

Self-Defense Protection Programs in Texas
by Sean P. Healy and Paul Martin, Attorneys
to the State Bar of Texas 2022 Firearms Law Seminar, 9/29/22

We receive constant inquiries about the “best” program to provide for armed persons who may have to use force in self-defense, or defense of others. The chart on the next page summarizes the information we compiled. The underlying information comes from the providers’ agreements and from their answers. The information applies to a Texas resident in August, 2022. You should also review Paul’s paper which accompanies the chart, “Self Defense Liability Products – What Are They, How Do They Work, and How Do I Know Which Program Is Best for Me?”

1. Disclaimer: This information is being provided as a public service, to be published in a paper provided to lawyers in a continuing legal education seminar. It is *not* legal advice to anyone. It is *not* intended to be relied on by anyone.
2. Sources: This information came from the providers’ websites, and the relevant agreements. Most of the agreements are available online. We sent questionnaires to the providers, and allowed those who responded to review their portion of the chart and offer corrections prior to publication.
3. Actual Terms and Conditions: ***Read the actual, current agreement before subscribing to any of these services, and before relying on any of them.*** The “fine print” matters. The actual agreement will determine whether you are covered, should an incident occur. This chart attempts to summarize coverage, but it is impossible to fully discuss a coverage matter in a small box.
4. Gun-Free Zones: Most plans exclude coverage for incidents occurring in a gun-free zone. Some plans have exceptions to this exclusion. Others review incidents on a case-by-case basis.
5. ACLDN: This is a fund, accumulating over time, allowing members to request grants for legal assistance. Grants are discretionary. There is no stated coverage limit.
6. Law Enforcement/Security Officers/Gun Dealers/Place of Worship Safety Teams: Some plans exclude coverage for persons like these acting in a professional or organized volunteer capacity. *If you need coverage for your services as a professional or volunteer, you should confirm in writing that you are covered before subscribing or relying on any of these services.*
7. Other States: These plans differ in significant ways, depending on the state of residence of the customer. These plans may be unavailable to residents of New Jersey, New York, and Washington. This may change. Consumers should contact the provider to discuss any questions they have about the terms of the agreement and the states where it may not be effective.
8. NRA’s Carry Guard: This program terminated in 2019. This was a pure insurance program which reimbursed you for defense costs AFTER you won the court battle. It was succeeded by the Lockton Affinity program.
9. Law Shield and Family Violence: Law Shield’s agreement excludes coverage for use of a weapon against current or former family members, household, or dating relationships. Law Shield sent a letter to its members on 6/17/20 (<https://www.triggerpressers.com/wp-content/uploads/2020/06/US-Law-Shield-Letter.pdf>) indicating it will they will cover such incidents if the member’s actions are justified. As of August 29, 2022, the Law Shield agreement for Texas still contained a "Family Violence Exclusion" on its website. Law Shield has advised it does not have a domestic violence exclusion in Texas. Consumers are urged to contact Law Shield directly regarding any questions pertaining to their agreement.
10. Educational Benefits: Many plans provide educational resources such as training videos, online courses, magazines, written materials, newsletters, seminars, books, etc.

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Factors for self-defense protection programs

Comparison for Texas resident, basic plan

BELIEVED TO BE CURRENT AS OF 8/15/22

No	Feature	PURE INSURANCE			LEGAL SERVICE PROGRAMS			MEMBER BENEFIT PROGRAMS	
		<u>Lockton Affinity</u>	<u>Right to Bear Insurance</u>	<u>USCCA</u>	<u>Armed Citizens Legal Defense Network</u>	<u>Firearms Legal Protection</u>	<u>Law Shield</u>	<u>CCW Safe</u>	<u>Second Call</u>
1	Website	https://locktonaffinityoutdoor.com/personal-firearm-liability/	https://protectwithbear.com/plans?avad=194130_c27e12849	https://www.usconcealedcarry.com/	https://armedcitizensnetwork.org/	https://firearmslegal.com/	https://www.uslawshield.com/	https://ccwsafe.com/	https://www.secondcaldefense.org/
2	Cost/mo, basic plan (diff. levels)	\$6.25 (\$75/\$125/\$175/\$265/yr)	\$10.95 (\$10.95/\$20.95/\$33.95/\$50.95/mo)	\$29.00 (\$29/\$39/\$49mo)	\$11.25 (\$135 first yr, then \$95/yr)	\$16.95 (\$16.95/\$27.95/\$44.95/mo; \$19.95 setup)	\$10.95 (\$131.40/yr)	\$14.92 (\$179/\$209/\$519/yr)	\$9.95 (\$9.95/\$14.95/\$34.95/mo)
3	Crim. Defense	\$50k/\$100k/\$150k/\$250k	Unlimited	Unlimited	Unlimited, discretionary*	Unlimited	Unlimited	Unlimited	\$100k
4	Civil Defense	\$250k/\$500k/ \$1M/\$1.5M	Unlimited	Unlimited	Unlimited, discretionary*	Unlimited	Unlimited	Unlimited	\$500k/\$1M
5	Civil damages	\$250k/\$500k/ \$1M/\$1.5M Combined single limit	None	\$2 M	None	None	None	\$0/\$500k/\$1M	\$50k/\$250k
6	Upfront or reimb.	Reimbursement		Upfront	Upfront	Upfront	Upfront	Upfront	Upfront
7	Financial backing	Lyndon Southern Insurance Company	Evolution Ins. Brokers, LC dba Xinsurance	underwritten by Delta Defense company	Accumulated fund with periodic deposits (over \$3.5M)	?	underwritten by Fortegra company in many states	Madison First Property & Casualty, Ltd.	?
8	Family coverage	No	Optional	Optional spouse cov.	Optional	Only Fam. Premium Plan	Optional	Optional	Optional
9	Cover pros/volunteers?	Yes	As affiliates	?	assist off-duty members	No	Dealers excluded; Church security covered	Mil./Active or Retired LEO/Church scrtv vols*	Church security covered
10	Family/dating/Domestic Viol.	?	?	Covered	?	No	See Note 8*	No	No
11	Other states	Yes	Yes	Yes	Yes	Only Premium Plans	Optional	Yes	Yes
12	Other weapons		Yes	Covered	Yes	All legal weapons	All legal weapons	All legal weapons	All legal weapons
13	Expert witnesses	?	Yes	Covered	Yes	Up to \$10k	Optional	Yes	Yes
14	Bail	?	Optional	Up to \$100k	Assistance	Up to \$250k	Optional	Up to \$500k/\$1M	Up to \$250k
15	Time in court	?	Optional	\$750/day	No	\$300 per day	No	Yes	\$500/day
16	Hotline access to atty	?	24/7 claims hotline	24/7 Critical Response Team Access	Yes	Yes (attorney answers)	24 hour hotline; non-emergency access	Operator to atty	24/7 Emergency Legal Hotline
17	Atty choice	Insured's choice	?	Insured's choice	Member's choice	local atty experienced in crim law or self-defense	Independent Program Attorney	National Trial Counsel	Local Attorney Referral in 24 Hours
18	Other benefits	Covers accidents, lost or stolen firearms	Optional accidental discharge coverage	?	Educational package	?	ID theft, kids, hunt/fish, Good Samaritan if trained	Civil liability, upgrade bond coverage	?