

Tennessee man's confrontation with Georgia fugitives sparks talk about gun ownership

By: Nate Rau, Tennessean



The harrowing confrontation between escaped Georgia fugitives and a Christiana man rekindled rallying cries about the value of gun ownership.

Patrick Hale, 35, was in his car with his 3-year-old daughter, gun in hand, when he came face to face with fugitives Ricky Dubose and Donnie Rowe in his driveway.

Hale said the first thing he did after hearing the fugitives could be nearby was load every gun in his house. When he saw them cross a fence 300 yards from his back door, he called 911.

After choosing between barricading himself and his family in his home or leaving, Hale headed for the driveway.

Hale had one gun on him when he began to drive away from his home.

Second Amendment advocates seized on the incident as an example of why responsible gun ownership is important.

Dubose and Rowe surrendered without Hale needing to draw his weapon and police arrived three minutes later to arrest them.

"We ended up with the best scenario compared to every other family that was affected by this," Hale said.

Christiana residents lauded Hale's courage.

"When you mess around out here in the county, most of us here have carry permits and carry (weapons)," Holly Morelock said. "And it's our job to protect our families and our homes.

"They did what they had to do to protect everybody else around."

Bedford County resident Allison Smart said the incident is an example of "one of the reasons we need to be able to keep our guns."

John Harris, executive director of the Tennessee Firearms Association, said Hale deserves credit for both being armed and ready to act and for showing restraint.

Harris called Hale a hero "for helping stop potentially fleeing murderous felons. So the publicity is he's done a great thing. He used restraint. He didn't just start a gunfight.

"And from all that is being presented, (he) did what good citizens do."

Even if a homeowner does not shoot, brandishing a firearm to defend your property is murky legal territory, experts said. Nashville criminal defense attorney Ben Raybin said the key question is whether a person has a "reasonable perception" that they are in danger.

"You absolutely have a right to self defense in Tennessee to use a reasonable amount of force to defend yourself from a reasonable fear of bodily harm," Raybin said. "Just because someone is on your property does not create a reasonable belief that you are in danger."

But, Raybin said based on the details of the confrontation, Hale acted appropriately by not firing his weapon.

The fugitives, after firing at deputies a short time earlier, laid face down on Hale's driveway without incident when they surrendered.

"So in this case, (Hale was) certainly wise to not actually shoot the people because he probably correctly perceived it was not necessary to actually fire," Raybin said. "But from what I've seen (Hale) would have been in a situation to think that at least it was necessary to display his firearm."

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