

# Out of the shadows

## Bonita man's stakeout ends in arrest, warning

By BOB NORMAN  
News-Press staff writer

A confrontation between a Bonita Springs condo resident and a man who was eventually charged with burglary and assault, led to a warning Monday from the sheriff's office about do-it-yourself crime fighting.

According to participants and the Lee County Sheriff's office, it happened like this:

A car alarm sounds about 4:20 a.m. Monday morning outside the Bonita Beach Plantation Condominium in Bonita Springs.

German-born Renate Higby, a resident of the condominium, hears the alarm and wakes her husband, Henry "Hap" Higby.

Higby, thus alerted, goes through his routine. He puts on his black jacket and black trousers, secures his handcuffs and packs his 9mm handgun.

Prepared, the former infantryman and Virginia Military Institute graduate goes out to the parking lot, and sets up a watch "in the shadows."

It was not a false alarm.

But whoever had triggered the alarm was gone. Higby decides to "sit quietly in the shadows," to see if whoever triggered the alarm comes back.

Ten minutes later, in Higby's words, "the bad guy drove in and parked next to the car."

The man, identified by sheriff's office reports as Juan Rodriguez, had a crowbar, and attempted, said Higby, to break into the car.

Higby, 65, makes his move.

"I looked to see if he had any buddies and approached very quietly so he couldn't see me until I was right on top of him," Higby said.

Higby, a gun enthusiast and big game hunter, said he felt perfectly calm.

"Is that your car?" Higby asks Rodriguez, with his 9mm pulled.

No answer.

"Get down on the ground," Higby says.

The man gets down. Higby runs to call the police. The man, taking advantage of Higby's absence, jumps up, gets in his own car and attempts to leave.

"He moved real fast," Higby said.

Higby is in an element he knows. He says he's had buffalo bear down on him before in Zambia, Africa. This, he said, was a piece of cake compared to that.

He jumped in front of the charging vehicle and pointed his gun at the windshield.

"It crossed my mind to shoot through the windshield and kill him, but I didn't want to do that," he recalled Monday evening in his condo.

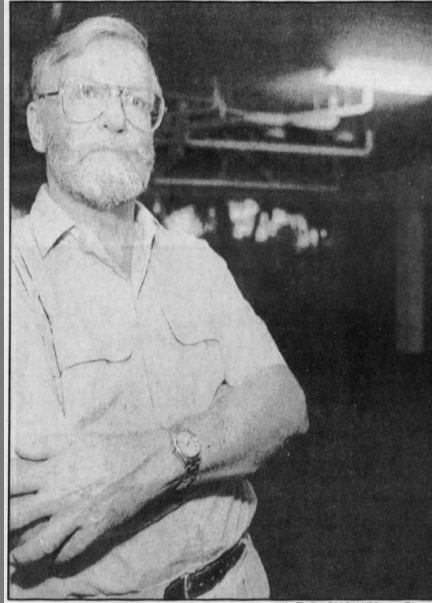
Instead, he sidestepped the vehicle, put a bullet through the left front tire and missed with a second shot at his rear tire.

"I couldn't believe I missed — I'm a pretty good shot," Higby said.

The first shot was good enough. The man, identified in a sheriff's report as Juan Rodriguez, lost control of the vehicle and ran it into the building.

See SHADOW / 2B

## THE SHADOW KNOWS



L.E. BASKOW/News-Press

**CRIME FIGHTER:** Henry Higby of Bonita Springs stands Monday evening in the car garage at his condo home, where earlier in the morning he foiled what appeared to be a burglary by firing a handgun. The vehicle, driven by the intruder, struck the pillar in the background, and Higby held the man until police arrived.

## SHADOW: Watchful

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Higby aimed the gun at the man, and residents, alerted by the commotion came out and helped handcuff Rodriguez with his own cuffs.

Rodriguez was then arrested and charged with burglary and aggravated assault, both felonies.

Higby, a veteran of World War II and the Korean War, said this was his first fruitful watch. After two car thefts from the parking lot this year and knowledge of other crimes in his area, Higby, who lived in Germany for 30 years working for the Civil Corps of Engineers, put together the black outfit and goes out regularly to lurk in the shadows to wait for criminals.

But don't call him a vigilante.

"I don't like that one bit. I didn't take the law in my own hands," said Higby. "I was protecting my own property."

Renate Higby, German-born, said that her husband's indepen-

dent security methods worry her, but that he's "his own person."

"I survived the Nazis and the Russians," said Renate Higby, who also owns handguns. "I'm tough, but I'm not as tough as I used to be."

Call it what you will, but Lee County Sheriff's Office Public Information Officer Gerry Poole sees it as vigilantism, pure and simple.

And she says it's dangerous. This is what she said she would say to Hap Higby if she had the opportunity.

