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**TEDD
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**REPO
RUMBLE**
ARRESTED IN FLORIDA



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■ **CERTAIN SITUATIONS** are inherently high-stakes and high-emotion, such as vehicle and property repossession. Under such a circumstance, lives can change in the blink of an eye.



REPOSS



TOW-TRUCK INCIDENT TURNS UGLY BY RICK SAPP

SESSION



NO FOLLOW-UP STORY APPEARED IN THE *DAILY COMMERCIAL* (OR ANY OTHER MEDIA THAT THIS AUTHOR COULD LOCATE), AND THUS THE SMEAR ON PELTONEN'S NAME, THE POSSIBLE ECONOMIC REPERCUSSIONS AND THE ATTACKS THROUGH SOCIAL MEDIA WERE ALLOWED TO STAND.

On the evening of March 21, 2018, 64-year-old Bruce T. Peltonen of Clermont, Florida, drew his gun and pointed it at someone.

Would he have pulled the trigger? Shot someone? He's not sure. He thinks so. If he had to.

Peltonen is 5 feet, 11 inches tall. He weighs 200 pounds. He wears glasses, and his hair is black, although a sprinkle of gray peeks through now and again, even in his eyebrows.

Peltonen is a U.S. Air Force veteran with service in Vietnam and an evangelical preacher in the Humble Hearts Cowboy Ministry. He's Native American — Cheyenne. In Wisconsin, where he was born, he drove a truck during the winter and worked as a mechanic in the summer. Married, he has 10 grown children, 26 grandchildren and 18 great-grandchildren. These days, Peltonen manages Oak Lane Mobile Home Park in Lake County, Florida, and lives there with his wife, Connie.

Peltonen is a member of the USCCA. That's important to remember when reading his story — and perhaps while thinking about your own too — because Peltonen drew his gun. He was in a crowd. Cops arrived. They arrested him, and he went to jail.

Four hours later, he was released. He went home and, that night, slept peacefully in his own bed ... although he could still feel that cop's knee in his back.

EXTRA! EXTRA!

The news account in Leesburg, Florida's *Daily Commercial* the next day was short, even terse, and credited to "staff." It stated that police had arrested Bruce Peltonen and charged him with aggravated assault with a deadly weapon¹ in a dispute with repo men trying to tow a

car. It said Peltonen pulled a handgun during a fight.

On that March evening, Peltonen told police he pulled his gun when he saw one of the repo men reach into his pocket. Later, that same man pulled out a pistol and placed it on the center console of the truck's cab, confirming Peltonen's initial suspicions. Police searched the truck and found a gun that belonged to one of the repo men in the tow truck's glove box. Peltonen was taken to Lake County Jail and booked on a \$2,000 bond.

In an era of declining newspaper revenues and exhaustive layoffs of reporters and photographers, the *Daily Commercial* news item was simply copied from the police department's daily activity records and perhaps given a quick rewrite. The era of non-partisan, professional investigative journalism is practically dead, and so the story is inadequate. It gives very little context for the arrest. The police department itself is not named; nor were the arresting officers or the time of day; nor was the fact that Peltonen was home before the arresting officers' shift ended. No follow-up story appeared in the *Daily Commercial* (or any other media that this author could locate), and thus the smear on Peltonen's name, the possible economic repercussions and the attacks through social media were allowed to stand.

REWINDING TO MARCH 2018

Peltonen's story coincides with that of the police and the *Daily Commercial*, but only roughly.

On the early evening of March 21, 2018, Peltonen was at his home in the park. Official sunset was 7:32 p.m., but civil twilight lasted until nearly 8. When a

tow truck pulled into the park, Peltonen was up on a ladder outside. He noticed the truck right away.

