

Self defense? Starbucks fires barista who subdued robbers who pistol whipped him

Michael Harrison, fired St Louis Starbucks worker to sue employer after he and another barista were fired for subduing two would be robbers who pistol whipped him as the workers feared for their immediate lives.

A **Starbucks** worker has been fired after subduing armed robbers at a **St Louis** outlet after moments earlier being ‘pistol whipped’ by one of the two masked men who’d entered the store.

Michael Harrison, 20, was manning the **drive-thru** on December 17 when two masked men entered his downtown St. Louis location around noon and told everyone to get on the ground.

With one of the two would be robbers waving what appeared to be a gun, the roughly ten employees and one customer present got on their stomachs in terror, according to Harrison.

‘I thought he was going to shoot me,’

Many of them, according to Harrison, an aspiring **EMT**, who was working at the coffee chain outlet to meet his paramedic student bills, were crying in fear.

Harrison said he cooperated with the robbers’ demands and tried to open the register, but did not have the managerial credentials to access the cash.

He asked his supervisor to get off the ground to open the till, but the frozen manager declined to do so, the worker told the **nypost**.

As one of the robbers went through his pockets, his alleged accomplice, **Joshua Noe**, whacked Harrison in the back of the head with the gun.

‘At that point I thought he was going to shoot me,’ the barista told the nypost.

One of Harrison’s co-workers noticed a portion of the weapon broke off and he sensed a chance the gun was fake.

Baristas hailed as heroes at time of robbers’ arrest

Devin Jones-Ransom then began brawling with the assailants, with Harrison coming to his aid. The melee spilled outside, and a bystander from a nearby store jumped in to assist the baristas.

When the fracas ended, Noe, 37, was immobilized on the ground while accomplice **Marquise Porter-Doyle** fled the scene.

A **subsequent mugshot** of Noe showed the would be robber sporting cuts and scrapes on his face and scalp.

Arriving officers arrested Porter-Doyle, 35, nearby and arrested Noe at the scene. Police thanked Harrison and Jones-Ransom *for their courage*.

Placed on leave as Starbucks investigated

Following their arrests, Noe faced 11 felony charges, three for 1st-degree robbery, six for 1st-degree attempted robbery, one for 2nd-degree assault and another for 3rd-degree assault. Porter-Doyle faced all of the same minus the 2nd-degree felony assault.

The baristas in turn were placed on paid leave for two weeks as Starbucks officials investigated the incident, with store policy forbidding workers from interacting with would be shoplifters, robbery attempts or armed individuals. The two young men were lauded in local media for their heroism, and both looked forward to returning to work. *‘But I got a call a few weeks later,’* Harrison told the nypost. *‘Once the media died down. They told me they were terminating me. I was surprised. I was distraught. I was confused.’*

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...dedicated to the restoration of the inalienable right to keep and bear arms as guaranteed by the 2nd Amendment

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COMING EVENTS

Events may be cancelled at last minute due to Covid Restrictions.

WMSA

General Membership Meeting

May 28, 2024

July 23, 2024

Sept. 24, 2024

7:00 PM

Bass Pro

Independence, MO

Nov. 22, 2024

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or check the web site www.wmsa.net



STARBUCKS (Continued from page 1)

The company told Harrison and his co-worker they had violated company policy, but were not specific, according to Harrison's attorney **Ryan Krupp**.

'We were deeply disturbed to learn of this frightening incident,' a Starbucks spokesperson told the nypost. 'Partner safety is at the core of how we operate in our stores, and we are so grateful that our partners and customers did not come to greater harm in this situation. Starbucks defends decision to fire baristas

'In situations like this, our training and protocols guide our partners to comply and de-escalate, not just for their safety but for the safety of all in the store.'

The spokesperson speaking to **MensJournal** days earlier emphasized, 'that all partners go through de-escalation training,' which 'includes armed robbery scenarios where partners are asked to comply with demands, and to avoid doing or saying anything that can escalate the situation.'

The company maintains the two ex-employees should not have engaged the two men to the degree they did. Stripped of his income, Harrison said he is now struggling to pay his tuition.

'That job was helping me pay for college,' *he said*. 'I just don't understand it. I thought it was the right thing to do.'

Had the baristas acted in self defense?

Harrison said the busy location had been plagued by unruly and aggressive customers for months, and he and other employees formally complained to management. He recalled one incident where a deranged customer began firing heavy steel canisters at cowering employees.

