



Written by [Alex Newman](#) on May 1, 2012

Florida “Stand Your Ground” Task Force Meets, Democrat Wants Changes

As a task force appointed by Gov. Rick Scott (left) meets Tuesday to examine Florida’s “Stand Your Ground” law in the wake of the Trayvon Martin shooting, a separate panel convened by a Democrat State Senator is seeking major policy changes to address perceived problems with the popular self-defense measure. Both task forces included prosecutors, law enforcement and defense attorneys.



In late February, Neighborhood Watch captain George Zimmerman shot Martin in what he claimed was self-defense. The killing went largely unnoticed outside of Florida for several weeks, but when the national media picked up on the story, political opportunists of various sorts immediately piled on — racists, race mongers, and anti-gun rights activists in particular.

Anti-gun zealots and much of the establishment press sought to exploit the tragedy and manufacture controversy surrounding the popular “Stand Your Ground” law, which has been adopted in more than 20 states. The efforts failed: a recent Reuters/Ipsos poll showed [overwhelming public support](#) for concealed-carry and the right to protect oneself with deadly force if needed — even outside the home.

But while the anti-self-defense rhetoric has largely failed to sway the public — more than two thirds of Americans believe they have a right to use deadly force in self-defense even in public places — officials like Gov. Scott took the hysteria seriously. As opportunists seized on the Martin killing, Scott announced the formation of a 19-member task force to review the state’s self-defense laws and offer recommendations.

“Well you know the first thing we ought to be doing is let’s look at this case and see what happened here,” Gov. Scott [said](#), noting that violent crime has been steadily decreasing. “I think it’s always positive to go and look at the laws, and see what the consequences are.”

The panel met Tuesday for the first time, reportedly to decide on its precise mission, the schedule, and to take care of initial preparations. After reviewing the facts, taking public comments, listening to testimony from experts, and analyzing the data, the team is expected to make suggestions about potential changes to the law before the next legislative session.

Despite the anti-gun lobby’s hysteria over the self-defense law, however, “Stand Your Ground” simply allows would-be victims to defend themselves from attack. And the vast majority of Americans agree with the principle.

“A person who is not engaged in an unlawful activity ... has no duty to retreat and has the right to stand his or her ground and meet force with force, including deadly force if he or she reasonably believes it is necessary to do so to prevent death or great bodily harm to himself or herself or another or to prevent the commission of a forcible felony,” the law states.

Critics claim it gives too much leeway to potential victims in defending themselves, arguing that people



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should instead be forced to flee from attackers — rapists or murderers, for example — instead of responding with force. Other opponents have claimed that it might allow criminals to go free in murder cases.

“I think it’s a poorly written law that’s had some consequences that people are just starting to figure out,” [claimed](#) Art Hayhoe, executive director of the anti-Second Amendment group “Floridians for Gun Safety” seeking to exploit Trayvon Martin’s death. “This case is a classic case of what’s wrong with ‘Stand Your Ground.’ We’re going for repeal.”

Supporters of the law, however, believe individuals have a right to defend themselves and their families if necessary. And pragmatically speaking, analysts have found that broad self-defense protections and wider availability of firearms actually deter crime, whereas disarming potential victims simply encourages criminals to act with impunity.

“The wild speculation that the laws give broad license for vigilantes to go around recklessly shooting people are a totally irresponsible caricature,” explained renowned author and firearm-law expert John Lott in a [recent column](#), citing statistics to show the benefits of self-defense protections. “Ultimately, it is judges or jurors who determine what constitutes a reasonable fear under such a law, not the person who fires the gun.”

Lott, who wrote the academic book *More Guns, Less Crime*, also [noted](#) during a TV interview that Stand Your Ground is not even relevant in the Trayvon Martin case. If Zimmerman’s story is true — he claims Martin attacked him and was on top of him slamming his head into the ground — then older self-defense statutes would still protect him because he had no way to retreat.

On the other hand, if the prosecutors’ murder charges are correct and Zimmerman initiated the conflict, Stand Your Ground protections are almost certainly not applicable. The law does not allow individuals to claim self-defense in cases where it was not a response to an attack, Lott explained. And the fact that anti-gun activists have “latched onto” this particular case, he added, shows how few real problems there are with the law as it stands.

A Democrat State Senator, however, disagreed. He formed his own 18-member task force to review the “Stand Your Ground” law; and unsurprisingly, the panel recommended major changes in the statute when it wrapped up its inquiry this week. The group did not openly call for repealing it, but most members want sweeping reforms.

Among the proposals: giving law enforcement more leeway to investigate and detain individuals in self-defense cases, allowing a grand jury to review the evidence and decide on potential charges, and the creation of a system to track claims of self-defense. The group’s request to present its findings to Gov. Scott’s task force was apparently denied, but they will likely be able to make their recommendations at an upcoming meeting.

“We wanted to make sure that we put together an accurate report, to give the governor direction, to give the legislature direction and to give the Governor’s task force direction,” [said](#) Democrat state Sen. Chris Smith, who convened the panel seeking changes to the law. “Every day this law is being used and misused in courtrooms throughout the state of Florida.”

But Florida Republican lawmaker Dennis Baxley, who sponsored and helped author the law in 2005 and will serve on Gov. Scott’s task force, announced that he stands firmly behind it. “When a law-abiding citizen is confronted with attack, he should be able to defend himself,” Baxley said, pointing out that despite the false impression created by deceptive activists, the law does not protect people who



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confront and pursue their targets.

After initially being questioned and released without charges by claiming self-defense, Zimmerman was eventually charged with second degree murder in April. But according to some legal experts, evidence in the case including witness testimony and a recently released picture taken minutes after the shooting appears to support his version of events.

Zimmerman was released last week on \$150,000 bond. If convicted, he could face life in prison.

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