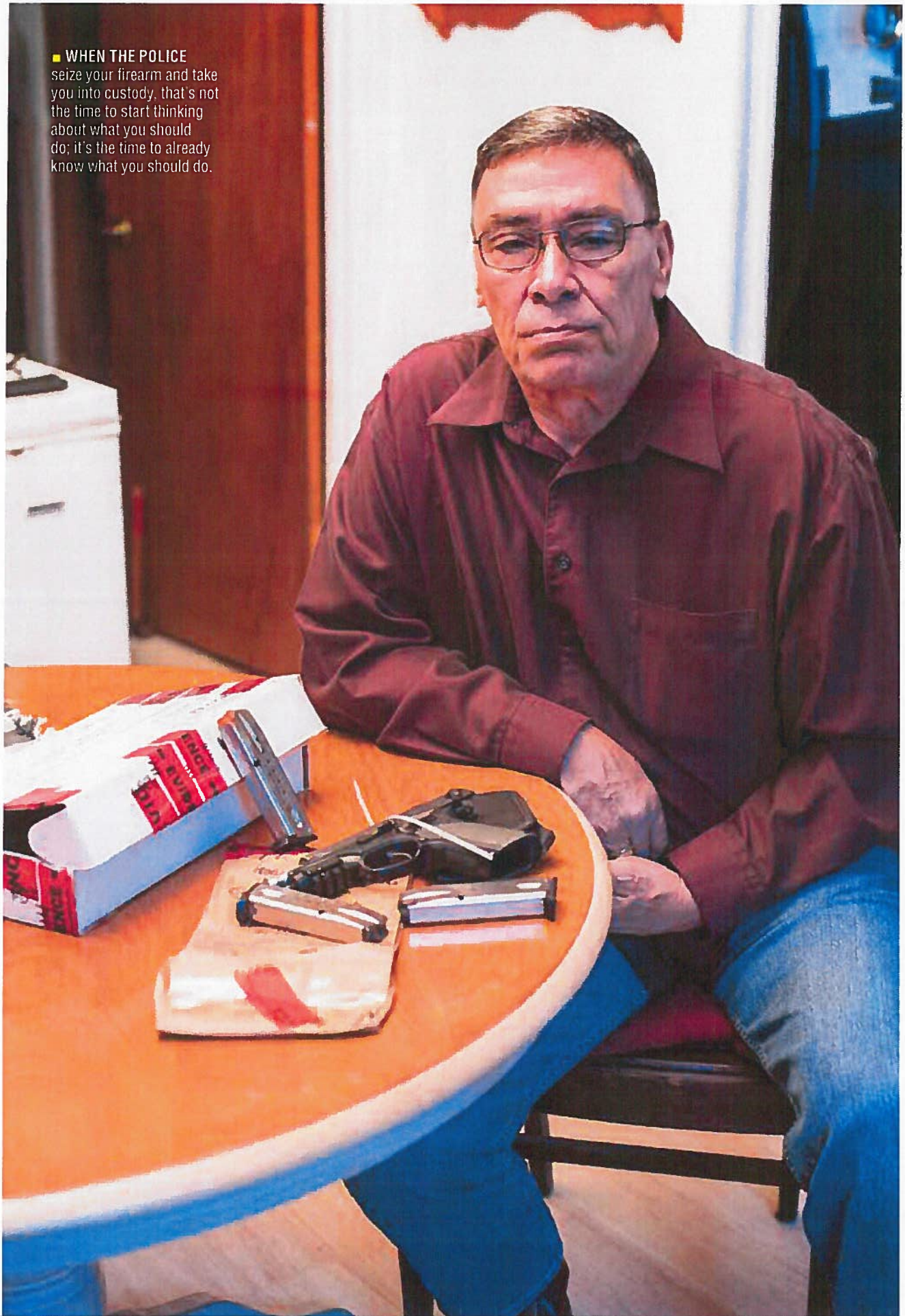
"I got down off my ladder because I'm curious who's driving through here," Peltonen said, realizing that property repossession almost always involves heightened emotions. "When I moved into this community five years ago, I didn't have any idea I was going to become the manager here or help the people clean the place up. There was crime at the time, and they needed a new manager; I got elected. Well, in that five years, we've grown closer as a community; we help each other out, look out for each other, keep crime down, keep drug dealers out.

