

Chairman Grendell and members of the Committee, thank you for the opportunity to speak with you. Today, I have an experience I would like to share with you.

On September 17th, 2001 my girlfriend and I were camping for the summer on a rural farm in Carroll County. At approximately 6:53 in the evening, 2 trespassers entered the property despite a privacy gate and multiple "No Trespassing" signs. My girlfriend met them and asked them to leave. Words were exchanged but the trespassers did leave. The Sheriff was called and a police report was filled but it took the Sheriff's deputy 25 minutes to arrive at our property.

Later, after dark, one of the trespassers returned intoxicated with his brother and assaulted me. I produced a hand gun and forced them back to their car. My assailant then assaulted my girlfriend hitting her on the side of her head with a paving brick he picked up off of the ground. He landed on top of her punching her with his fists repeatedly. She was lying on the ground screaming my name for help with him on top of her. Faced with two intoxicated attackers bigger than I, and in the dark, I shot my girlfriend's assailant, severely injuring him.

Please understand this: Our attacker twice trespassed that night on our farm. He assaulted my girlfriend and I after dark. He knew I had the gun, that's how we stopped his assault and moved him back to the gate. He assaulted my girlfriend with a paving brick despite the presence of my gun. He could have easily killed or maimed her. Worse, I could have killed her myself when I shot at him. The shooting was my final terrible act of desperation.

On June 6th 2002, I was acquitted of all charges. However, on September 17TH, 2002 a civil suit was filed against me. As of today I have spent nearly \$30,000.00 defending myself. My entire college fund.

I'm angry with my life. I could have graduated from graduate school this past year. Instead, I clean trash out of foreclosed houses.

It is important for you to know that on the eve of the shooting I was 20 years old. Last month I turned 27 years old and this case still has not gone to trial. My life is literally on hold and has been for 7 years. I cannot own property, or establish a personal saving as I fear for the consequences that lie ahead. A similar tragedy could befall any one of you or your loved ones.

When the Sheriff returned I was arrested. I was fingerprinted. I was put into jail with criminals, and charged with felonious assault with a gun specification All for defending the life of another.

I was facing 7 years in prison. However, in the minutes prior to trial, the prosecutor sent a message thru my attorney offering me a deal. His deal would have me plead guilty and guaranteed me only 6 months in prison. Of course, if I plead guilty the judge would have had the option to accept my guilty plea, but then throw the book at me. Imagine my terrible choice. I had done nothing wrong. I was facing prison time with rapists, murders, drug dealers, and possibly risking my own rape, and here I was being offered this easy way out. I could go to trial, risk 7 years in prison, spent thousands of dollars, and rely on the jury, knowing full well I was innocent. Or I could take the easier guaranteed deal that would allow me to avoid a long prison term. I chose the jury route, but it was a terrible gamble with my life. I'm told that good people almost never take these cases to trial. They have far too much to lose. They take the prosecutors deal and label themselves guilty for life.

Today, I'm still at the mercy of an attacker who says that I am the villain. He has wrought financial havoc and uncertainty upon me for years, through the use of his free lawyer. By the time this case is over I have estimated I will have spent more than \$45,000 on legal fees, years of hardship, loss of a college education, countless hours in court rooms, and many sleepless nights, not to mention a potentially catastrophic legal decision in the attackers favor.

I'd like to close by saying this, the law cannot protect anyone from a madman; it can only deal with his aftermath. Unfortunately, that night the fate of my girlfriend and I was at the mercy of a madman. I've never been in trouble with the law until that fateful night. I did what I had to do, and my life has been changed forever.

Please change the law so that others do not go through what I have endured, because a man's home and land really should be his protected domain.

Thank you.