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# OPINION

## The Racial Bias in Stand Your Ground Laws

Rather than curb violence, they increase violence

By **MARC H. MORIAL**

Trayvon Martin's unjust death at the hands of a trigger-happy, self-described neighborhood watchman continues to shock and live on in our nation's collective consciousness. And with the release of a recent study commissioned by the American Bar Association, it may also become the impetus behind the movement to abolish or scale back Stand Your Ground protections -- protections that influenced the ultimate acquittal of Trayvon's murderer and focused our attention on the dangerous confluence of race and criminal justice in America.

On the evening of Feb. 26, 2012, Trayvon became a tragic illustration of the glaring defects in Florida's Stand Your Ground law. The 17-year-old, with no criminal record, was walking home from a store armed only

with a bag of candy and a can of iced tea when he was confronted and then shot to death by George Zimmerman.

Because of Florida's Stand Your Ground law, Zimmerman was taken in for questioning but was later released on the grounds of self-defense. He would not be charged with murder by the police -- that night.

According to the law, which Florida became the first state to adopt in 2005, people are authorized to use deadly force in cases of self-defense without the duty to retreat in the face of any perceived threat to their life or property. As long as you can claim that you are in fear for your life at any given point, the law hands you a license to kill at will. Rather than lower homicide or crime rates, this essentially free pass to criminal behavior has only served to further endanger public safety -- particularly the lives of people of color -- and exploit the mistrust, animosity and racial injustice that color our daily interactions and justice at every level.



Trayvon's murder served as the genesis of the ABA's National Task Force on Stand Your Ground Laws. The task force has researched the impact of Stand Your Ground laws in the 33 states that carry some variation of the law, including Oregon, and their discoveries should give pause to all Americans committed to fair and balanced treatment within our criminal justice system.

In a previous study by the Mayors Against Illegal Guns coalition in collaboration with the National Urban League and VoteVets, our data showed that in the 22 states that had enacted Stand Your Ground Laws between 2005 and 2007, the justifiable homicide rate by private citizens was 53 percent higher after the passage of the law.

The study also found that in Florida alone, justifiable homicides jumped to 200 percent. A 2012 ABA report cited statistics compiled by researchers at Texas A&M that found that states with Stand Your Ground laws have more homicides than states with-

out the statute.

When you take into consideration the history of race in this country, the disproportionate impact of the law on African Americans should come as no surprise. The task force's research has also found that a white shooter who uses deadly force against a black victim is 350 percent more likely to be found justified than a black shooter who kills a white victim.

Because of the racial bias inherent in Stand Your Ground laws, and the danger to the general public caused by this "shoot first, ask later" mentality, we need to do more than review the laws, we need to repeal them. Stand Your Ground has not proven itself to be a common sense law that keeps our communities -- and our neighbors -- safe.

According to one of the task force's researchers, "if we are to use science and data and logic and analysis to drive sensible public policy, then there is no reliable and credible evidence to support laws that encourage stand your ground and shoot your neighbor."

No matter who you are, or what ethnic community you claim as your own, we all want

the same thing: to be safe. Stand Your Ground laws have proven that rather than curb violence, the laws increase violence.

The explosive combination of Stand Your Ground laws and pre-existing racial stereotypes and tensions have worked disproportionately against communities of color, making them victims in far larger numbers and depriving them of justice in our criminal justice system. Repealing Stand Your Ground laws would seem like common sense, but unfortunately, common sense is not so common. Just weeks ago a bill was introduced by a Florida legislator that would effectively provide more protection for people who claim self-defense, placing the burden on prosecutors to prove that the defendant was wrong to use deadly force.

Stand Your Ground laws do not protect us -- they hurt, divide and kill -- and we must work together to enact public policy and gun laws that will ensure the safety of the American public.

*Marc H. Morial is president and chief executive officer of the National Urban League.*

## 'This Ain't Yo Mama's Civil Rights Movement'

Welcoming a new generation of activists

By **REV. AUNDREIA ALEXANDER**

The day after the Aug. 10 anniversary of Michael Brown's death, I was arrested along with more than 50 other protesters outside of the Department of Justice in St. Louis in an act of civil disobedience.

As I shared a cell with 15 other women, I was captivated by a t-shirt worn by one of the women that said, "This Ain't Yo Mama's Civil Rights Movement."

I wasn't born when Rosa Parks inspired the longest sustained act of protest of the 20th century after she was arrested for not moving to the back of the bus in Birmingham, Ala. I have watched the multi-shades of gray film clips from the era and wondered what role I might have played in it. Would I have been one of those on the front line or remained on the side? If I did participate, what would have been my limits? Would I continue protesting after being beaten,

bitten by dogs, or being spit on and pummeled by rocks thrown by racist observers?

My short stint of seven hours in a holding cell did not solve this backward reflection for me and frankly, I think different circumstances and historical contexts make the analogy an exercise in futility. I have, however, participated in and reflected on conversations that compare the Civil Rights Movement of the '50s and '60s with the current Black Lives Matter Movement.

I think there are many similarities. Both are led by young revolutionaries fed up with an unjust governmental system that diminishes the humanity of black people. Both challenge the status quo that fails to live up to the promise America made to be "one nation under God with liberty and justice for all." Both are fueled by the senseless deaths of black people killed with impunity and no accountability.

A more complicated comparison is the role of the faith community in both movements. The

reality is that members of the faith community have played an important role in both. Houses of worship have served as sanctuary and training facilities for protesters in both. For both faith leaders have stood in prophetic witness and spoken out against injustices even when challenged by their own ecclesiastical leadership. The faith community has been intricately involved, with a rather large presence but small in numbers.



The purpose of Dr. Martin Luther King Jr.'s famous "Letter from a Birmingham Jail" was to respond to and chastise the Christian community for its inaction in the face of injustice.

The Civil Rights Movement was grounded in a patriarchal structured transactional style of leadership with a dominant figure serving as the face and voice of the movement. A big and welcomed difference is that the Black Lives Movement is a "leaderful" movement with several faces and voices. Also many of those on the frontline and in leadership roles are LGBTQ

women who are "unbossed and unbought." Their voices are not quailed or subordinated to men.

Despite the debate, it is my hope that we keep our eyes on the prize-- justice for all. Mass incarceration is the greatest human rights crisis of this generation. Both Democrats and Republicans agree that it is a problem, but none of the many conferences and conversations have led to solutions. For certain, however, reforming policing at the local level is one way to turn the tide.

Earlier this year various civil rights organizations; state, local and federal agencies; non-governmental organizations and faith communities, including the National Council of Churches, submitted testimonies to the President's Task Force on 21st Century Policing. Recently a group identified as "We the Protesters" issued an outline of policy solutions titled "Campaign Zero."

Campaign Zero incorporates many of the recommendations that came out of the taskforce report. This document is "ground zero" for bringing together a cross section of interested parties

to join efforts that will demilitarize police departments, hold police accountable and reverse the trend of mass incarceration.

Each generation has its methods, language and leadership style for bringing about change. I would dare say that the millennial leaders of the Black Lives Matter movement are an answer to the prayers of those who preceded them. For many of us "You are the ones that we have been waiting for."

Dr. King once said, "Our nettlesome task is to discover how to organize our strength into compelling power so that government cannot elude our demands. We must develop, from strength, a situation in which the government finds it wise and prudent to collaborate with us."

Whether we are singing "We Shall Overcome" or chanting "No justice, No Peace," we must do it together.

*Rev. Aundreia Alexander, Esq., is the associate general secretary for action and advocacy for justice and peace with the National Council of Churches, a member organization with the Civil Rights Coalition on Police Reform.*