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# Florida House of Representatives

## Representative Barbara Watson

D-103

Email: [Watson.Barbara@myfloridahouse.gov](mailto:Watson.Barbara@myfloridahouse.gov)

September 11, 2012

The Honorable Jennifer Carroll  
Lieutenant Governor, State of Florida  
The Capitol, 402 South Monroe Street  
Tallahassee, Florida 32399

Dear Lieutenant Governor Carroll,

I bring to you urgent concerns pertaining to a meeting of the Task Force on Citizens Safety and Protection that is scheduled to be held on Thursday in Miami-Dade County.

From recent conversations I have had with numerous local residents, it appears that there has been, to date, insufficient promotion in the news media about the time, place and location of the meeting. I strongly encourage you to do whatever is reasonably possible to increase public awareness of the meeting, including but not limited to outreach with South Florida's various prominent print and broadcast news organizations.

In addition, I am disappointed that a meeting location was not selected that would have been more reasonable for residents in the Miami Gardens area. As it is, the meeting location will likely require by automobile travel time to exceed 45 minutes for some interested participants in northwest Miami Gardens. For those who would like to attend and use public transportation, this meeting is more than 400 blocks away and is on the opposite side of the County.

Regardless, I encourage attendance – and I hope you do so as well – for the meeting now set to take place Thursday (Sept. 13) at South Miami-Dade Cutler Arts Center, 10950 SW 211<sup>th</sup> Street, Cutler Bay, FL 33189.

I remain hopeful that in the future we can work together on matters of concern to the people we serve.

Sincerely

A handwritten signature in blue ink that reads "Barbara Watson".

The Honorable Barbara Watson  
State Representative, D-103



COMMITTEE ASSIGNMENTS: *Health & Human Services Committee\* Joint Administrative Procedures Committee\* Ranking Member - Rulemaking & Regulation, Criminal Justice, Government Operations and Transportation & Highway Safety Subcommittees*



Jose  
Huerta



Joseph  
Wilson

**Bonita Springs**  
**2 teens**  
**accused**  
**in street**  
**shooting**  
 ■ Pedestrian's  
 condition said  
 to be critical

**Daily News staff**

A Bonita Springs man was in critical condition in a Fort Myers hospital Saturday night, a day after he was shot while walking down a street.

An Estero man and a Bonita Springs teenager were arrested Saturday in connection with the shooting. Each is accused of aggravated battery with a deadly weapon.

While walking near Hampton Street and Old 41 Road about 11 p.m., Marcelino Bartolo, 33, and a friend heard voices behind them, according to the Lee County Sheriff's Office.

The pair turned to see two men, one of whom pointed a gun at them, sheriff's officials said Saturday. Bartolo removed his belt to defend himself, striking

DEAR  
JENNIFER  
I WORK IN A  
RESTAURANT IN  
NAPLES WITH A  
GUN CRAZY STAFF  
THEY ALL HAVE GUNS  
IN THEIR CAR WITH  
THEY BRING AT WORK  
AND THE MANAGER  
AND 6 OF THE  
WAITER STAFF  
BRING THEIR GUNS  
TO WORK IS A  
RECEIPT FOR  
DISASTER STOP

THIS MADNESS ABOUT GUNS  
IN WORKPLACE AND PARKS  
AND ON THE STREET!

E.L. "Bud" Ruff, Naples

## The aim of the NRA

I was a member of the National Rifle Association for many years, as I was a hunter and veteran, but stopped when I realized it had become nothing more than a fear-monger.

The NRA uses President Barack Obama and phony conspiracies such as "Fast & Furious" to push gun sales across America. They want "zero" gun regulations and won't be happy until every red-blooded American is carrying an AK-47.

Facts prove that if people carry guns, they are many times more likely to be shot themselves.

The NRA loves to say, "Guns don't kill, people do." Actually, it is usually people with guns who kill others.

Something seems to be terribly wrong in this country, as we kill more Americans each and every year with guns than all 27 other NATO countries combined! We are over 50 percent more likely to be killed by a gun in the United States. There were also 1.8 million assaults last year in America, with over 1 million wounded, thousands disabled for life. Ninety-nine percent of the killings in the U.S. were Americans killing Americans.

So please don't blame other religions or nations. Blame the American system. Many Americans are so concerned about their own personal rights, they totally forget about the rights of their fellow citizens.

So where are you safer and who would seem to be more civilized?



Another mass murder, another shooting spree, leaving bodies bullet-riddled by a legally obtained weapon. This time, it was Oak Creek, Wis., at a Sikh temple, as people gathered for their weekly worship. President Barack Obama said Monday, "I think all of us recognize that these kinds of terrible, tragic events are happening with too much regularity for us not to do some soul-searching." Amidst the carnage, platitudes. With an average of 32 people killed by guns in this country every day — the equivalent of five Wisconsin massacres per day — both major parties refuse to deal with gun control. It's the consensus, not the gridlock, that's the problem.

The president's press secretary, Jay Carney, said, "We need to take common-sense measures that protect Second Amendment rights and make it harder for those who should not have weapons under existing law from obtaining weapons." It's important to note where Jay Carney made that point, reiterating the phrase "common sense" five times in relation to the President's intransigence against strengthening gun laws, and invoking "Second Amendment" a stunning eight times. He spoke from the James S. Brady Press Briefing Room in the White House, named after one of Mr. Carney's predecessors, shot in the head by John Hinckley during the attempted assassination of President Ronald Reagan in 1981. Brady survived and co-founded with his wife the Brady Campaign to Prevent Gun Violence. After each of these massacres, the Brady Campaign has called for strengthened gun control.

## Or gun laws, bipartisan consensus, not gridlock, is the problem

This latest mass killing was very likely a hate crime, perpetrated by Wade Michael Page, a white, 40-year-old U.S. Army veteran with links to white supremacist groups and membership in skinhead rock bands. Page grew up in Littleton, Colo., the same town where, in 1999, Eric Harris and Dylan Klebold plotted and executed their mass-murder plan at Columbine High School. Page was in the U.S. Army from 1992 to 1998. He did missile-system repairs and later was a "psychological operations" specialist, although it is not clear in what capacity, based first at Fort Bliss, Texas, then at Fort Bragg, N.C.

Page received a "general discharge" from the U.S. Army, lower than an honorable discharge, but not as bad as a dishonorable one. Reports suggest he had a problem with alcohol, with several arrests for drunken driving. He recently lost a truck-driving job for the same reason, which may have precipitated the loss of his home to foreclosure. Page may have been troubled, but he was by no means unknown. After the shooting, FBI Special Agent Teresa Carlson of Milwaukee told the press, "There may be references to him in various files, and those are things that are being analyzed right now, but, we had no reason to believe, and as far as we know, no law-enforcement agency had any reason to believe that he was planning or plotting or capable of such violence."

Page was a prominent member of the neo-Nazi skinhead music scene, was known to the Southern Poverty Law Center, which tracks right-wing hate groups, and was also personally interviewed, between 2001 and 2003, by Pete Simi, associate professor of criminology at the University of Nebraska at Omaha. Despite the arrests, despite the history of membership in hate groups, Page was able to walk into a gun shop and buy the 9 mm pistol legally, according to the

shop owner. The fact that it was legal is the problem.

As if on cue, two days after Page's murderous rampage in Wisconsin, Jared Loughner appeared in court to plead guilty to the shooting spree in Tucson, Ariz., that left six dead and many injured, including former member of Congress Gabrielle Giffords. Loughner has been diagnosed with schizophrenia, and will spend the rest of his life behind bars. Patricia Maisch survived the shooting. As Loughner was tackled that day in January 2011, Maisch grabbed the high-capacity magazine that Loughner was using to reload his gun. Maisch and two other survivors of that shooting have launched an advertisement with the group Mayors Against Illegal Guns, demanding that both President Obama and Gov. Mitt Romney come up with a plan to deal with guns in this country.

The day after the Wisconsin shooting, I spoke with Gurcharan Grewal, president of the Sikh Religious Society of Wisconsin. He told me:

"Ultimately, the problem comes to gun control. I don't know when we're going to get serious about all this, and I don't know how many more lives it will take before something will be done."