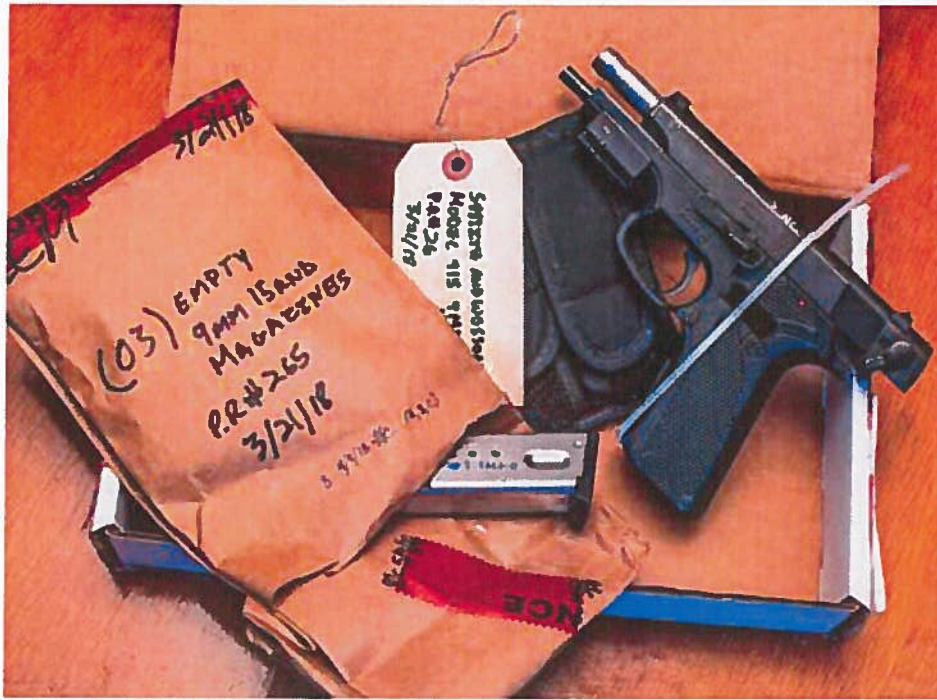
"We have more families here now. When I started as manager we only had two families with children; now we have around 15 or 20 children in the park. It's a family affair here, and I try to guide people where I can, when I can. They come to me, and when they need some help with one thing or another, whether it's plumbing or painting or something, if I can help them, I will."

So when Peltonen saw the tow truck pull into the park that evening, apparently hot on the tail of a sedan, he anticipated trouble. Tow-truck activity is highly regulated in Florida, and the image of a typical tow-truck driver is similar to or slightly below that of a professional wrestler.

And the very worst image of tow-truck drivers is that of "repo men" — repossession agents. Repo men² are hired by banks or debt-collection agencies to locate and recover property from someone who has not lived up to his or her contractual obligation to pay for it. This usually involves a car or truck but sometimes a boat or airplane or even a mo-

■ **WHEN THE POLICE** seize your firearm and take you into custody, that's not the time to start thinking about what you should do; it's the time to already know what you should do.





bile home. Repossessing property is socially necessary, but it's hard work — and it can easily become dangerous.

SO, WHAT REALLY HAPPENED?

Peltonen says he waited to see what was going to happen as the car, followed by the tow truck, raced up the residential street. He didn't follow them until he heard "a lot of yelling and screaming." And, even then, as Peltonen walked toward the disturbance, thinking he might be able to "help out," he "wasn't in that big a hurry." It didn't seem that it was going to be "a big issue."

Trying to "get a sense of what was going on," Peltonen spoke to one of the tow-truck drivers, who ignored him. When Peltonen asked the tow-truck drivers to leave the park because they were violating Florida statutes governing repossession operations (as well as causing a disturbance), they told him to mind his own business.

Peltonen persisted, saying he was the manager of the park and that the repo men were, in effect, trespassing on his property. He wanted to "de-escalate" the situation, which, by this time, had escalated from cursing and shoving to a fistfight. Peltonen calls it "an altercation." It was a low-level altercation until the car owner landed a

■ **NO ONE WANTS** to ever have to draw a sidearm, but if it ever comes to that, everything can go sideways. Bruce Peltonen was, in some ways, fortunate; evidence numbers on his pistol and mags are the only major damage.

blow to the tow-truck operator's nose and the tow-truck operator responded with pepper spray.

The repo men "were just very aggressive, hostile, and I wasn't about to let them inflict any serious bodily injury on any one of my neighbors," Peltonen said.

