



Zimmerman May Face Federal Civil Rights Charges, Civil Suit

Neighborhood watch volunteer George Zimmerman, acquitted Saturday in a Florida court of second-degree murder and manslaughter, may yet face criminal prosecution by the U.S. Department of Justice for civil rights violations in the February 2012 killing of 17-year-old Trayvon Martin in Sanford, Florida. Zimmerman could also face a civil trial if Martin's family brings a wrongful death suit against him for the fatal shooting that Zimmerman's lawyers successfully argued in the criminal trial was a matter of self-defense.



The Justice Department has said it is investigating the case, and Ben Jealous, president of the NAACP, said the nation's oldest and largest civil rights organization has urged the department to bring criminal charges against Zimmerman, who was born to a white father and Hispanic mother, for allegedly violating the civil rights of Martin, an African-American.

The jury's decision to acquit Zimmerman of all charges set off a wave of demonstrations throughout the country by people and organizations claiming the shooting was racially motivated and the verdict an injustice. A criminal charge or charges could be brought against Zimmerman in federal court, despite the Fifth Amendment ban in the U.S. Constitution on trying a defendant twice for the same offense. The U.S. Supreme Court has ruled, starting with [United States v. Lanza](#) in 1922, that the "dual sovereignty" of state and federal governments permits the trial of a defendant by both state and federal governments for the same act, since the act may be an offense against each sovereignty. Some of the police officers acquitted by a Los Angeles jury in 1992 in the videotaped beating of runaway motorist Rodney King, for example, were later [convicted and sentenced in federal court](#) for violating King's civil rights.

Should Zimmerman be spared that fate, he still might find himself the defendant in another long, drawn-out court case if the Martin family brings a wrongful death suit. Unlike a criminal trial, in which a jury is required to base a conviction on a finding of guilt "beyond a reasonable doubt," a civil trial is decided on a preponderance of the evidence, increasing the likelihood of a guilty verdict. Zimmerman is said to have little in the way of assets to be won in a civil suit, but there is speculation that a contract involving a book or movie about the case could change his financial outlook considerably. It is also possible that, aside from money, the Martin family may sue believing that justice requires a wrongful death finding.

Should that occur, Florida's "Stand Your Ground" law, which was not a part of Zimmerman's defense in the criminal trial, could provide protection from a civil suit. The law, which allows the use of lethal force in defense against an attack likely to result in the death or serious injury, also provides for immunity from a civil suit if a judge determines that the fatal force was used in self-defense against an unlawful threat.



Written by [Jack Kenny](#) on July 15, 2013

“On the civil aspect, if someone believes that it’s appropriate to sue George Zimmerman, then we will seek and we will get immunity in a civil hearing,” Mark O’Mara, one of Zimmerman’s lawyers, said after Saturday’s acquittal on the criminal charges. “We’ll see just how many civil lawsuits are spawned from this fiasco.”



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