Neither Obama nor Romney agrees that gun control is the answer. It will take a movement to make it happen. ■

— Denis Moynihan contributed research to this column.

— Amy Goodman is the host of "Democracy Now!," a daily international TV/radio news hour airing on more than 1,000 stations in North America. She is the author of "Breaking the Sound Barrier," recently released in paperback and now a New York Times best-seller.

# Again, we're walking a fine Second Amendment line, with no easy answers

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

So reads the Amendment II to the Constitution of the United States, adopted in 1791 when frontier settlements faced threats from hostile Indians, bandits and even foreign armies with designs on those frontiers.

The concept of a citizen militia using personal arms to help secure the state is as an anachronistic today as the definition of arms as understood by the founding fathers.

Every time a shooting



OPINION

like the Aurora, Colo., movie theater massacre occurs, the debate over what the Second Amendment means is renewed.

Did the founders mean for citizens to have a right to military grade weapons? Apparently, bearing in mind that in their time military weaponry was not that much different from the personal arsenal one might

have on hand for hunting or warding off threats to person or property.

But it's doubtful in today's world of shoulder-fired anti-aircraft rockets and rapid-fire grenade launchers the same would hold true.

In fact, the decision has already been made. Your right to keep and bear a 20 mm M61 Vulcan Gatling gun has been decidedly infringed.

While not even the most pro of the pro-gun advocates would suggest it's OK for a private citizen to own a nuclear bomb, even ardent opponents of gun ownership would have a hard time arguing against

a farmer's right to keep a .410 shotgun on hand to protect his crops and livestock from varmints.

So what we really talk about, when senseless acts such as the one in Aurora get us talking, is where on this spectrum of lethal weapons do we draw the line between what is protected by the Second Amendment and what is not?

There is no easy answer.

But that doesn't mean we shouldn't try to do better.

Do assault rifles with extended clips in the hands of anyone who wants them make us more or less secure?

Those opposed to further restriction on gun ownership say blaming the gun for violence is like blaming the fork for getting fat. The gun didn't kill the people, they say, the person wielding it did.

True enough. Just as the hammer didn't build the house. But you can build a helluva lot more houses in a helluva lot less time with a hammer as opposed to without one.

Likewise, gun advocates argue, a demented person intent on murder will find some other way to kill, such as bombs, if denied access to firearms. Perhaps. But one can't help of being reminded of

the Times Square bomber of 2010 whose botched device killed exactly no people. Or of the occasional sad soul you read of who blew up only himself while trying to concoct an explosive.

The array of arms now in existence is far beyond what the founders could have envisioned.

Lobbies such as the National Rifle Association shouldn't have the power to stifle the debate as to exactly where in that array the line of private ownership should be drawn.

Connect with Brent Batten at [naplesnews.com/staff/brent\\_batten](http://naplesnews.com/staff/brent_batten)

WE DON'T NEED BROADER GUN RIGHTS  
WE NEED BROADER GUN CONTROL  
THE OTHER DAY I WENT TO A COLLECTOR  
COUNTY BEACH AND THE GUN ~~SIGNATURE~~  
IN OF THE PARK IS BLANKED THAT MEANS  
GOV CAN TAKE A GUN ON THE BEACH BUT  
NOT ALCOHOL. THIS IS INSANE!

# Florida's Gun Law Morass

A federal court has struck down one of the more nonsensical of Florida's many risky gun laws — one that banned the state's thousands of doctors from ever discussing firearms with their patients. There was no evidence this was ever a problem or a common occurrence, yet the law was enacted last year on the strength of an anecdote from a couple who complained to their gun-obsessed legislator that their physician inquired if they owned guns.

The court wisely upheld the free-speech rights of physicians. Safety-minded Floridians must hope similar judicial wisdom applies eventually to the state's far less laughable Stand Your Ground law.

That gravely loosened self-defense statute was invoked in the shooting death in February of an unarmed teenager, Trayvon Martin, by a self-appointed neighborhood watchman, George Zimmerman. Mr. Zimmerman initially walked free, but after a public furor he was charged with second-degree murder — a demonstration of the law's dangerous vagaries, which have left courts, prosecutors and police fumbling with contradictory interpretations that abuse justice, more than ensure it.

In the boom in self-defense claims caused by the 7-year-old law, some killers in drug shootouts, gang wars and street brawls have walked free while comparable crimes end with long prison sentences in neighboring local jurisdictions, according to a detailed study of nearly 200 cases by the Tampa Bay Times.

Almost 7 in 10 people who invoked the overreaching law have not been charged, the study found. In 135 cases,

the slain victim was unarmed; in 157 killings, the accused used a gun or a knife. In nearly a third of the cases, reporters found self-defense claimants initiated the fight, shot an unarmed person or pursued the victim — and still went free under local authorities' conflicted interpretations of the law. It has become an excuse for mayhem, used at least six times in drug deals gone lethal, 23 times in barroom fights, 12 times in neighborhood disputes and 30 times in arguments turned violent.

The racial aspects of the law are far from fully investigated, but the study found 73 percent of those who killed a black person successfully claimed immunity compared to 59 percent of those who killed a white. The law, which has been copied in more than a score of states, scrapped the traditional duty to retreat from a threat when possible and instead allowed a license to kill if a citizen "reasonably believed" he was in danger of grave bodily harm. Slain victims like Trayvon Martin, of course, have no chance to tell their side of the story.

The Florida law reached the level of Wild West farce when one judge freed two gang members, ruling he had to grant immunity because it could not be proved that they fired first — rather than in claimed self-defense — when they sprayed 25 rounds outside an apartment complex. No wonder defense lawyers quickly exploited the law, even claiming immunity in minor incidents, as in cases in which a man shot a bear, a protected species, and another beat a dog. The law is a dangerous disaster that should be repealed if state politicians could ever muster courage to retreat from the macho fantasies of the gun lobby.



# Treat gun violence as social disease?

By Marlynn Marchione  
Associated Press

**MILWAUKEE**— Is a gun like a virus, a car, tobacco or alcohol?

Yes, say public health experts, who in the aftermath of recent mass shootings are calling for a new look at gun violence as a social disease.

What we need, they say, is a public health approach to the problem, like the highway safety measures, product changes and driving laws that slashed deaths from car crashes decades ago, even as the number of vehicles on the road increased. One example: Guardrails are now curved to the ground instead of having sharp metal ends that stick out and pose a hazard in a crash.

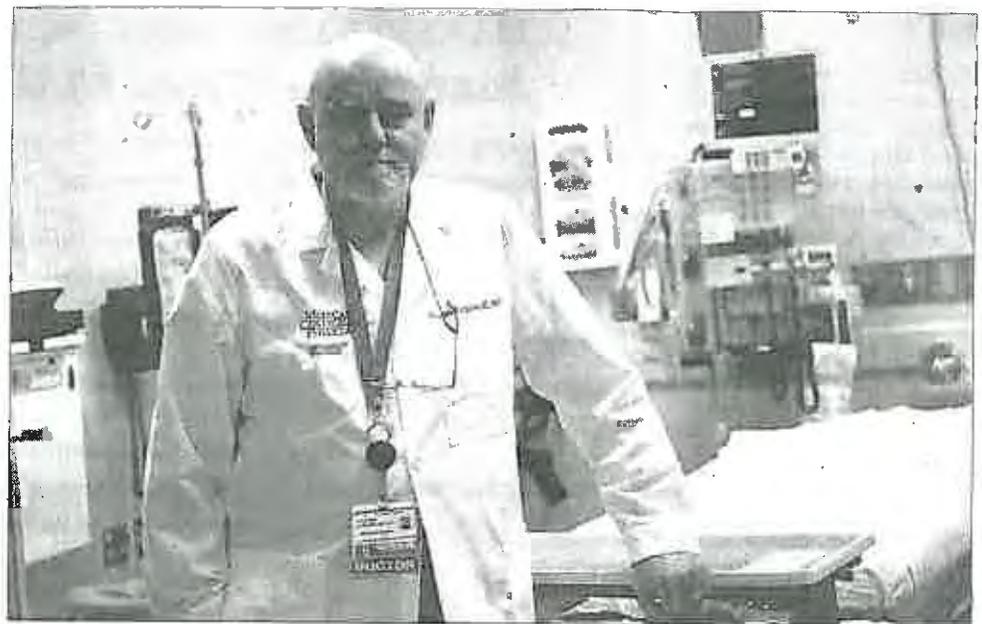
"People used to spear themselves and we blamed the drivers for that," said Dr. Garen Wintemute, an emergency medicine professor who directs the Violence Prevention Research Program at the University of California, Davis.