"Bruce, watch out!" the car owner shouted.

The repo man was reaching into his pocket when Peltonen drew his own 9mm Smith & Wesson 915.

"I anticipated that he was reaching for a gun," Peltonen said, "so I brought mine out first and told him, 'Don't pull it out. Just don't do it!'"

The repo man moved toward the truck's cab, and Peltonen warned him to move slowly. "I don't want any incident here. I just want you guys to leave," Peltonen said.

When the repo man put a handgun on the center console and laid a sheet of paper over it, Peltonen says he holstered his pistol and began taking pictures of the tow truck and the drivers. It is against Florida law for a repo man to use threats or force to take possession of an item in default. Peltonen recorded the business information from the side of the truck and the tag number to give to the police later. (A repo agent cannot enter a home or business without the owner's permis-

sion either, or move barriers or gates to take a car. Any of these actions can trigger a breach-of-peace complaint.)

The repo men nevertheless took the car and drove down the road within the park to secure it to the tow truck. Peltonen figured it was all over, but it wasn't. The repo men had dialed 911.

"That was my mistake," Peltonen said. "I should have called the police first and then gone up there and gotten information."

So Peltonen called the sheriff's department dispatch and told them he was in fear for his life and that other people might be hurt as well.

Within minutes, Groveland City police were on the scene.

"The first responding police department was cordial, willing to listen and kept things calm," Peltonen said. "They separated everybody and got control of the scene to make sure there wasn't more violence. Then the county sheriff showed up, and that was a different story."

"They asked if I was the one with the gun, and I said, 'Yes, sir,' and they asked where it was: in a holster in the flat of my back. They then told me to get on the ground, put my arms out in front of me, and they proceeded to put a knee in my back. I was flat, laying facedown on the cement and felt humiliated. They took my gun and pulled everything out of my pockets. It was embarrassing, but I didn't want to aggravate them."

Peltonen was cooperative but knew he was headed to jail — even though he believed he might have saved someone's life.

Peltonen had tried calling the USCCA prior to the arrival of law enforcement. He had his wallet and membership card out before police arrived. Then, suddenly, he and all of his belongings were on the ground.

"Eventually, after much discussion with myself and the tow-truck operators, they arrested me and charged me with aggravated assault with a deadly weapon," Peltonen said.

THEN, THE UNEXPECTED

The police noticed Peltonen's USCCA card.

"You a member?"

"Yes, I am."

"You want your wife to have this?"

"Of course, yes. I'd like her to call them right away."

Several park tenants had already run to Peltonen's home and told his wife, Connie, that her husband was sitting on the ground in front of No. 1, handcuffed and probably headed to jail.

Although the police would not let Connie near him, an officer handed her Peltonen's USCCA card and suggested that she call immediately because they were arresting him. When they placed Peltonen in the squad car and drove away, Connie called the number on the card: Critical Response Team, (877) 677-1919.

Within four hours, a USCCA-affiliated attorney had arranged for bond, and Peltonen was home in bed.

Peltonen's attorney was Alan Diamond of Funk, Szachacz & Diamond in Melbourne, Florida. Diamond is a board-certified criminal defense trial specialist.

While Peltonen could have chosen a different attorney, he says he found Diamond "to be an excellent attorney with a good record as far as successes go, and so I hired him ... and I'm glad I did because the charge was dropped. It was like a boulder getting lifted off my back to have a lawyer like Alan. If I hadn't had USCCA protection, I might have sat in jail for months waiting for trial."

Instead, something else happened: At 1:30 a.m., a jail officer told Peltonen he was free to leave. They opened his cell door and gave him his property. He signed a few papers; they pointed to the door — "Right there's the exit" — and Peltonen walked out.

Reflecting on the situation, Peltonen says, "If you carry a gun every day, you need to be in the USCCA because it's going to give you peace of mind, protection and help when you need it.

"It's almost indescribable, the feeling of relief and confidence in having a good lawyer in a situation like mine. Just because you believe you have done the right thing and saved somebody's life doesn't mean you won't go to jail."