'People are always yelling and screaming at us, threatening to assault us. Throwing things, trying to come up to us,' *he told the nypost*. 'But nothing was ever done. People have left the job because of it.'

The company denied that claim, saying the location was temporarily closed to make safety improvements — including giving employees the option of locking the main section of the location and only using the drive-thru.

Now, Krupp said, a lawsuit is being prepared and will be filed in the coming weeks.

'When the robbers came in, my client complied and tried to open the cash register when he was struck in the head by one of the gunman,' *Krupp said*. 'At that point you're in a position to defend yourself.'

Krupp says that after being struck, Harris realized he needed to take action and self defend or risk potential loss of life.

Told the lawyer a few days earlier via the **River Front Times**: 'Harris complied with the robbers' demands until it was no longer an option for himself and others. He needed to take action or risk being killed.'

Krupp decried Starbucks for milking the incident for all of the positive publicity it was worth in the weeks after, before suddenly terminating Harris with a phone call.

"The corporation received great headlines commending the employees' bravery and prominently displaying their logo," Krupp told MensJournal. "About a month later, Starbucks corporate called and fired Mr. Harris over the phone."

Adding: 'We are looking for justice in this matter and will be taking legal action. Nobody should be terminated for doing the right thing.'

The right thing for whom though... for Starbucks or for the well being and immediate safety of the worker, even if that sometimes is at odds and steep divide from what a corporate employer with potential liability and legal action should the worker be hurt or even killed on the job, suddenly have to face?

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**LIBERTY NOTES***By Kevin L. Jamison*

It is a Good Day for Liberty.

My granddaughter had to put down her dog. This is something every dog owner has had to do sooner or later. It eventually comes to a point where the only way to end the dog's suffering is to put it down. Since then the family keeps asking how I am. For future reference, I am just fine.

Rally Day will be 17 April, 2024 from 10 AM until High Noon. This is the 20th anniversary of our Concealed Carry law going into effect. We must have a good turnout. Twenty years ago the usual suspects claimed that concealed carry would cause blood in the streets. That did not happen. Today rather than admit their error they want to repeal our preemption law and allow every city and every county to have its own gun laws. Moving from one town to another could make a person a criminal. They cling to their "gun free" zones and oppose our reforms. They want to take away the Second Amendment Preservation Act. Show up and reserve your rights for your grandchildren.

Concealed handguns can be carried into the Capital Building by persons with a License To Carry. Simply tell the guard at the metal detector, show him your license and you will be waived through. Guns cannot be taken onto the floor of the House or Senate or into the galleries above them. You can carry anywhere else in the building.

The Missouri Department of Conservation has changed the regulations regarding Spring turkey hunting. Permits and the number of birds that can be taken are changed. If you plan to try and outwit a bird with a brain the size of a walnut this year you need to update your knowledge. I'll be here when you get back.

The NRA has created a hunting division. This appears to be part of the new reforms. The NRA convention this Spring should be interesting.

Louisiana and South Carolina have passed permitless carry. This makes 29 states with permitless carry. The usual suspects predict blood in the streets. They have been wrong on this point before.

There is a DVD made of Bill O'Reilly's "Killing Lincoln; Tom Hanks does some narration. Mr. O'Reilly puts a great deal of history into a small package. One detail is that a shorthand writer took down testimony of witnesses to the murder. Of 1,500 witnesses, no two told the same story. This is a point police and trial lawyers have struggled with. You may act in pure and perfect self-defense, but witnesses may describe it otherwise.

I have often complained that there is not a good Christmas zombie movie. That has changed. The movie is called "Anna and the Apocalypse" and it is a musical. It is set in Scotland, at Christmas. There are no AR 15s, not even a shotgun. One of Anna's allies wields a baseball bat, but it is not wrapped with barbed wire. It is a good movie, but my favorite Christmas movie remains "Die Hard."

President Biden has banned the export of 20,000 M 16s to Israel. The excuse is that they might be provided to Israeli settlers on the West Bank and might be used to abuse Palestinians. Two might resulted in a ban. News from the Gaza war shows a great many M 16s in action. The official Israeli rifle is the bullpup Tavor. I have seen some in action but the majority of the news shows M 16s. I don't know why.

In his State of the Union address President Biden promised to punish criminals by taking our guns away. This seems unfair.

A husband and wife have been found guilty of manslaughter because they allowed their son access to a firearm. He used the firearm to commit murder. This is another reason to keep your firearms locked up.

