

# THE IMMEDIATE THREAT & The Magical 21' Rule!

By Brian S. Williams - Certified Law Enforcement Trainer / Instructor

While there exists multiple definitions for "Immediate Threat" for our purposes within this article we will be focusing on this principle as it relates to the use of physical force within a violent encounter.

Before we go any further however, we need to define exactly what an immediate threat is. So for our purposes we will use the following definition:

***"The existence of any condition or practice which could reasonably be expected to cause imminent great bodily injury or death, the weapon, device or implement used by the contact, their opportunity and ability to use such means and to a lesser extent their intent to cause such bodily harm or death."***

Within my book (Welcome to the Real World, A Dangerous Place to be Caught Unprepared!) (Available on amazon.com) I wrote about the relationship between the shooter (You), your greatest ally and your greatest enemy. What I was referring to when I stated your greatest ally is "DISTANCE" because the greater the distance between you and the contact the less of a threat is presented by them. However, as will all things since we do live in a world where if it can go wrong it will there exists the enemy. By this I am referring to "TIME"!

Someone who I cannot recall his name once made stated "Time is the enemy of all men!" This statement could not be anymore truthful. It is important to understand that within any violent confrontation or encounter, ANY wasted movement on your part will represent time which you have freely give to your opponent, who I will add is intent on doing bad things to you!

## **Response to an immediate threat (Singular Contact).**

Within a "Singular Contact" immediate threat scenario, there exists by definition only (1) hostile contact which while not in any reality is this a good thing, it does present the shooter (You) with the benefit of only having to focus your attention on one contact.

As can be seen within the definition above an immediate threat is any imminent threat to an individual's personal safety or security and as such the actions taken to mitigate this threat must be prioritized as can be seen below.

- 1. The first priority within an active contact is and always be to whenever possible increase the distance between you and the contact.***
- 2. The second priority within an active contact should be to minimize / consolidate your movements.***
- 3. The third priority within an active contact is to determine your ability to retreat and to do so if possible.***

### **Response to an immediate threat (Multiple Contacts).**

I can recall many years ago when a simple mugging involved one contact and one victim. Unfortunately however it appears that in this day, that type of attack has been replaced with a "Pack Mentality" where while not always the case there has been an upswing in the amount of multiple contacts attacking individuals.

Therefore it is important to update the critical knowledge to address these changes.

Although the principles above still apply when it comes to multiple threats. With the increase of hostile contacts comes the need for additional considerations. Included within these considerations are:

- 1. The level of threat posed from each individual contact.***
- 2. The ability to retreat or necessity to engage effectively.***
- 3. The method of engagement to be used.***

When it comes to the method of engagement used with multiple contacts, there are actually 2 specific tactics which are commonly accepted which we will discuss in a moment however first we need to talk about the criteria which must be considered prior to engaging the threat.

Choosing the correct engagement method or tactic will depend on several criteria including:

- 1. The number of contacts.***
- 2. The level of threat posed from each individual contact.***
- 3. The ability to retreat or necessity to engage effectively.***
- 4. The distance between you and the contact who presents the MOST immediate threat. (Note, this may NOT be the closest contact to you!)***
- 5. The location / environment where the contact occurs.***
- 6. Your level of ability / proficiency.***

#### **Scenario:**

***You are faced with 3 hostile contacts. The first contact who appears to be approximately 18' - 20' away, slightly to your left and is unarmed. However he maintains a solid 50 - 75 lbs on you. The second contact appears to be approximately 22' - 25' away is directly in-front of you and is holding what appears to be a large screwdriver. The third contact also appears to be approximately 22' - 25' away and is holding an unknown object. However this contact is more to your right.***

Which one poses the greatest and most immediate threat? This question is subjective and really cannot be answered in absolutes unless you are actually within the scenario.

However based upon the way it is presented, in my opinion the second contact actually poses the most immediate threat and regardless of which method of engagement used this individual should be engaged first!

Why? Lets break down the scenario and see how I come to this decision.

Contact 1 - While he does appear to be the closest and does maintain a weight advantage is unarmed and therefore (while certainly not to negate the dangers of brute force) in this scenario, you are armed and that in itself does balance the field a bit!

Contact 2 - However maintains two criteria which actually makes him more of a threat. The first being his proximity to you (lets face it 2 - 3 feet is actually about 1 step for the average person) and second he is armed with an object which can cause death or serious injury.

Contact 3 - It could be argued that contact 3 poses at minimum an equal threat as contact 2 based upon the facts that he is within the same proximity as contact 2 and is holding an unknown object. However because it is an unknown, the threat from this contact must be considered slightly less than contact 2. While this may be a mistake, at this point all that is known is that contact 2 maintains an object which can be considered and used as a weapon and therefore must be treated as such.

#### **Method of engagement - I:**

The first method of engagement involves the shooters (You) primary focus and engagement to be on the contact who presents the greatest and most immediate threat first and once such threat is addressed moving on to any additional threats.

#### **Method of engagement - II:**

The second method of engagement involves each contact to be engaged before assessing the effectiveness, followed by additional engagements as necessary to contacts who continue to present a threat.

Again, it is important to understand that neither method of engagement is better than the other within all situations, but will depend largely on the criteria outlined above.

#### **What is the "21 Rule I keeping hearing about?"**

In light of the high degree of confusion which I often encounter within my training courses with regard to the "Tueller Principle" or more commonly referred to as "The 21' Rule", I felt that it would be appropriate to write this article in hopes of clarifying some of the misconceptions and eliminating some of the myths / urban legends.