ENDNOTES

(1) There is nothing frivolous about a charge of aggravated assault. In Florida, aggravated assault is a third degree felony. If convicted, Peltonen could have faced penalties of up to five years in prison (or five years probation) and a \$5,000 fine. The offense is harshly prosecuted throughout the state, and even first-time offenders face a realistic possibility of prison. (2) A Florida repo man must complete a 40-hour course

at a state-licensed school. Then he must obtain a Class EE recovery agent intern license and be fingerprinted prior to a full year of employment as an intern. Upon successful completion of the internship, a person may then apply for a Class E recovery agent license, which allows him or her to work as a recovery agent without supervision.



G-CODE

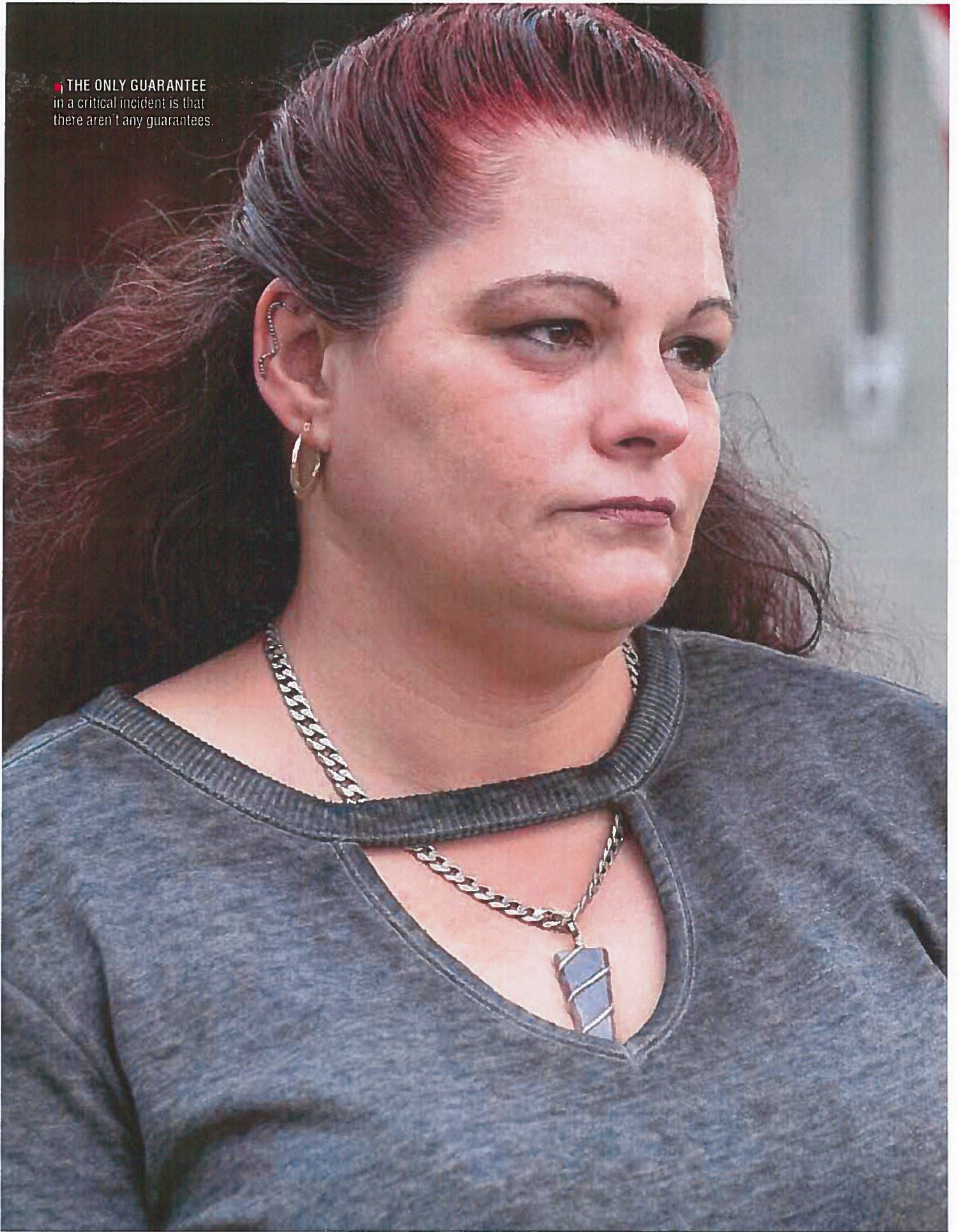
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in a critical incident is that
there aren't any guarantees.