It wasn't enough back then to prevent deaths just by trying to make people better drivers, and it isn't enough now to tackle gun violence by focusing solely on the people doing the shooting, he and other doctors say.

They want a science-based, pragmatic approach based on the reality that we live in a society saturated with guns and need better ways of preventing harm from them.

The need for a new approach crystallized Aug. 5 for one of the nation's leading gun violence experts, Dr. Stephen Hargarten. He found himself treating victims of the Sikh temple shootings at the emergency department he heads in Milwaukee. Seven people were killed, including the gunman, and three were injured seriously.

It happened two weeks after the shooting that killed 12 people and injured 58 at a movie theater in Colorado, and two days before a man pleaded



Dr. Stephen W. Hargarten, emergency medicine chief at Froedtert Hospital in Milwaukee, helped some of the victims of the Aug. 5 shootings at the Sikh Temple of Wisconsin.

guilty to killing six people and wounding 13, including then-Rep. Gabrielle Giffords, in Tucson, Ariz., last year.

"Is this the new social norm? This is what we're going to have to live with if we have more personal access to firearms," said Hargarten, emergency medicine chief at Froedtert Hospital and director of the Injury Research Center at the Medical College of Wisconsin. "We have a public health issue to discuss. Do we wait for the next outbreak, or is there something we can do to prevent it?"

About 260 million to 300 million firearms are owned by civilians in the United States. Guns are used in two-thirds of homicides, according to the FBI. About 9 percent of all violent crimes involve a gun — about 338,000 cases each year.

More than 73,000 emergency room visits in 2010 were for firearm-related injuries, the federal Centers for Disease Control and Prevention estimated.

One recent study found firearm owners were more likely than those with no firearms at home to binge drink or to drink and drive, and other research has tied alcohol and gun violence. That suggests that people

convicted of driving under the influence should be barred from buying a gun, Wintemute said.

Public health advocates also say manufacturers could be pressured to fix design defects that let guns go off accidentally and to add technology that allows only the owner of the gun to fire it (many police officers and others are shot with their own weapons).

Bans on assault weapons and multiple magazines that allow rapid and repeat firing are other possible steps.

Gun shops must do background checks and refuse to sell firearms to people convicted of felonies or domestic violence misdemeanors, but those convicted of other violent misdemeanors can buy whatever they want. The rules also don't apply to private sales, which one study estimates as 40 percent of the market.

Gun ownership — a precursor to gun violence — can spread "much like an infectious disease circulates," said Daniel Webster, a health policy expert and co-director of the Johns Hopkins Center for Gun Policy and Research in Baltimore.

"There's sort of a contagion phenomenon" after a shooting, where people

think they need to have a gun for protection or retaliation, he said.

After the Colorado movie-theater shootings, reports popped up around the nation of people bringing guns to "Batman" movies. Some of them said they did so for protection.

AP writer Pete Yost in Washington contributed to this report.



# Cities' voters want gun control in campaign talk

By Michael Rubinkam,  
Patrick Walters  
and Carla K. Johnson  
Associated Press

PHILADELPHIA — In a tough Philadelphia neighborhood where an off-duty police officer was shot to death this month, a mother is afraid to walk to the corner store with her two children.

In a Chicago area where 23 people have been killed by gunfire so far this year, kids don't want to go outside.

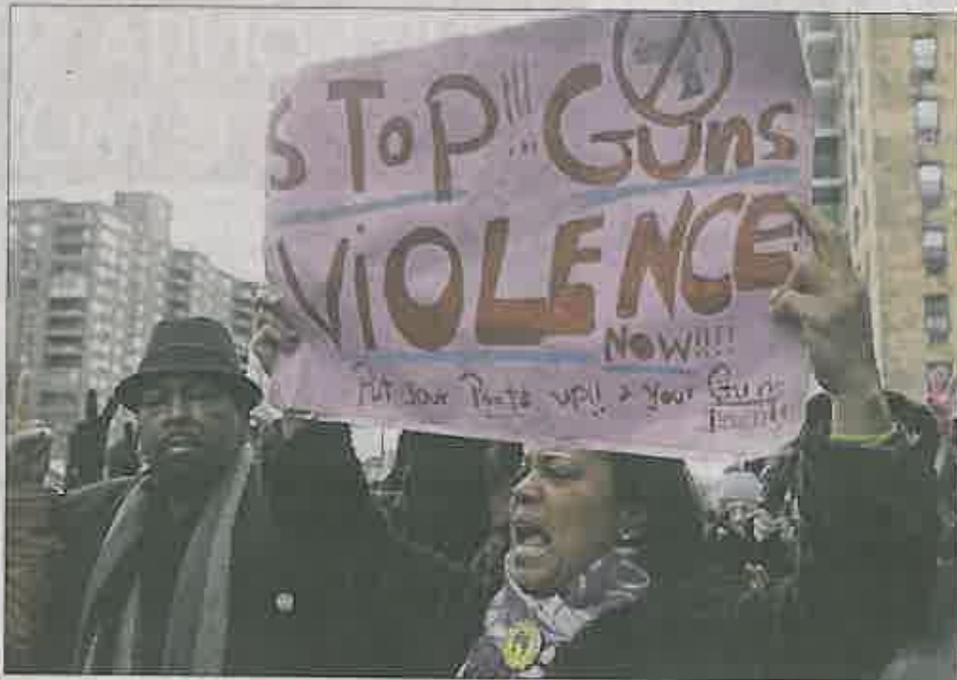
In Harlem, a 26-year-old man worries his family will get hit by crossfire.

Residents of city neighborhoods plagued by gun violence say they feel neglected and ignored even in a presidential election year marked by shootings at a Colorado movie theater, a Sikh temple and outside the Empire State Building.

Republicans have defended gun ownership this year, while Democrats have largely kept quiet about an issue they used to put front and center.

"People are being gunned down. Nobody's talking about it. But both parties want our votes," said the Rev. Ira Acree, of Greater St. John Bible Church in Chicago.

Acree lives in the city's Austin neighborhood, where 7-year-old Heaven Sutton was killed by a stray bullet as she was selling snow cones.



**ABOVE:** Martina Garcia of the Hispanic Community Organization For Life speaks Jan. 8 at a demonstration against gun violence in Harlem. It was the first anniversary of the Tucson shootings that killed six people and injured 12.



**LEFT:** Confiscated, illegal firearms are displayed July 26 by law enforcement authorities at a news conference in New York City.

ASSOCIATED PRESS (2)

Gunfire often pierces the neighborhood. Almost two dozen people have died this year, and children in his congregation are afraid to walk outside. Citywide, homicides are up sharply from 2011, though still way down

from their historical highs in the early 1990s.

"It's a state of emergency here in Chicago," Acree said. "We want all hands on deck. That includes the president."

But within the national Democratic Party, histori-

cally favored by urban voters such as Acree, voices calling for gun control are silent again this year.

Jobs and the economy have muted discussion of other issues, while public opinion has swung sharply against restrictions on gun

ownership.

Even some urban voters are openly hostile to gun control, viewing it as unilateral disarmament, and a steep long-term decline in violent crime has removed some of the impetus for action.

President Barack Obama touched on the gun issue a few days after a man opened fire at a movie theater in Aurora, Colo., killing 12 and wounding 58. In a speech to the National Urban League, Obama declared that assault-style weapons like the AK-47 "belong on the battlefield of war, not on the streets of our cities," and "we should leave no stone unturned" in the effort to keep young people safe.

But his spokesman later said that while Obama wants Congress to reinstitute a federal ban on military-style assault weapons that lapsed in 2004, the president is not pushing for it. And the Democratic Party, which holds its national convention starting Tuesday in Charlotte, N.C., is not saying whether it will strengthen its stance on gun controls.

