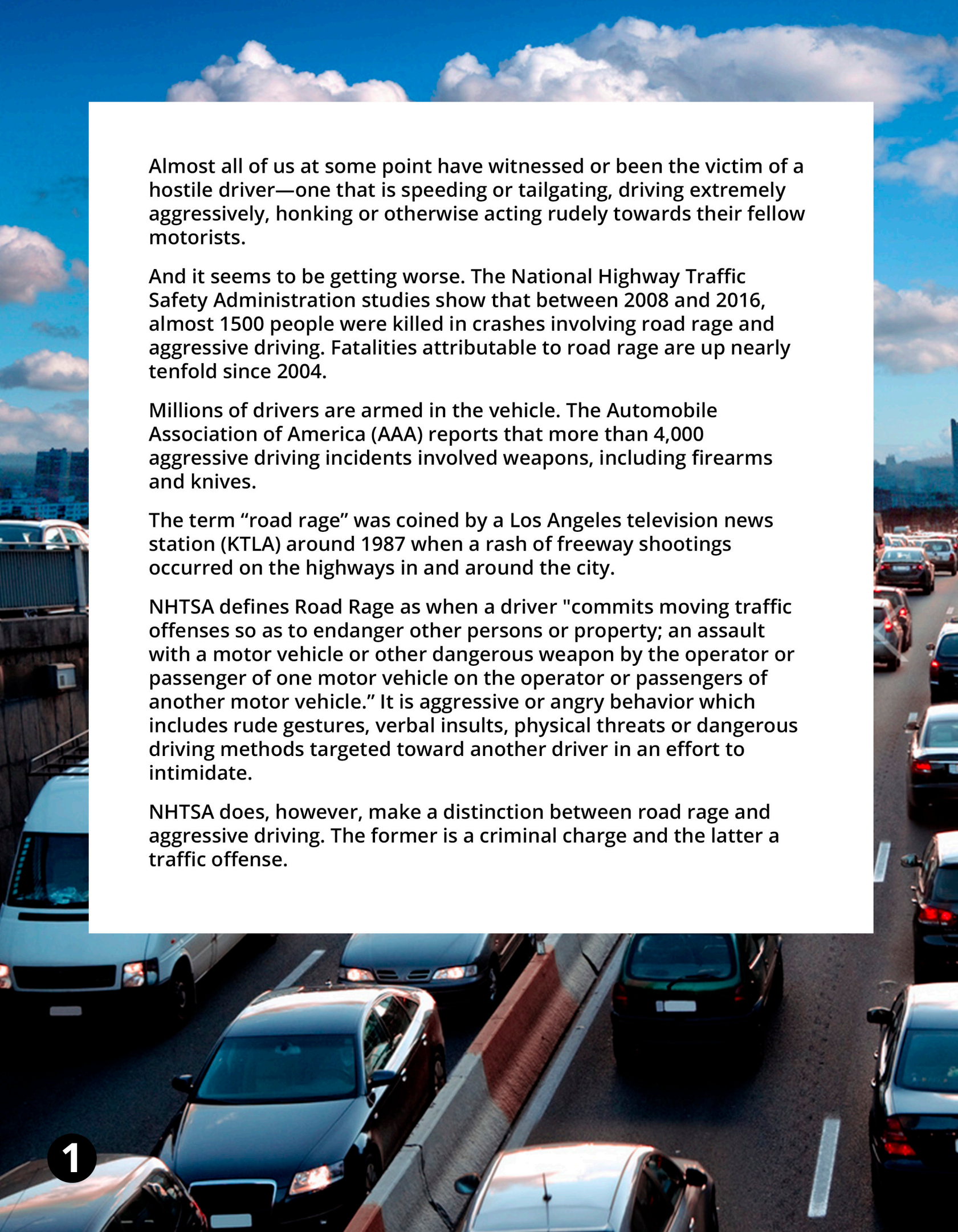
HIGHWAY TO JAIL



**A GUIDE TO
SURVIVING
ROAD RAGE**



Don't fall victim to anger on the road. We at U.S. Law Shield are here to provide you valuable tips to make getting behind the wheel a more relaxed and pleasant experience.



Almost all of us at some point have witnessed or been the victim of a hostile driver—one that is speeding or tailgating, driving extremely aggressively, honking or otherwise acting rudely towards their fellow motorists.

And it seems to be getting worse. The National Highway Traffic Safety Administration studies show that between 2008 and 2016, almost 1500 people were killed in crashes involving road rage and aggressive driving. Fatalities attributable to road rage are up nearly tenfold since 2004.

Millions of drivers are armed in the vehicle. The Automobile Association of America (AAA) reports that more than 4,000 aggressive driving incidents involved weapons, including firearms and knives.

The term “road rage” was coined by a Los Angeles television news station (KTLA) around 1987 when a rash of freeway shootings occurred on the highways in and around the city.

NHTSA defines Road Rage as when a driver "commits moving traffic offenses so as to endanger other persons or property; an assault with a motor vehicle or other dangerous weapon by the operator or passenger of one motor vehicle on the operator or passengers of another motor vehicle." It is aggressive or angry behavior which includes rude gestures, verbal insults, physical threats or dangerous driving methods targeted toward another driver in an effort to intimidate.

