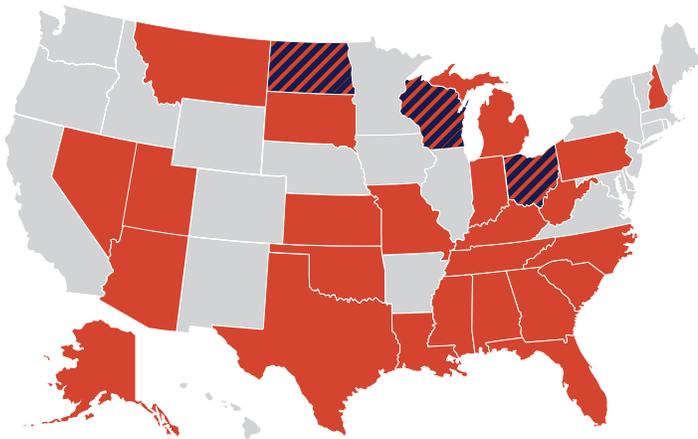


STAND YOUR GROUND

“Shoot first” or “stand your ground” laws gained national attention after the tragic and disturbing shooting of 17-year-old Trayvon Martin in 2012. Trayvon’s shooter, George Zimmerman, pursued the unarmed teen, then shot and killed him, despite being told by a 911 dispatcher that his actions were not needed. Zimmerman later invoked Florida’s extreme shoot first law and was acquitted of Trayvon’s murder.

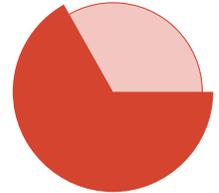
27 STATES HAVE “SHOOT FIRST” LAWS



27 states have adopted shoot first laws that allow the use of deadly force in self-defense in public places without any duty to retreat.

DANGEROUS AFTERMATH

According to a Tampa Bay Times investigation, Florida’s shoot first law has been invoked in over 200 criminal cases, involving 113 fatalities. Of the 113 cases involving a fatality, just 40 resulted in convictions, while 73 killers evaded responsibility for murder.



FLORIDA'S STAND YOUR GROUND CASES

- Fatal shootings that resulted in conviction
- Fatal shootings in which killer got immunity or was acquitted

70% of those who invoked Florida's shoot first law went free, including “killers and violent attackers whose self-defense claims seem questionable at best.”

3x increase in justifiable homicides reported to state police since Florida's stand your ground law went into effect.

A DEADLY INCREASE

Since stand your ground was implemented in 2005, Florida's overall monthly homicide rate has increased 25% and the homicide by firearm rate is up 32%.

The Problem: A Majority of States Have “Shoot First” Laws

“Shoot first” laws allow a person to use deadly force in self-defense in public—even if such force can be safely avoided by retreating. This is a radical departure from the centuries-old legal principle that if a person faces a potential threat in a public place, they must retreat if they can safely do so before using deadly force.

There is no federal shoot first law, and self-defense standards are dictated by state law.

At the state level, the gun lobby has promoted dangerously broad shoot first laws that grant killers blanket immunity from prosecution and upend the traditional duty to retreat. A majority of states—27 in total—now have shoot first laws.

These laws threaten public safety by encouraging armed vigilantism. Shoot first laws have a profound impact on our justice system, tying the hands of law enforcement and depriving victims of remedies. These laws confer immunity even where someone's claim of self-defense is highly questionable. Trayvon Martin's shooter was not held accountable, even though he chose to pursue and shoot an unarmed teen rather than follow a 911 dispatcher's advice.

The Worst of the Worst

While all shoot first laws remove the duty to retreat even when it is safe to do so, in some states, the laws go even further:

- Some shoot first laws grant immunity even when an alleged attacker was running away, **allowing people to escalate an encounter by chasing down a fleeing person.**
- Some shoot first laws limit law enforcement's ability to arrest someone who used force in self-defense, **disallowing police to follow their normal procedures for determining whether a crime has occurred.**
- Some states have taken the extreme step of allowing the use of deadly force to stop a property crime, **allowing a person to shoot to kill in response to a property crime, like theft of a bicycle.**

After the Trayvon Martin shooting, **some states considered reforming their laws to remove dangerous provisions like those described above.** A 2012 taskforce led by Florida State Senator Chris Smith recommended limiting or eliminating immunity if the alleged attacker was unarmed or fleeing. In 2013, legislators in Florida and six states (Alabama, Mississippi, New Hampshire, North Carolina, Pennsylvania, and Texas) introduced legislation to limit their shoot first laws. However, there is still more work to be done—the legislation has not yet passed in any state and in 2016, Missouri expanded its shoot first law to apply any place a shooter has a right to be rather than in vehicles only.

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For more details and underlying research, visit lawcenter.giffords.org/shoot-first

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210+

lifesaving gun safety laws have been enacted in 45 states and DC since the tragedy at Sandy Hook.

115,000

Americans are shot each year—over one million in the past decade.

25x

Americans are 25 times more likely to be killed by a gun than people in other developed nations.

WE'RE ON A MISSION TO SAVE LIVES

For nearly 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence. Founded in the wake of a 1993 mass shooting in San Francisco, in 2016 the Law Center joined with former Congresswoman Gabrielle Giffords to form a courageous new force for gun safety that stretches coast to coast.

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