Republicans, meanwhile, strengthened the gun-rights section of their party platform as they met in Tampa, Fla., this week to nominate Mitt Romney for president, endorsing so-called "stand-your-ground" laws and unlimited bullet capacities in guns.

Since the July 20 theater massacre, there have been at least four more high-profile spasms of gun violence in public places: the rampage at a Sikh temple in Wisconsin, the deadly shooting outside the Empire State Building, a shooting inside a cafeteria on the first day of school near Baltimore, and one at a New Jersey supermarket on Friday that left three people dead, including the gunman — who authorities said used a rifle similar to an AK-47.

While those crimes grabbed the headlines, far less visible is the gun violence that continues unabated in some poor urban neighborhoods.

In gritty north Philadelphia, where police Officer Moses Walker was shot to death Aug. 18 while walking home from his shift, residents said they are tired of it — tired of the ubiquity of guns, tired of feeling afraid — but are not sure whom to blame. Many continue to support Obama but want to see him talking more about gun control.

Keisha Walker, 28, a day care worker and mother of two children, ages 3 and 8, said people can't do simple things like run errands or go to the recreation center.

"It's sad. You can't walk to the corner store," said Walker, who was overseeing kids at a playground.

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## 'Ninja robber' targeting South Florida

AP/FBI

The FBI is offering a \$5,000 reward for information leading to the identification and arrest of a man called the "ninja robber." The robber, shown above during a robbery in North Miami Beach, has held up at least 11 businesses in Miami-Dade and Broward counties. Store surveillance photos show the man usually carries a semiautomatic handgun and points it at store employees, demanding money. Police say he frequently wears a dark ninja-style mask and clothes. Anyone with information should call the Miami FBI office at 305-944-9101.

DEAR SENNIFFER  
I HOPE YOU  
PERSUADE MR.  
SCOTT AND THE  
REST OF PRO  
GUN LAWS TO  
MAKE FLORIDA  
A MODEL FOR  
GUN CONTROL  
WE DON'T NEED  
MORE GUNS  
Sincerely,  
Frank.

E.L. "Bud" Ruff, Naples

## The aim of the NRA

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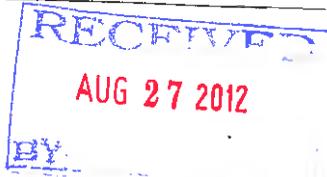
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So please don't blame other religions or nations. Blame the American system. Many Americans are so concerned about their own personal rights, they totally forget about the rights of their fellow citizens.

So where are you safer and who would seem to be more civilized?



# On gun laws, bipartisan consensus, not gridlock, is the problem



Another mass murder, another shooting spree, leaving bodies bullet-riddled by a legally obtained weapon. This time, it was Oak Creek, Wis., at a Sikh temple, as people gathered for their weekly worship. President Barack Obama said Monday, "I think all of us recognize that these kinds of terrible, tragic events are happening with too much regularity for us not to do some soul-searching." Amidst the carnage, platitudes. With an average of 32 people killed by guns in this country every day — the equivalent of five Wisconsin massacres per day — both major parties refuse to deal with gun control. It's the consensus, not the gridlock, that's the problem.

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## STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA  
E. R. GRAHAM BUILDING  
1350 N.W. 12TH AVENUE  
MIAMI, FLORIDA 33136-2111

**KATHERINE FERNANDEZ RUNDLE**  
STATE ATTORNEY

TELEPHONE (305) 547-0100

September 11, 2012

John Konkus  
Chief of Staff for  
Lt. Governor Jennifer Carroll  
Chairwoman of the Task Force on  
Citizen Safety and Protection

Re: Task Force on Citizen Safety  
and Protection: Suggested  
Amendments to the Self Defense  
Statutes

Dear Mr. Konkus:

In anticipation of this Wednesday's Task Force Meeting in West Palm Beach, I have taken the liberty of putting together some suggested language for amendments to the present self defense statutes. I hope that these amendments can be a basis for a discussion of the issues raised during the testimony that has been heard. I would appreciate it if you could forward these suggestions to Lt. Carroll, as the Chairwoman of the Task Force, and Rev. Holmes as the Vice Chairman of the Task Force, as well as all of the other members of the Task Force.

Thank you for your attention to this matter. I look forward to continuing to working with the Task Force on these and other similar issues that may arise in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine Rundle", written over a horizontal line.

KATHERINE FERNANDEZ RUNDLE  
State Attorney

**SUGGESTED AMENDMENTS TO THE SELF DEFENSE STATUTES OFFERED BY  
STATE ATTORNEY KATHERINE FERNANDEZ RUNDLE**

**Note: Strike-throughs are deletions in the present statute, and underlines are additions to the present statute. The amendments are presented first, followed by the explanation of the purpose for the amendment.**

**I. 776.013. Home protection; use of deadly force; ~~presumption~~ inference of fear of death or great bodily harm**

(1) The following circumstances gives rise to an inference that a ~~A person is presumed to have~~ held a reasonable fear of imminent peril of death or great bodily harm to himself or herself or another when using defensive force that is intended or likely to cause death or great bodily harm to another if:

(a) The person against whom the defensive force was used was in the process of unlawfully and forcefully entering, or had unlawfully and forcibly entered, a dwelling, residence, or occupied vehicle, or if that person had removed or was attempting to remove another against that person's will from the dwelling, residence, or occupied vehicle; and

(b) The person who uses defensive force knew or had reason to believe that an unlawful and forcible entry or unlawful and forcible act was occurring or had occurred.

(2) The inference ~~presumption~~ set forth in subsection (1) does not apply if:

(a) The person against whom the defensive force is used has the right to be in or is a lawful resident of the dwelling, residence, or vehicle, such as an owner, lessee, or titleholder, and there is not an injunction for protection from domestic violence or a written pretrial supervision order of no contact against that person; or

(b) The person or persons sought to be removed is a child or grandchild, or is otherwise in the lawful custody or under the lawful guardianship of, the person against whom the defensive force is used; or

(c) The person who uses defensive force is engaged in an unlawful activity or is using the dwelling, residence, or occupied vehicle to further an unlawful activity; or

(d) The person against whom the defensive force is used is a law enforcement officer, as defined in s. 943.10(14), who enters or attempts to enter a dwelling, residence, or vehicle in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law or the person using force knew or reasonably should have known that the person entering or attempting to enter was a law enforcement officer.

(3) A person who is not engaged in an unlawful activity, who does not initially provoke the force, and who is attacked in any other place where he or she has a right to be 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 imminent peril of death or great bodily harm to himself or herself or another or to prevent the commission of a forcible felony.

(4) A person who unlawfully and by force enters or attempts to enter a person's dwelling, residence, or occupied vehicle, gives rise to an inference that the person is presumed to be doing so with the intent to commit an unlawful act involving force or violence.

(5) As used in this section, the term:

(a) "Dwelling" means a building or conveyance of any kind, including any attached porch, whether the building or conveyance is temporary or permanent, mobile or immobile, which has a roof over it, including a tent, and is designed to be occupied by people lodging therein at night.

(b) "Residence" means a dwelling in which a person resides either temporarily or permanently or is visiting as an invited guest.

(c) "Vehicle" means a conveyance of any kind, whether or not motorized, which is designed to transport people or property.

#### PURPOSE OF THESE AMENDMENTS:

There is an issue of whether the present statutory presumption creates an irrebuttable presumption. When there is an irrebuttable presumption, the trier of fact is required to accept the fact proved by that presumption as true, and cannot look at evidence that may be contrary. If the presumption is rebuttable, then the trier of fact can look to evidence that may tend to disprove the fact to determine if it is proved. In criminal law, the statutes do not have irrebuttable presumptions, but rather inferences, which is substantially the equivalent to rebuttable presumptions. In reviewing this statute, many attorneys disagree as to whether it creates an irrebuttable presumption concerning whether a person under the enumerated circumstances had a reasonable fear of imminent peril of death or great bodily harm. An appellate court may one day have to make that decision. The statute has removed all requirements of reasonableness on the part of the person who uses deadly force against someone who has in effect trespassed in their home, which includes the attached porch. Thus, a person who without permission, enters another's yard to ask directions, or sell something, and forcefully opens a porch door, can be killed without questions being asked first. That person, who can be a child, may be conclusively presumed to have been there to do violence, and no evidence presented to the contrary can legally make a difference. Due to this present uncertainty about the presumption, the statute should be clarified now so that there is no question that it is not a conclusive presumption. It is suggested that it be put in terms of an inference, similar to the inferences that can be found in the theft statutes (s. 812.022).