NHTSA does, however, make a distinction between road rage and aggressive driving. The former is a criminal charge and the latter a traffic offense.

ROAD RAGE QUIZ

The American Safety Council has put together a quiz to determine if you yourself are guilty of aggressive behavior on the road. Answer honestly!

- Do you regularly drive over the speed limit, or try to “beat” red lights because you are in a hurry?
- Do you tailgate or flash your headlights at a driver in front of you that you believe is driving too slowly?
- Do you honk the horn often?
- Do you ever use obscene gestures or otherwise communicate angrily at another driver?

If you answered “yes” to any of these questions, it is possible you are susceptible to road rage, which many times is caused by stress in other areas of your life.

Even if you answered “no” to the questions above, you may unintentionally be causing others to lash out with road rage. Ask yourself these questions:

- Do you frequently use your phone while driving, or otherwise drive while distracted?
- Do you keep your high beams on, regardless of oncoming traffic?
- Do you switch lanes or make turns without using your turn signal?
- Do you fail to check your blind spot before switching lanes to make sure you aren't cutting someone off?

You may be contributing to causing road rage in others if you answered “yes” to any of these questions.

Here are some tips on how to deal with aggressive drivers...





TIP 1

DO NOT PROVOKE OR INSTIGATE THE CONFRONTATION

A driver just cut you off. You're frustrated. You're angry. Your reaction to the situation can make the difference between going home or going to jail. Your inclination may be to lay on your horn and give the other driver an angry stare coupled with a rude hand gesture. The other driver responds in kind and perhaps even takes it a step further and begins yelling and threatening you to pull over and fight. You now realize that perhaps your actions may have escalated the situation and you just want it to end. So, you pull out your gun and let the other driver see it, thinking it will cause him to back off. But what you just did can cost you your freedom if he pulls his gun and you then shoot him out of fear of imminent serious bodily harm or death. But in most jurisdictions, you may lose the justification of self-defense if it is determined that you were the unlawful instigator, that you started the fight and displayed your weapon first. Sometimes you can regain your right to self-defense if you were the instigator but then withdrew from the fight and conveyed to the other person your intentions to withdraw. That does not appear to be the case here, so you may find yourself facing serious criminal charges and prison time.

The bottom line—DO NOT ENGAGE THE OTHER DRIVER IN ANY SORT OF CONTACT THAT COULD LEAD TO AN ESCALATION OF THE SITUATION.



TIP 2

DO NOT RESPOND TO VERBAL THREATS

Often times the situation will deteriorate into a shouting match between you and the other driver, and things are said in the heat of the moment. The other driver may resort to verbal threats directed at you, saying “I’m gonna kill you” or “I’m gonna rip your head off” and other such verbal attacks. It is, however, important that you understand what the law allows regarding your response to verbal threats. Unless the other driver has the present ability to carry out the threat (like exiting his vehicle and rushing towards you with a weapon in his hand, in other words, you are faced with “imminent threat of serious bodily injury or death”) the law does not justify your use of force or deadly force against the verbal threat alone. If you do use force or deadly force against a verbal threat alone, you may not be able to claim self-defense and could be facing criminal charges and prison.



TIP 3

CALL 9-1-1

When you find yourself in a situation that becomes heated and the other driver will not break off the encounter, you should call 9-1-1, identify yourself, report that you are the victim of a road rage incident and that you are being threatened. Give a description of the other driver, their vehicle and location and if the other driver displayed a weapon. **DO NOT** describe your actions. Hang up the phone and seek a safe location to drive to. We have seen a lot of situations where one driver believes the situation to be over and continues on their way only to be stopped a short distance down the road by the police because the other driver called 9-1-1 and falsely reported that he was the victim and that the other driver threatened them with what appeared to be a gun. And if you happen to have a gun in your vehicle at the time of the police stop and it turns up upon a search by the officers, you will most likely be taking a ride in the back of a squad car and face criminal charges. The police officer's position is "I have a complainant that called 9-1-1 and reported being threatened by a gun and a gun was found in the defendant's vehicle upon a stop and search." Do not assume that the other driver or even a witness will not call 9-1-1 to report the incident. That assumption can land you in hot water. Be the first one to call 9-1-1 to report the situation. Remember, "last to call—first to jail."