“

“She was much more fearful of the unknown I think than other folks who have been involved in critical incidents. But I think she could tell, based on our conversations, that I was there for her, that I was going to fight for her tooth and nail, 100 percent backing her, and I had no one else’s interest in mind.”

— Attorney Alan Diamond, Melbourne, Florida
USCCA Critical Response Team

WHEN PUSH COMES TO SHOVE

PROCEED WITH CAUTION

BY RICK SAPP

■ **THE TRAINING OFFERED** by the USCCA played a pivotal role in ensuring that Kerri Ann McGrath, right, prevailed when faced with a deadly threat.



Mike Drejka and Kerri Ann McGrath are Floridians. Drejka and McGrath have concealed carry permits. Both were involved in shoving incidents, and both drew their permitted concealed carry pistols. Both attempted to intervene in situations, and both failed, and that is where the similarities end. Drejka is in jail, charged with manslaughter, and he won't be getting out any time soon. McGrath, on the other hand, is home and in training for a new job.

ABOUT MIKE

Michael "Mike" Drejka, 48, drove to a convenience store. There, he watched as a woman, Britany Jacobs, parked her boyfriend's car in a clearly marked handicapped-only space. A man, later identified as Jacobs' boyfriend, Markeis McGlockton, 28, exited the passenger side of the sedan and, followed by his 5-year-old son, walked into the store to "buy snacks for the kids."

Drejka, a known parking scold, visually examined McGlockton's car for a handicapped tag. He then approached Jacobs, who was sitting in the car with two other children. Drejka decided, it seems, to lecture her about handicapped spaces and the rights and responsibilities of drivers.

Jacobs objected to Drejka's "in-your-face" reprimand — a public rebuke from someone she didn't know — and stepped out of the car to confront him.

"He wanted me to, you know, move my car, but you know I have my right to park anywhere I want to park," Jacobs later professed in media interviews.

When McGlockton exited the store, he walked straight to Drejka and gave him a rough (some might say violent) shove. "This wasn't a shove; this wasn't just a tap. He slammed him to the ground," said Pinellas County Sheriff Bob Gualtieri. Drejka fell and immediately drew a concealed handgun. McGlockton took at least three steps

backward, away from Drejka, but Drejka nevertheless fired one round. The bullet hit McGlockton, who grabbed his chest, walked back inside the store and collapsed. Within minutes, he was dead.

MIKE'S FOLLOW-UP

Upon reviewing the store's surveillance video (now publicly available on YouTube) and interviewing witnesses, Sheriff Gualtieri initially released Drejka without charges, citing Florida's "stand your ground" law.

Barely a week later, however, Drejka was outfitted in orange jail togs. Now the Sheriff's press release said, "Consistent with the decision-making process established under Florida law in this case, the State Attorney conducted his review and decided to charge Drejka with manslaughter."

Pinellas/Pasco County State Attorney Bernie McCabe said he came to his decision to charge Drejka after a



MCGLOCKTON TOOK AT LEAST THREE STEPS BACKWARD, AWAY FROM DREJKA, BUT DREJKA NEVERTHELESS FIRED ONE ROUND. THE BULLET HIT MCGLOCKTON, WHO GRABBED HIS CHEST, WALKED BACK INSIDE THE STORE AND COLLAPSED. WITHIN MINUTES, HE WAS DEAD.

nine-day review that began Aug. 1, 2018. Drejka was subsequently arrested and booked into the Pinellas County jail where, with bail set at \$100,000, he remained at the time of this writing. He appeared in court by video; he was not asked to enter a plea, and the judge appointed a public defender.

According to the criminal complaint against him, Drejka said that McGlockton tackled him and that he [Drejka] was in fear during the incident, firing his gun in self-defense. He thus invoked Florida's "stand your ground" law, claiming lawful self-defense. Examining the tape, a local detective has since concluded that McGlockton was more than 10 feet away from Drejka [and was not advancing toward him in a threatening manner] when Drejka opened fire.