The issue of whether the provisions of s. 776.013(3) should apply to initial aggressors has been the one which has captured the most attention. The statute should be amended to clearly indicate that it does not apply to someone who is the initial aggressor.

Sec. 776.013(3) does not contain a requirement that the threat be imminent only that the defendant reasonably believes it is necessary to use deadly force to prevent death or great bodily harm or the commission of a forcible felony. If the person is engaged in unlawful activity, the Stand Your Ground provision in s. 776.013(3), i.e., no duty to retreat provision, would not apply. However, s. 776.012 would apply. That statute states there is no duty to retreat when the person believes that they are in imminent danger of great bodily harm or death or they are trying to

prevent the imminent commission of a forcible felony. The only advantage to the application of s. 776.013(3) is there is no requirement of imminency of the threat. To be consistent there should be a requirement of imminency.

At the task force meetings there were some questions about what does “unlawful activity” mean. The case law has provided guidance in this area and there is no need to amend the statute. However, if it has to be defined, the following is suggested:

(d) “Unlawful activity” means any criminal activity that is punishable under the laws of this state, but does not include activity that is a ‘noncriminal’ violation as defined in s. 775.08(3).

## **II. 776.031. Use of force in defense of property ~~others~~**

A person is justified in the use of force, except deadly force, against another when and to the extent that the person reasonably believes that such conduct is necessary to prevent or terminate the other's trespass on, or other tortious or criminal interference with, either real property other than a dwelling or personal property, lawfully in his or her possession or in the possession of another who is a member of his or her immediate family or household or of a person whose property he or she has a legal duty to protect. However, the person is justified in the use of deadly force only if he or she reasonably believes that such force is necessary to prevent the imminent commission of a forcible felony. A person does not have a duty to retreat if the person is in a place where he or she has a right to be.

### **PURPOSE OF AMENDMENT**

This is really just an amendment in the title of the statute. It has been pointed out that since this statute speaks to what a person may do to protect themselves from a trespass or other interference with property, the title is misleading. In addition s. 776.012 is titled "use of force in defense of person," which includes others, so the present title of this statute is erroneous.

**III. 776.032. ~~Immunity from~~ Affirmative defense in criminal prosecution and civil action for justifiable use of force**

(1) It shall be an affirmative defense in any criminal prosecution or civil action if a person who uses force as permitted in s. 776.012, s. 776.013, or s. 776.031 is justified in using such force and is immune from criminal prosecution and civil action for the use of such force, unless the person against whom force was used is a law enforcement officer, as defined in s. 943.10(4), who was acting in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law or the person using force knew or reasonably should have known that the person was a law enforcement officer. As used in this subsection, the term "criminal prosecution" includes arresting, detaining in custody, and charging or prosecuting the defendant. The determination of whether a person is justified in using such force shall be made by a jury. In those cases where no material facts are in dispute, that determination shall be made by the court pursuant to the applicable rules of procedure.

(2) A law enforcement agency may use standard procedures for investigating the use of force as described in subsection (1), but the agency may not arrest the person for using force unless it determines that there is probable cause that the force that was used was unlawful.

(3) The court shall award reasonable attorney's fees, court costs, compensation for loss of income, and all expenses incurred by the defendant in defense of any civil action brought by a plaintiff if the jury or court finds that the defendant was justified in the use of force ~~immune from prosecution~~ as provided in subsection (1).

**PURPOSE FOR THESE AMENDMENTS:**

No rationale was set forth by the Legislature to remove the issue of self defense away from a jury and give it to a judge when there are issues of fact that are in dispute. No persuasive rational basis has been provided by testimony at the hearings.

Florida has long recognized that prosecutors are the initial gatekeepers of whether to charge a person with a violation of the criminal laws. State attorneys are one person grand juries under s. 27.04. Cases throughout the state have shown that judges are in no better position than juries to make these factual and credibility determinations and to apply the law. Florida has acknowledged the right to a jury trial, by both the state and the defendant. In fact, by criminal rule, the defendant cannot waive the right to a jury trial without the state's consent. Furthermore, Florida, by both statute and case law, has determined that affirmative defenses should be raised at trials and not decided pretrial by judges. See for example cases involving insanity, involuntary intoxication, entrapment, consent, duress, and prior to 10/1/2005, self defense.

Pretrial immunity does not significantly shorten the process for the defendant or the victim. As testified to at the hearings by the public defenders, these mini trials are usually not conducted until all discovery is completed in the case, many times right before trial. Thus, it does not save any significant expenses when the motion is granted. However, if the motion is denied, unless

the case is settled, both the defendant and the victims must then go through the additional expense, emotionally and financially of a jury trial.

Florida has always provided for a mechanism to determine these issues prior to trial. If the facts are not in dispute, a judge can make a legal determination as to whether the defendant has a legal defense, through a motion to dismiss under Florida Rule of Criminal Procedure 3.190(c)(4) or by the civil summary judgment rules.

Even if the immunity provisions pertaining to the actual prosecution of the person were to remain, the definition of prosecution to include the “arresting” or “detaining in custody” of the defendant, must be deleted as it has led to confusion among law enforcement and has allowed defendants to use this provision as grounds to suppress evidence that was found by police after the arrest or detention of the defendant. That evidence can be either physical or can be confessions. As such the following is proposed:

(1) A person who uses force as permitted in s. 776.012, s. 776.013, or s. 776.031 is justified in using such force and is immune from criminal prosecution and civil action for the use of such force, unless the person against whom force was used is a law enforcement officer, as defined in s. 943.10(4), who was acting in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law or the person using force knew or reasonably should have known that the person was a law enforcement officer. As used in this subsection, the term “criminal prosecution” means ~~includes arresting, detaining in custody, and~~ charging or prosecuting the defendant.

**STACY A. SCOTT**  
**PUBLIC DEFENDER**  
Eighth Judicial Circuit

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Reply to:



September 7, 2012

Lt. Governor Jennifer Carroll, Chair  
Task Force on Citizen Safety and Protection

Dear Lt. Governor Carroll:

It is clear from the public meetings held by the Task Force to date and from statewide polling that the majority of Floridians favor an expansive right to self defense and the 'Stand Your Ground' law. Therefore, the Stand Your Ground provisions of Chapter 776.012, 776.013, 776.031, 776.023, and 776.041 should remain intact, with only minor additions and clarifications to the statutes. Based on the public meetings, and upon thorough review of the body of law relating to self defense, I am submitting the following recommendations for review by the Task Force:

1. **The right to a pre-trial adversarial immunity determination should be added to the provisions of F.S. 776.032.** As written, 776.032 provides a person who uses forces as permitted in s.776.012, s.776.013 or s.776.031 with immunity from criminal prosecution and civil action. However, the statute does not outline a procedural mechanism for determining whether a person is entitled to such immunity. The courts have defined the appropriate procedure through case law. That procedure involves a pre-trial, adversarial hearing in which a judge weighs the evidence, including the credibility of witnesses, and determines whether the defendant has proven by a preponderance of the evidence that he/she was justified in the use of force and is therefore immune from prosecution. It is this pre-trial hearing process that gives true meaning the immunity provisions of the statute.

F.S. 776.032 should be amended to add the right to a pre-trial, adversarial hearing in which a judge weighs the evidence, including the credibility of witnesses, to determine whether a defendant is immune from prosecution.

**STACY A. SCOTT**  
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Reply to:



**2. Define the term “unlawful activity”:** There is no duty to retreat where the person who uses force was not engaged in any unlawful activity other than the crime(s) for which the person asserts the justification. F.S. 776.013(3). However, the statute does not provide any guidance or limits on what types of ‘unlawful activity’ would preclude a citizen from availing themselves of the Stand Your Ground provisions of the law. As written, the term ‘unlawful activity’ is too broad, and encompasses even the most minor types of criminal activity (i.e. open container violations, driving while license suspended), and potentially includes non-criminal activity (i.e. speeding or jay walking).