TIP 4

DO NOT GET OUT OF YOUR VEHICLE TO CONFRONT THE OTHER DRIVER

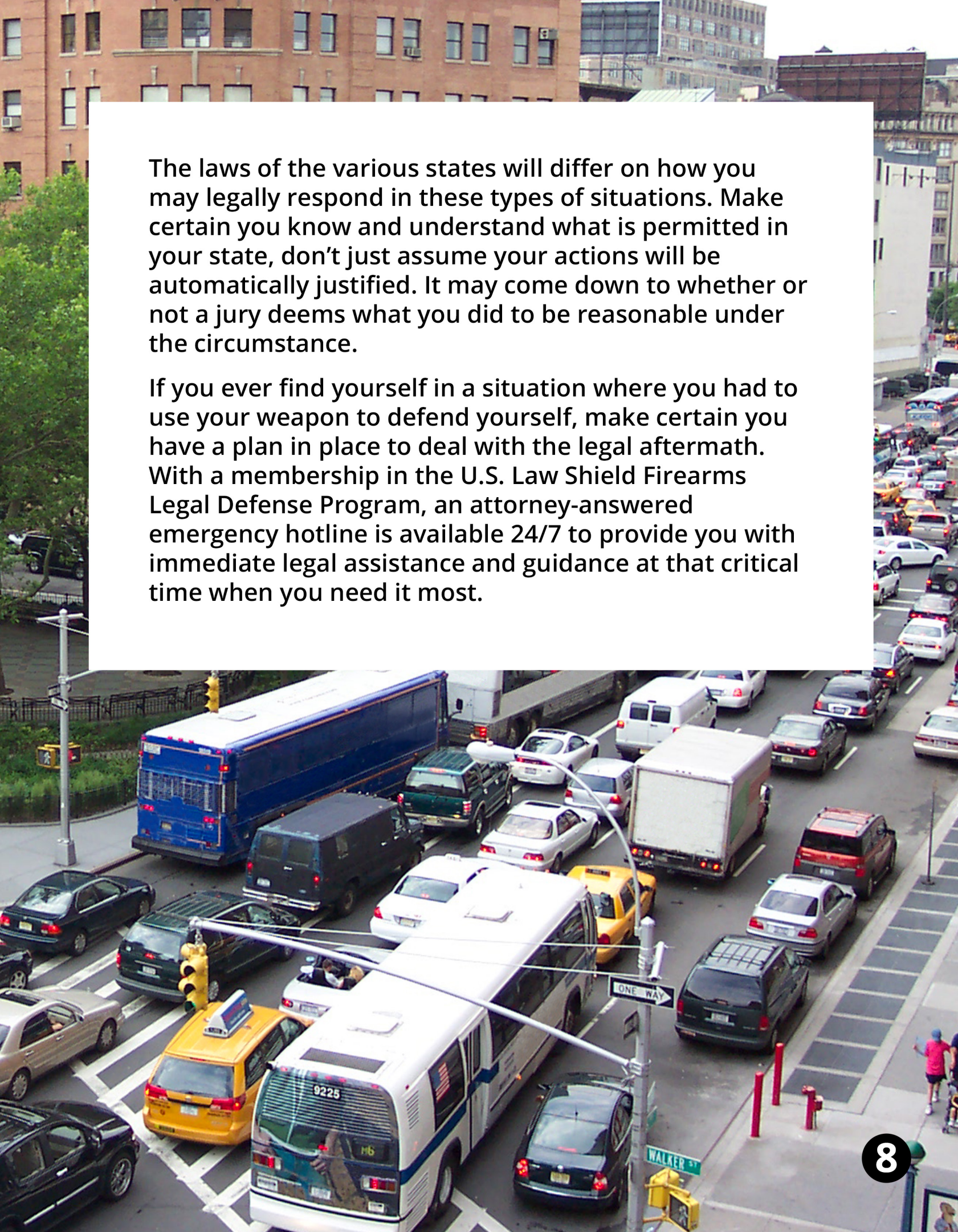
When you find yourself in a road rage situation where the other driver continues his aggressive behavior towards you, it is important that you call 9-1-1 and try and get away from the situation safely. Pullover to a safe location, out of the way of traffic. Head to the nearest police station or fire station for assistance if possible. If you find yourself stopped, never get out of your vehicle to discuss things with the other driver. Stay within the safety of your vehicle and call 9-1-1 and report the other driver if you have not already done so. Remember, if you do call, simply identify yourself as the victim, give your location, and a description of the vehicle you are in and a description of the other driver and his vehicle. DO NOT describe your actions.



TIP 5

IF ALL ELSE FAILS, AT WHAT POINT IS DEADLY FORCE JUSTIFIED?

Suppose you have done everything you could to avoid a confrontation—you ignored the other driver, you drove away from the situation but he followed you and forced you to stop. He exits his vehicle and approaches you unarmed while you remain within your car. Is deadly force justified? Not under the facts as presented as there is no imminent threat of serious bodily harm or death and verbal threats alone without the present ability or means to carry them out are not enough to justify using deadly force. But suppose he has a weapon in his hand. That's a different story. Based upon his aggressive and threatening behavior towards you, you may be justified in using deadly force against what you reasonably believe to be deadly force being exerted upon you. This may be especially true if the other driver attempts to unlawfully and forcibly enter your vehicle.



The laws of the various states will differ on how you may legally respond in these types of situations. Make certain you know and understand what is permitted in your state, don't just assume your actions will be automatically justified. It may come down to whether or not a jury deems what you did to be reasonable under the circumstance.

If you ever find yourself in a situation where you had to use your weapon to defend yourself, make certain you have a plan in place to deal with the legal aftermath. With a membership in the U.S. Law Shield Firearms Legal Defense Program, an attorney-answered emergency hotline is available 24/7 to provide you with immediate legal assistance and guidance at that critical time when you need it most.

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