"I support the State Attorney's decision and will have no further comment as the case continues to work its way through the criminal justice system," Sheriff Gualtieri has since commented.

ABOUT KERRI ANN

Kerri Ann McGrath was visiting friends who live in a camper near the coast of South Florida. Despite having been their guest many times, this visit wasn't going well. The friends were fighting. Not physically, but the air was poisoned.

McGrath and her girlfriend — let's call her "Peggy" — had been set for a luncheon on her friend's lunch break, but the boyfriend refused to lend Peggy his car. Nor would he give her a ride to work. He stomped into the trailer and slammed the door; Peggy stomped off down the road, cellphone to her ear. McGrath assumed the role of peace-maker.

"That's why I went inside," she said. "I'm real good friends with both of them,

so I've been in their place many times. I went in and just said, 'Hey, man, everything is going to be all right. Just calm down.'"

It was the wrong decision.

The man was not interested in calming down. He twisted away, blocking the door, and glared menacingly at McGrath.

"Get away from me!" he growled.

Then he stepped toward her and shoved her backward. She fell, sprawling between the sink and a table. The shove instantly brought back memories for McGrath; memories of a day when she became a victim.

"I was attacked and raped at knifepoint by three guys," she said, emotionless, forbidding her voice from shaking as she recounted the earlier attack that left her with a scar on her neck from the knife.

So, on this day in South Florida, McGrath drew her weapon because, "I could see the rage in his eyes. It was pretty scary. I wasn't expecting that. I knew he had a gun, but I didn't know if he had it on him." And she didn't want to find out. His behavior, she recalled, had become more erratic of late. "Something wasn't right with him."

"When he pushed me down and blocked the door, I was trapped and I knew he had a gun ... well, I could see freedom right there, but I couldn't get to it," McGrath said. "It all happened so fast, but I was so afraid. I didn't know what he was going to do next, what he was capable of. I felt my only option was to draw my gun."

The instant McGrath drew, the man threw his hands in the air and backed away. McGrath scrambled for the door and, once outside, called 911.

"I definitely feared for my life because the rage in his eyes and face ... well, it was pretty surreal," she said.

KERRI ANN'S FOLLOW-UP

The first law enforcement officers to arrive at her friends' home were three officers of the Marine Patrol who happened to be nearby. They arrived while McGrath was on the phone with the 911 operator.

"They asked me where my firearm was," McGrath said. "I kind of put my hip up in the air and one of them, a woman, took it while I got off the phone with 911. They saw that I was pretty upset so one of them took me aside and just talked, and that calmed me down. They told me I did everything right.

"It took maybe 20 minutes for a deputy sheriff to arrive and, by that time, I was calm, so she didn't see me as the victim. The guy who I thought was my friend began acting, playing a game, I guess — maybe afraid the sheriff would arrest him — and she just ate up everything he told her. He twisted everything, even saying I went inside with my gun drawn, as if he was holding the door closed and I was fighting to get at him. He said I overpowered him; that I went in and shoved the gun in his face!

"But I have a bad back and he's twice my size. I'd need three hands to do what he said. The deputy didn't seem to have much common sense though, and she began to question me. Again and again, she asked me to go over the details. Then she said, 'I have a witness who says you threatened him,' which was a flat-out lie. She was lying to get me to change my story, thinking I might switch accounts if she scared me enough.

"The man pointed to a scratch on his face and said that I did it when I shoved the gun in his face. But Peggy was there now and told him, 'You had that scratch on your face yesterday,' but the deputy still put that in her report. And then she asked him if he



■ **KERRI ANN MCGRATH** and her boyfriend Michael understand the benefits of membership like few others.

wanted to press charges since we were on his property.

"It really threw me how fast I went from a victim to a bad guy when all I was doing was trying to defend myself."

That night, McGrath later discovered, the boyfriend's anger returned. He blocked the door and refused to allow Peggy to leave, but by 3 a.m., he had fallen asleep. Peggy packed quietly in the dark and fled. When Kerri Ann finally got in touch with her again, she refused to be a witness; she "didn't want anything to do with talking about it" and wanted "nothing to do with that part of her life."