The term ‘unlawful activity’ should be defined to include only forcible felonies as defined by 776.085, and possession of a firearm by a convicted felon.

**3. Clarify whether the retreat of the person against whom the force is about to be used impacts the right of the person using force to continue to use said force:** The statute as written does not address whether the retreat of the person against whom force is about to be used (the ‘victim’) is relevant to the right of a citizen to use force in self defense. Case law has addressed specific situations in which the ‘victim’ may have been retreating from the altercation, with varied results. However, a more uniform statewide standard might be beneficial to all concerned. Clarifying language could be inserted into 776.012, 776.013, and 776.031 and could read as follows:

“A person is not justified in the use of force against another unarmed person if prior to the use of force, the other unarmed person clearly and unequivocally retreats from the confrontation and immediately terminates any threat of the use of force against any person”.

**4. Narrow the definition of “criminal prosecution” in 776.032:** 776.032 currently defines “criminal prosecution” to include “arresting, *detaining in custody*, and charging or prosecuting the defendant”. (Emphasis added). Law enforcement has a duty to determine whether there is probable cause to arrest any individual. In order to make that determination, temporary detention of an individual may be required. Therefore, the phrase ‘*detaining in custody*’ should be deleted from the definition of “criminal prosecution”.

**STACY A. SCOTT**  
**PUBLIC DEFENDER**  
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Union Counties

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Gilchrist Counties



Reply to:

The above recommendations if adopted should serve protect the rights of all citizens in our great state. Thank you for allowing me to participate in this important process.

Sincerely,

Stacy A. Scott  
Public Defender

A handwritten signature in black ink, appearing to read "Stacy A. Scott", written over the typed name and title.



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
Children, Families, and Elder Affairs, *Chair*  
Budget - Subcommittee on Criminal and Civil Justice  
Appropriations  
Community Affairs  
Military Affairs, Space, and Domestic Security  
Reapportionment  
Transportation

**JOINT COMMITTEE:**  
Public Counsel Oversight

**SENATOR RONDA STORMS**  
10th District

June 29, 2012

Lt. Governor Jennifer Carroll, Chair  
Florida Task Force on Citizens  
Safety and Protection  
400 South Monroe Street  
Tallahassee, FL. 32399

Dear Governor Carroll:

Thank you for this opportunity to share some recent information that I believe should be useful in your position as Chair of the Florida Task Force on Citizens Safety and Protection.

My office was recently provided a copy of the Thirteenth Judicial Circuit Court Judge Gregory P. Holder's Final Order for the *State of Florida v. Gerald Terrell Jones (2012)* and would like to offer it to you and the Task Force on Citizens Safety and Protection for review and analysis. I believe that this recent decision might prove useful to the task force as you consider possible changes to Chapter 776, Florida Statute, commonly known as the "Stand Your Ground" statute.

Based on other views and information personally shared with me by members of the Florida Bar, I would also like to suggest other areas for possible consideration to include elements relating to jury instructions and the appropriate thresholds utilized for pre-filing determinations. These important issues have contributed to the volatility involving the application of these statutes.

Lastly, I would like to take this opportunity to commend you and the Task Force on Citizens Safety and Protection for your efforts to ensure the rights of all Floridians and visitors to feel safe and secure in our great State.

Thank you again for your thoughtful consideration and please feel free to contact me or my office if you have any feedback or thoughts on this matter.

Sincerely,

Senator Ronda Storms  
District 10

*Big hugs from Mike Bennett  
Hes turning H.*

JUL 13 2012

**REPLY TO:**

- Lithia Oaks Business Center, 421 Lithia Pinecrest Road, Brandon, Florida 33511 (813) 651-2189 FAX: (813) 651-2188
- 413 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5072

**MIKE HARIDOPOLOS**  
President of the Senate

**MICHAEL S. "MIKE" BENNETT**  
President Pro Tempore

**IN THE THIRTEENTH JUDICIAL CIRCUIT COURT  
FOR HILLSBOROUGH COUNTY, FLORIDA  
Criminal Justice and Trial Division**

STATE OF FLORIDA

CASE NO.: 12-CF-002182

v.

GERALD TERRELL JONES,  
Defendant.

DIVISION: E

**ORDER DENYING "DEFENDANT'S MOTION TO BE DECLARED IMMUNE FROM  
PROSECUTION PURSUANT TO § 776.032(1), FLORIDA STATUTES (2009) AND RULE  
3.190(a) & (b), FLORIDA RULES OF CRIMINAL PROCEDURE AND SUPPORTING  
MEMORANDUM OF LAW"**

THIS MATTER came before the Court on "Defendant's Motion to be Declared Immune from Prosecution pursuant to § 776.032(1), Florida Statutes (2009) and Rule 3.190(a) & (b), Florida Rules of Criminal Procedure and Supporting Memorandum of Law," filed by and through counsel on April 4, 2012. An evidentiary hearing was held on Friday, May 4, 2012. After reviewing Defendant's Motion, and considering the oral arguments, evidence, and case law advanced by the Defense and the State at the evidentiary hearing, and given the Defendant's demand for speedy trial and the fact that jury trial was set to begin on Monday, May 7, 2012, this Court ruled orally denying Defendant's request for immunity under the Stand Your Ground law. At the hearing on May 4, 2012, the Court reserved the right to make findings of fact and conclusions of law in its written ruling. This written Order serves to memorialize the Court's oral ruling, as well as provide the necessary findings of fact and conclusions of law which support this Court's ruling.

## FINDINGS OF FACT

On the afternoon of January 20, 2012, the Defendant, Gerald Terrell Jones, engaged in a drug transaction with Michael Wilson (Wilson) and Daniel Drake (Drake) which led to the shooting of Mr. Drake.<sup>1</sup> All relevant events occurred in the driveway, front yard, and street area at 1412 Mohr Lake Drive, Brandon, Florida, which was the home of Wilson. Testimony and other relevant evidence adduced at the evidentiary hearing revealed the following:

Wilson testified that at approximately 11:00 to 11:30 a.m. his friend, Daniel Drake, drove to his house at 1412 Mohr Lake Drive, Brandon, Florida. (*See* Transcript p. 12, attached). When Drake arrived, he parked his car in Wilson's driveway. (*See* Transcript p. 12, attached). Wilson testified that when Drake arrived, he came out of his house and saw Drake with another male whom Drake said was his friend. (*See* Transcript p. 13, attached). Wilson testified that he recognized the individual as someone who lived down the street from him, whose nickname was "Dre" or "50-Cent."<sup>2</sup> (*See* Transcript p. 17, attached). There were also three other males sitting on a green TECO<sup>3</sup> power generator box located between Wilson's house and his next door neighbor's house. (*See* Transcript p. 13, 15-16, 122, attached). Brandon Jones testified that he was skipping school on January 20, 2012, and that he, Jaquan Johnson, and Julius Anderson were the three males sitting on and around the green TECO box that afternoon. (*See* Transcript p. 75-76, 81, attached).

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<sup>1</sup> This is uncontested by Defendant. (*See* Transcript p. 6, attached).

<sup>2</sup> Defendant testified that "Dre" is the nickname for Dandre Merrick. (*See* Transcript p. 88, attached).

<sup>3</sup> Although not directly established through witness testimony, TECO stands for Tampa Electric Company.

Wilson testified that he, Drake, "Dre," and the three males sitting on the green TECO box all smoked approximately two inches of a blunt of marijuana.<sup>4</sup> (See Transcript p. 18-19, attached). Wilson testified that while they were smoking outside his house, the group decided that they needed more blunts, so Wilson and Drake drove Drake's car to a nearby gas station. (See Transcript p. 19-21, 130, attached). While they were gone, either Wilson or Drake received a phone call from one of the males who remained outside Wilson's house, telling Wilson and Drake to hurry up. (See Transcript p. 31, 120, attached). Drake testified that Wilson received the phone call and that it was in regard to someone wanting to purchase marijuana. (See Transcript p. 120, 130, attached). Drake testified that the person who wanted to buy marijuana was later identified to him as the Defendant, Gerald Terrell Jones. (See Transcript p. 120-121, attached). When Wilson and Drake returned to Wilson's house, they, along with the other males, smoked marijuana for the second or third time that day. (See Transcript p. 32, attached). While they were smoking, Defendant walked up to the group. (See Transcript p. 33, 78, attached).