I unwrapped a cough drop which had various encouraging statements on the wrapper. One said, "Tough is your middle name." You have to be tough to be a gun owner these days. You must endure the insults and abuse for pursuing your hobby.

The TSA states that they confiscate thousands of guns a month, and charge the owner with a crime. To transport your gun by air it must be unloaded and in a hard-sided locked container. Ammunition cannot be loose, loaded into magazines, stripper clips or speed loaders. It must be in the original container or one of the plastic boxes specifically designed to transport ammunition. Declare the gun to the ticket agent at the counter. For more information check www.tsa.gov. If you go to Canada or Mexico, don't take your gun. Don't go to jail.

Chicago is suing Glock because criminals are converting the pistols to full auto. I recall reading of bolt-action rifles that were converted to full auto for armies desperately short of machine guns. Colt's 1911 has been converted

(Continued on page 5)



to full auto. This is another ploy to bankrupt a gun company. Even if Glock went out of business today, the host of Glock pistols will last for a century.

I Second That.

Printed in KC Star

Protection of Lawful Commerce In Arms Act

In the aftermath of the deadly shooting at the Kansas City Chiefs' Super Bowl victory rally comes a proposal by Jason Kander, detailed in a guest commentary in The Star. The former Missouri secretary of state claims that the Protection of Lawful Commerce In Arms Act violates the Seventh Amendment to the Bill of Rights.

The Protection Act was enacted to prevent frivolous lawsuits against gun companies and stores because one of their products was used in a crime. The Seventh Amendment guarantees the right to a trial by jury in lawsuits when the amount in controversy exceeds \$20.

I have to wonder whether Kander has read the Protection Act. The law specifically allows that a gun company or shop *can* be sued. If the gun does not function, if it blows up in your hand, fires when it is not supposed to or is sold negligently or illegally, the company that made it can be sued.

It is not necessary to believe me. Read the statute — 15 U.S. Code Section 7901 is available freely online and at public libraries. Gun companies have been sued. Remington, the oldest gun company in America, was sued into bankruptcy after the 2012 Sandy Hook Elementary School shooting under a claimed loophole in the law. The plaintiffs said that Remington violated advertising regulations. The mass killer used one of the advertised weapons, yet there is no evidence that he saw that specific advertisement. The evidence was that the killer murdered his mother and stole her rifle. The case never went to trial. Costs of litigation drove the company into bankruptcy. The Remington name was purchased by new owners. The insurance company, left without an insured, threw money at the plaintiffs. This only encourages more such lawsuits.

Other companies and small stores have been driven out of business by lawsuits as well. Kansas City sued the small Nevada-based gun company Jimenez Arms into bankruptcy because it accepted forged purchase documents from an illegal dealer.

It is said that gun companies are the only industry so protected. This is not quite true. The firearms industry is the only one that is targeted for lawsuits based on the criminal acts of third parties. It is simply one of the only industries specifically targeted to be driven into bankruptcy by political opponents.

It is unreasonable and counter to the common law to sue a company for the criminal acts of unrelated people. The disgrace is that such a law as the Protection of Lawful Commerce In Arms Act is necessary.

Kevin L. Jamison is an attorney in the Kansas City, Missouri, area concentrating in the area of weapons and self-defense.

Floor Leader Jonathan Patterson (RHINO) Lee's Summit has pulled all our bills from consideration and blocked a floor vote on all of them.

Apparently he fears losing his seat in a strongly liberal Lee's Summit.

We need to remember who our true friends are come November.

We may want to consider changing our position not endorsing or contributing to candidates in the primary who have shown they are fair weather friends.

We will discuss this at our March meeting this month.

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The tickets are \$5 each or 5 for \$20. As an added incentive, bring in a new member at a General Membership Meeting and get a free raffle ticket. Any current member who brings in a new WMSA member gets a free raffle ticket for each new member added to our rolls.

Bring your prospective new member to a General membership meeting and when the new member completes the membership application and pays their dues, you are handed a ticket, no charge! The drawing for the rifle will be in July 2024, either at the Missouri Valley Arms Collector Show or the WMSA General Membership Meeting.

Go recruit new members, get a free ticket for every member and exhaust our limited number of tickets.

Tickets can also be obtained via mail by sending a check to the WMSA, P.O. Box 11144, Kansas City, MO 64119.



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REMINDER *Next General Meeting is scheduled for Tuesday, May 28, 2024 at 7:00 PM*
*Meeting located at **Bass Pro** Independence, MO*

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