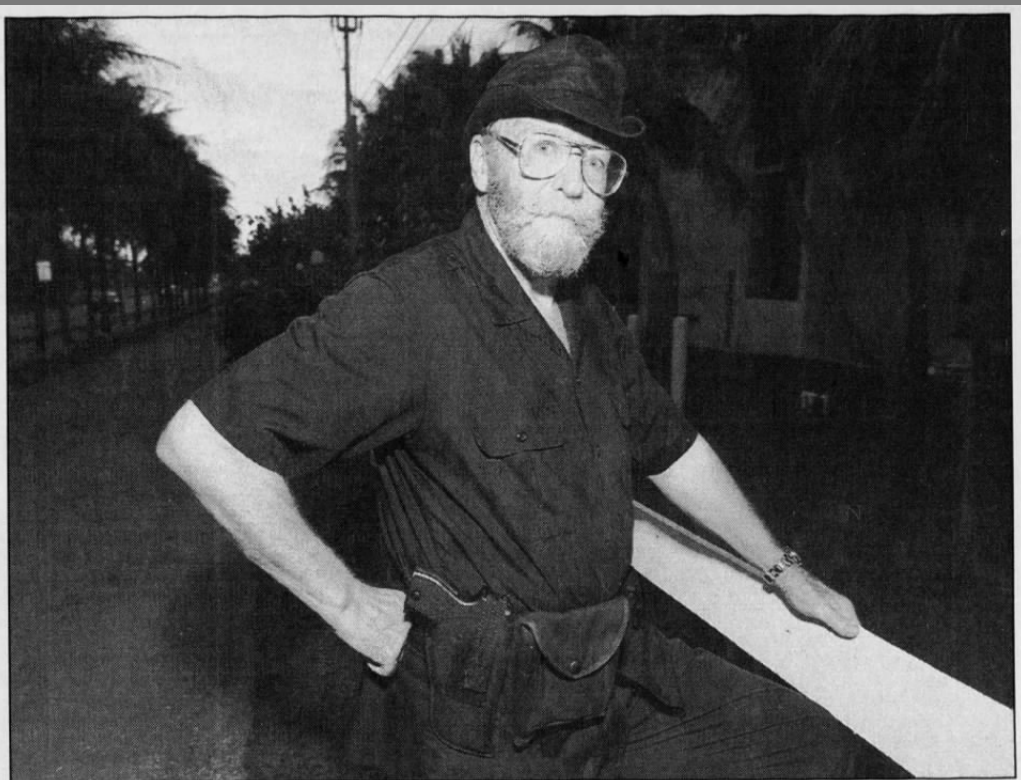
"Henry, we appreciate your efforts to assist us... but you need to consider the danger you put yourself and other citizens in when you put the situation in your own hands."

Higby says he isn't convinced.

"You sometimes have to go and protect what you own. I'm not concerned about my life in danger," Higby said.

But will he hang up his gun?

"We'll see," he said.



MARC BEAUDIN/News-Press

**MAN IN BLACK:** Henry "Hap" Higby, a Bonita Beach resident, stands in front of his condominium building, the Bonita Beach Plantation. Armed with a pistol, he patrols the parking lot at night on a regular basis.

## Veteran shoots tire, stops thief

Henry "Hap" Higby will tell you point-blank he's not a vigilante — he says he doesn't seek crime. He says he's simply guarding his property during his regular night watches, during which he uses a Sig Sauer 9mm handgun as his trump card.

The 65-year-old World War II and Korean War veteran — who likes to hunt buffalo in Africa — was disgusted when he retired from the civil service in Germany and returned to the United States.

Higby said he believes society is the victim of what he calls Idiot Lying Liberals, or ILL, and that President Clinton is their ring-leader. He doesn't believe the government is equipped to protect him or anybody else.

He decided to do something himself. The gun enthusiast put on his black trou-

### ■ BONITA BEACH

sers and black jacket and then strapped on his pistol and a pair of handcuffs.

Then he began a regular night watch of the parking lot of the Bonita Beach Plantation condominiums, where he lives.

At about 4:20 a.m. July 19, Higby spied Juan Rodriguez in the lot trying to break into a car. Higby stopped him, told him to sit still and went to call the police. The thief, taking advantage of Higby's departure, jumped into his own car and tried to drive away.

Higby jumped into the path of the oncoming vehicle and aimed his gun at the windshield. He said he thought about

killing Rodriguez then, but he decided not to.

Rodriguez charged forward. Higby sidestepped the vehicle and put a bullet through the front left tire.

He missed with a second shot at the rear tire. But the first shot did the job. Rodriguez slammed into a pillar of the parking garage and was cuffed by a neighbor while Higby covered him.

Rodriguez, who served four months in jail for his crime, was "bewildered" after the arrest, said Higby, but not hurt.

"It's about time the American people got outraged," said Higby, who is still on his beat. "We can't lose our sense of outrage against crime. I think we are going to have to kill a lot of vicious criminals before it's safer."