Defendant testified that in the afternoon of January 20, 2012, he went to his mother's house, which was located a couple of streets down from Mohr Lake Drive, and then was on his way to "Keisha's" house. (See Transcript p. 88-89, attached). While walking there, Defendant saw Merrick, the three males sitting on the green TECO box, and two white males smoking outside the house located at 1412 Mohr Lake Drive. (See Transcript p. 88, attached). Defendant walked up to the group and asked the three males sitting on the green TECO box where they got

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<sup>4</sup> Brandon Jones admitted that he participated in smoking marijuana. (See Transcript p. 77, attached). Drake, however, testified that they did not smoke marijuana at this time. (See Transcript p. 129, attached). When asked whether he had smoked marijuana before coming to Wilson's house that day, Drake responded "[p]robably yes, I wouldn't doubt it." (See Transcript p. 137, attached). The Court notes that Drake later admitted that as a result of the injuries he sustained from the shooting, he lost much of his memory. (See Transcript p. 124, attached). Drake also testified that "my vision from the whole day and couple weeks prior to that have been shaken." (See Transcript p. 127, attached).

their marijuana. (*See* Transcript p. 89-90, attached). The three males told Defendant that they got the marijuana from the two white males. (*See* Transcript p. 90, attached). Wilson testified that he had never met Defendant before, but that “Dre” (aka Merrick) said Defendant was his cousin, and the other males all said “what’s up?” to Defendant so Wilson assumed “he was cool.” (*See* Transcript p. 33-34, attached). At that point, there was some discussion about Drake and Wilson selling marijuana to Defendant, and Defendant pulled out his money and asked “well, what I got.” (*See* Transcript p. 34-35, 79, 90, attached). Defendant testified that Drake and Wilson argued about which of them would sell him the marijuana, and that after Wilson said Drake could do it, Drake told Defendant to get in his car.<sup>5</sup> (*See* Transcript p. 90, attached). Drake testified that he told Defendant to get in his car because he “wouldn’t want to do that out in the open.” (*See* Transcript p. 131, attached). Drake and Defendant got into Drake’s car and closed the doors.<sup>6</sup> (*See* Transcript p. 34-35, 79, 90-91, attached).

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<sup>5</sup> Wilson denied that he and Drake argued about who would “service” Defendant. (*See* Transcript p. 34-35, attached). Drake testified that he occasionally engaged in the sale of marijuana with Wilson, that Wilson would sell it “if [Drake] g[a]ve it to him,” and that he (Drake) was the one that held onto the majority of the product. (*See* Transcript p. 130, 32, attached).

<sup>6</sup> The Court notes that there was conflicting testimony about who got into Drake’s car, and thus, who was present when the altercation began. Wilson testified that only Drake and Defendant were in the car; that Drake was in the front driver’s seat and Defendant was in the front passenger’s seat. (*See* Transcript p. 35, attached). Wilson testified that he was standing outside Drake’s car talking to the three males who were sitting on the green TECO box. (*See* Transcript p. 39, attached). Defendant testified that only he and Drake got into Drake’s car, and that he got into the passenger’s side and Drake got into the driver’s side. (*See* Transcript p. 91, attached). Although not entirely clear, the Court inferred from Brandon Jones’ testimony that only Drake and Defendant got into Drake’s car. (*See* Transcript p. 79-84, attached). Drake, on the other hand, testified that he got into the driver’s seat and Defendant was in the back, right passenger seat. (*See* Transcript p. 122-123, attached). Drake further testified that Wilson was in the front seat and that four or five people, including the males originally sitting on the green TECO box, were in the back seat. (*See* Transcript p. 132-133, attached). However, the Court again notes that Drake testified that he lost much of his memory of what occurred as a result of the injuries he sustained from being shot. (*See* Transcript p. 124, 127, attached).

Defendant testified that once in Drake's car, he started counting the money that he had previously pulled out of his pocket. (*See* Transcript p. 91, attached). Defendant testified that he had approximately five hundred dollars, in denominations of fives, tens, and twenties. (*See* Transcript p. 91, attached). Defendant testified that he was interested in buying about one hundred dollars' worth of marijuana, or the equivalent of "probably like four grams." (*See* Transcript p. 92, 111, attached). Defendant testified that Drake put some marijuana, packaged in plastic sandwich bags, on the console between him and Defendant. (*See* Transcript p. 92, attached). Defendant testified that Drake then reached under his seat to get what Defendant thought was a scale. (*See* Transcript p. 92, attached). Defendant testified that instead of a scale, he saw a black gun, and that Drake pointed it at him while grabbing for Defendant's money. (*See* Transcript p. 92, attached). Defendant testified that he snatched the gun from Drake, and that Drake grabbed his neck and started hitting him in the head. (*See* Transcript p. 92, attached).

Drake, on the other hand, testified that once he and Defendant got into his car, Defendant displayed his money cupped in his hands. (*See* Transcript p. 122-123, attached). Drake stated "I like that," indicating that he liked seeing the money. (*See* Transcript p. 122-123, attached). Drake testified that he then reached between his feet to get about half a pound of marijuana, and that Defendant said "how do you like this?" and pulled out a gun. (*See* Transcript p. 122-123, attached). Drake testified that he did not see where Defendant pulled the gun from, but that he just heard Defendant say "how do you like this?" and when he turned around, he saw the gun pointed at him. (*See* Transcript p. 123, attached). Drake testified that they then got into a "struggle," but "[t]hat's when I start to not remember." (*See* Transcript p. 124, attached). Drake testified that he was "pistol whipped in the face quite a few times and I lost a lot of memory from

that.”<sup>7</sup> (*See* Transcript p. 124, attached). Drake testified that the other males in the car were also hitting him. (*See* Transcript p. 133, attached). Drake testified that he did not try to get the gun from Defendant while they were still in his car. (*See* Transcript p. 133, attached).

While Drake and Defendant were in Drake’s car, Wilson, who testified that he was standing outside of the car, saw the car start to shake and heard someone saying “not today.” (*See* Transcript p. 40, attached). At some point, the fight between Drake and Defendant spilled onto the driveway.<sup>8</sup> (*See* Transcript p. 42, 94, attached). Defendant testified that he opened the car door and got out, that Drake jumped across the passenger’s seat, and that they started “scuffling.” (*See* Transcript p. 92, attached). Drake testified that he opened his driver’s side door and got out of his car. (*See* Transcript p. 133, attached). Defendant testified that once outside the car, Drake had him in a headlock, was choking him, and hitting him in the head. (*See* Transcript p. 93, attached). Wilson testified that Drake and Defendant were “shoving each other,” and that he “didn’t see any clear punches landed or anything like that.” (*See* Transcript p. 43-44, attached).

Defendant testified that while Drake was choking and hitting him, he (Defendant) had the gun in one of his hands. (*See* Transcript p. 93, attached). Wilson testified that Drake pinned Defendant and his arms against the side of Drake’s car and then told Wilson to take the gun from Defendant. (*See* Transcript p. 45-46, 83-84, attached). Drake testified that he held Defendant

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<sup>7</sup> When asked about whether Drake had been hit in the face and his prior statement to police regarding this matter, Wilson testified “I hadn’t necessarily thought Daniel had been hit in the face, but after seeing him lying on the side of the street with blood coming out of his face, you notice multiple welts that either looked like there were from a pistol or Mr. Jones can hit, very, very hard.” (*See* Transcript p. 55-56, attached).

<sup>8</sup> Brandon Jones testified that he saw a fight break out, so he started walking away. (*See* Transcript p. 79, attached). He testified that he did not see anything else and did not participate, but rather walked away and then ran home. (*See* Transcript p. 79, attached).

down and Wilson took the gun out of Defendant's hand. (*See* Transcript p. 125, attached). Defendant testified that Drake said "I couldn't get my gun. I couldn't get my gun" and "Mikey, come get my gun," while holding Defendant down. (*See* Transcript p. 93-94, 108, attached). Wilson testified that the three males originally sitting on the green TECO box gathered around the fight, and were saying "no, that's my cousin, that's my cousin, you need to chill out, back up, that's my cousin." (*See* Transcript p. 48, attached).