The short answer to this question is that this so called rule is built around the research of Deputy Dennis Tueller of the Salt Lake City Utah Police Department and further propogated by the "Street Survival Seminar Series" which was / is designed for law enforcement personnel for dealing wth edged weapons.

The crux of this research is that a contact with a knife or other close proximity weapon can close a distance of 21' (7 yds) in the time which it will take the average officer to draw / present thier sidearm and engage the contact with 2 rounds into the COM which based upon his research is approximately 1.5 seconds.

At this point however I feel that I should clearly state that it is NOT the intention of this article to attempt in any way to invalidate this research, but rather to clarify the intent behind it and increase the understanding of its proper application.

### **The Most Dangerous Misconceptions!**

Unfortunately as with most things over time this principle has become corrupted and perhaps worse these misconceptions have been exasperated by those instructors / trainers who continue to present this incorrect information! Therefore within this section we will now look at perhaps the most dangerous misconceptions which I have heard within training programs.

***1. The 21' Rule means that any contact or individual who has a knife or other weapon and is 21' or less away may be "PREEMTIVELY" engaged with deadly force because of what they "MAY" do!***

Not only is this misconception patently false but is a legal nightmare in waiting. Just because a contact is armed and is within this magical proximity of 21' does NOT immediately authorize the "Full" use of deadly force! Why? Well mainly because at this point the contact only represents a "Potential" threat until thier actions and behaviors indicate otherwise.

This is NOT to say that within a situation such as this a sidearm may not or should not be drawn and readied for use, but rather that in absence of other critical elements including an articulatable / provable fear for ones safety and behaviors on the part of the contact which would lead one to believe that the contact is about to or is actively attacking deadly force based solely upon proximity is NOT usually authorized.

***2. Even if the contact "IS" armed if he is further away from you than 21' you cannot legally utilize deadly force!***

I would really like to know who comes up with this stuff! Again this is patently false! Just for the sake of argument, lets look at a hypothetical scenario. You are facing an obviously aggressive contact who is armed with a knife. He is stating in no uncertain terms that his intent is to "KILL" you and is moving around in circles advancing in your direction and pulling away from you. His behavior is extremely aggitated and erractic and you have no truly viable means of retreat available to you. You are not really sure of the distance between you and him but it looks as though it may be 25' or 30'. What do you do? ***Say hold on a minute while I take out my rangefinder to make sure you are close enough? Oh wait, can you move about 1' or 2' forward please?*** OF COURSE NOT!!!

The basic principle of deadly force within most jurisdictions requires a resonable belief that either you or a third party is in danger of death or great bodily harm and this belief must be able to be effectively articulated and proven for such level of force to be considered justified. Therefore, the proximity value of 21' within this case is not relevent.

Within the scenario presented earlier within this article, the distances used to illustrate the threat were outside of this arbitrary 21' distance. This was done intentionally to demonstrate that the reliance upon an arbitrary distance should never be considered.

### ***3. Environmental variables do not matter!***

Again, I feel the need to shake my head and ask, who comes up with this tripe? The environment a hostile contact occurs absolutely matters. However, with that said it could be either a benefit or detriment depending on where you are within it.

Some environmental considerations which absolutely will have an impact on the situation will include:

**1. Time of Day - Is it bright and sunny out? Are you facing the sun or is the sun to your back so the contact is facing the sun? Is it dusk or night? can you clearly see the contact or just barely make him out to determine they present a threat?**

**2. Terrain - Are you on flat solid ground? Is the contact? Are you or the contact on uneven or slippery ground, etc.? These variables will absolutely effect the overall situation.**

**3. Personal Fitness - Are you able to move without severe limitation caused by an injury, disability or general physical condition?**

**4. Skill & Proficiency - How often do you train or practice? What is the extent and level of your skill with firearms and tactics? Have you recieved training in weapons and tactics related to hostile contact or is your level of training limited to only "Target Shooting"?**

**5. Seasons - The season of the year in-which a hostile contact occurs also can play a role within your ability to effectively defend yourself. Is it summer where you are wearing light / loosely fitting clothing? Winter where you need to wear heavy / bulky clothing? It is important to consider these variables as they will impact your access to the firearm which is directly related to TIME!**

### **Summary**

The intention with this article is not to be an all inclusive or exhaustive whitepaper on the "Immediate Threat" or the so called "21' Rule", but rather is intended to provide you with an overview of critical considerations related to these topics and to emphasize the necessity for formal training provided by a competant and qualified instructor / trainer.

### **About the Author**

Brian Scott Williams is the founder, CEO and Director of Training at Grey Wolf Consulting, with nearly 3 decades of combined experience in law enforcement, close security consulting and as a professional trainer and instructor in weapons and tactics, he has authored "Welcome to the Real World, A Dangerous Place to be Caught Unprepared!" and is the creator of the The O.E.T. System™ for C.Q.B. Engagements. In 1995 he received a commendation for bravery from the Lake Housatonic Authority Marine Police and in November of 2000 was accepted to the Connecticut State Police Firearms Advisory Council. As a certified NRA training counselor and

law enforcement instructor, Brian has received training through The Heckler & Koch International Training Division, DEF-TEC Law Enforcement Training Division and other sources. He is a certified N.A.U.I. Master Level Scuba Diver in underwater rescue techniques, a former Emergency Medical Technician in the State of Connecticut, and served for 18 months as a chief training officer for a local volunteer ambulance Corp, with responsibilities that included the design and implementation of training programs for Corp personnel.

For additional information about the training services provided by Brian S. Williams or his company Grey Wolf Consulting, LLC please visit [\*\*www.greewolfconsulting.us\*\*](http://www.greewolfconsulting.us)