THE TAKEAWAY

The situations that Drejka and McGrath found themselves in have many similarities, some superficial and some substantial. In the final analysis, the difference may be that Drejka pulled the trigger and a man died. Whether Drejka was right or wrong, he seems to have been convicted already by the national press, what conservative radio personality Rush Limbaugh calls the "drive-by media."

Whether he spends several decades in prison though will be up to a judge and jury, the prosecutors and his public defender.

McGrath's case played out differently, in part because she was thoughtful at a moment when many might panic; in part because she prepared for the possibility that, if she carried, she might one day have to draw her weapon in self-defense; and in part because she's a USCCA member.

Drawing her SIG Sauer P238 .380 "had a lot to do with muscle memory from dry-fire training," McGrath said. "Almost every day I practice at home. So drawing my gun and maybe saving my life ... well, it was almost automatic. It was a scary moment when I had the firearm pointed on him. I'm really glad that he put his arms up and backed up because I really didn't want to kill anybody."

McGrath explains that she has studied USCCA videos.

"I put a sticky note on the wall and stand a few feet back," McGrath said. "Then I lift my shirt, bring the gun out and flick the safety off before pulling the trigger. That's what got me through the incident. Reacting became in-



MOST OF THE TIME, THE POLICE ARE THERE TO HELP, BUT THERE ARE TIMES WHEN THE POLICE JUST DON'T GET IT RIGHT AND PEOPLE WHO DIDN'T DO ANYTHING WRONG GET ARRESTED. KERRI ANN'S SITUATION WAS JUST THAT.

stinct. My body just knew what to do.

"I'm very thankful the training is available. I've talked to some people [who] take a safety training course, buy a firearm and that's it. I've run into people [who] have never gone to a range or even fired their gun. I'm like, 'Well, how do you know the gun's even going to go off if you ever need it?' A lot of people don't realize how important training is because you never think it's going to happen to you. But it happened to me. If I didn't have that training through the USCCA I don't know what would have happened."

A FINAL BLOW ... AND RELIEF

The final blow came when the deputy sheriff, interviewing McGrath later by telephone, said, "I want to probably pursue charges against you."

McGrath immediately pulled out her USCCA membership card and called for backup through the Critical Response Team. "I realized it could all turn out really bad if [law enforcement] turned me into the bad guy at the scene," she said.

The USCCA immediately referred her to attorney Alan Diamond of Funk, Szachacz & Diamond in Melbourne.

Diamond heard McGrath's story and asked, "What was the deputy's name? I want to talk to her."

He then contacted the Sheriff's Department: "If anything happens to Miss McGrath, I will not only sue the entire police department, but I will sue you personally."

According to Diamond, "It's not uncommon that folks call police after they've used or threatened the use of deadly force because they're otherwise law-abiding people who are put in a situation that's out of their control. So they reach out to the police thinking the police are there to help them. Most of the time, the police are there to help, but there are times when the police just don't get it right and people who didn't do anything wrong get arrested.

"Kerri Ann's situation was just that. She was the victim of an assault, but after law enforcement arrived, and then more enforcement, and multiple jurisdictions, the scene changed. For whatever reason, law enforcement started investigating her as the suspect and not as the victim. It took quite a bit of legal maneuvering to try to convince law enforcement that they were wrong.

"I'm confident that having a lawyer immediately available, dealing with law enforcement on her behalf and intervening well before a grand jury or a prosecutor got involved was instrumental in keeping her from being formally charged or going to prison."

AND SO...

"I carry because I don't want to be a victim again. I'm a survivor and I know that if I had carried when those three guys assaulted me, I could have stood up for myself," McGrath said. "Carrying gives me a sense of empowerment."

McGrath has nothing but praise for the USCCA's Critical Response Team and for her attorney.

"When I bump into people, I tell them about the USCCA," McGrath said. "I tell them about self-defense legal protection and that you think it can't ever happen to you, but it happened to me.

"I cringe when I think about how many people I know [who] carry and don't have legal protection. I just want to shake them because it's like driving a car without insurance. It's just not smart."



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