Wilson testified that he pried the gun from Defendant's hand, put the gun behind his back, and started backing away towards the doorstep of his house. (*See* Transcript p. 46, attached). Defendant testified that Wilson bent his wrist back and grabbed the gun, that Drake released him from the chokehold, allowing Defendant to hit Drake one time, and then they pushed each other. (*See* Transcript p. 94, attached). Defendant agreed that he is "in pretty good physical condition" and "fairly well-muscled," but that it was "two people against me." (*See* Transcript p. 108-109, attached). Defendant testified that Wilson backed up to the front bumper of Drake's car near the garage. (*See* Transcript p. 94-95, attached). Drake testified that once Wilson got the gun from Defendant, he started running towards his house, but that four other people intervened. (*See* Transcript p. 125, attached). Wilson testified that the three males and Defendant came towards him, and Defendant snatched the gun from him.<sup>9</sup> (*See* Transcript p. 46, 48-50, attached). Defendant testified that he ran back to Wilson and took the gun back "so he won't shoot me." (*See* Transcript p. 95, attached). Defendant testified that he did not have any

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<sup>9</sup> Defendant testified that of the three males originally sitting on the green TECO box, two of them were still around the box and the third one was hiding somewhere. (*See* Transcript p. 95-96, attached). Defendant testified that they did not get involved and did not help him get the gun from Wilson. (*See* Transcript p. 96, attached).

problem getting the gun from Wilson, and also that Wilson voluntarily gave him the gun back.<sup>10</sup> (See Transcript p. 95, 109-110, attached).

Defendant then went to Drake's car, reached in the car and grabbed what looked to Wilson like a black, football sized object that "kind of looked like a hat." (See Transcript p. 53, 70, attached). Wilson testified that it looked like something that might have contained marijuana. (See Transcript p. 70, attached). Drake testified that he saw Defendant reach into his car through the window and grab his marijuana—about half a pound, which was worth approximately \$1,500. (See Transcript p. 125-126, attached). Drake testified that he stored his marijuana in a garbage bag between his legs underneath the seat. (See Transcript p. 125, attached). Defendant testified that he reached in the car to grab some of his money that was left in Drake's car. (See Transcript p. 96, attached). Defendant then started running away. (See Transcript p. 53, 96, 126, attached).

As Defendant ran past Drake, who was leaning on the back right portion of his car, Wilson testified that Drake grabbed at Defendant in an attempt to punch him and pull him back. (See Transcript p. 57-58, 70, attached). Drake testified that when he saw Defendant grab his marijuana and start running, he chased him to retrieve what was taken and that was when "Mr. Jones shot me in the face no more than from me to you," describing the short distance from which he was shot. (See Transcript p. 126, attached). Drake testified that he was not yet close enough to Defendant to hit, grab, or touch him. (See Transcript p. 127, 136-137, attached). Drake testified that after he was shot, he did not see or remember anything. (See Transcript p. 138, attached).

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<sup>10</sup> In a previous statement given to police, Brandon Jones stated that "the other kid," referring to Wilson, "just [gave] it him back," indicating that Wilson simply handed the gun back to Defendant. (See Transcript p. 83-84, attached). This statement was admitted as State's Exhibit 1.

Defendant testified that Drake was at the back of the car when he started running away, and that Drake caught the back of his shirt while Defendant was crossing the street.<sup>11</sup> (*See* Transcript p. 97, attached). According to Wilson, Defendant hit a curb and tripped, allowing Drake to get closer to Defendant, grab Defendant by the back of the shirt, and hit him. (*See* Transcript p. 58-60, attached). Wilson testified that at this point, Drake and Defendant were approximately two to three houses down, on the opposite side of the street from Wilson's house. (*See* Transcript p. 60, attached). Defendant testified that Drake grabbed the back of his shirt and started hitting him in the face and back of the head. (*See* Transcript p. 97, attached). Defendant said he was hit about eight to ten times while he was making his way across the street to the other sidewalk. (*See* Transcript p. 97-98, attached). Defendant admitted that Drake did not have a gun, knife, or stick. (*See* Transcript p. 114, attached). Defendant testified that he did not hit Drake back because he was trying to get away. (*See* Transcript p. 98, attached). Defendant testified that he stumbled and was wobbling, and was "almost gone, knocked out," so he closed his eyes, and fired the gun, hitting Drake. (*See* Transcript p. 97, 113, attached). Defendant admitted that he did not fire the gun in the air or down at Drake's feet to try to scare Drake away. (*See* Transcript p. 112-113, attached). Defendant testified that after he fired the gun, he dropped it and fell, got back up, and ran to a park where a friend picked him up. (*See* Transcript p. 98, attached). Defendant testified that the entire event lasted about five minutes. (*See* Transcript p. 98, attached).

Sarah Piwonar (Piwonar) testified that she lives across the street from Wilson and that she saw the shooting. Piwonar testified that she saw two of the males walk across the street together, and one man put a gun to the other one's head and shot him. (*See* Transcript p. 142,

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<sup>11</sup> Defendant later testified that when he started running, he had to run past the back of the car where Drake was, and that when he ran by, Drake grabbed his shirt, held on, and started hitting him. (*See* Transcript p. 114, attached).

attached). Piwonar did not hear any arguing and said that they were just walking side-by-side. (See Transcript p. 142-143, attached). Piwonar did not see any physical altercation prior to the shooting. (See Transcript p. 143, attached).

According to Wilson, Drake never pointed a firearm at Defendant, never shot at him, never grabbed a knife to stab him, and never made any threatening comments towards Defendant. (See Transcript p. 71, attached). During the course of the altercation, Wilson only saw Drake use his fists towards Defendant. (See Transcript p. 72, attached). Drake testified that he fought with his hands and that he did not have a gun or any weapon. (See Transcript p. 124, attached). Drake further testified that "I don't own a gun, have nothing to do with a gun." (See Transcript p. 124, attached). Defendant also testified that he did not bring a gun with him that day. (See Transcript p. 99, attached). Wilson testified that he "[doesn't] deal with guns," "never owned a gun," and "[n]o one in my family owns a gun." (See Transcript p. 45, attached). Wilson later testified that he was "kind of shocked by the entire situation." (See Transcript p. 47, attached).

When asked how he was feeling when he was being hit by Drake, Defendant testified that he felt like "if I got hit one more time I was going to be knocked out and he could get the gun and kill me. I was in fear of my life." (See Transcript p. 97, attached). Defendant further testified that he was trying to get away because "I never been robbed before. I never been in nothing like that, so I was trying to get away and be safe." (See Transcript p. 98, attached). On cross-examination, the Court permitted the State to question Defendant about prior arrests, finding that because of Defendant's above-mentioned statement and based upon the authority of *Gonzalez v. City of Tampa*, 776 So.2d 290 (Fla. 2d DCA 2000), the door had been opened for such questioning by the State. (See Transcript p. 101-102, attached).

Thus, on cross-examination, Defendant denied that he was arrested for burglary of an unoccupied dwelling on August 1, 2011. (*See* Transcript p. 103, attached). Defendant denied being arrested for robbery with a firearm on November 7, 2011. (*See* Transcript p. 103, attached). Defendant admitted that he was arrested on January 25, 2012, for robbery with a firearm, but added that “they dropped that before I came to county.” (*See* Transcript p. 103, attached). Defendant admitted to being arrested on January 25, 2012, for burglary of an unoccupied dwelling, but added “you all dropped that to trespass.” (*See* Transcript p. 103, attached). Defendant admitted to being arrested for burglary of an unoccupied dwelling, but added “that got dropped down to trespassing.” (*See* Transcript p. 103-104, attached). Defendant admitted to being arrested for grand theft and burglary of an unoccupied dwelling on August 9, 2010. (*See* Transcript p. 104, attached). Defendant admitted to being arrested for burglary of an unoccupied dwelling with a disposition date of February 19, 2009. (*See* Transcript p. 104, attached). Defendant admitted to being arrested for burglary of an unoccupied dwelling with a disposition date of September 11, 2008. (*See* Transcript p. 104, attached). Defendant admitted to being arrested for burglary of an unoccupied conveyance on August 21, 2008, but could not remember whether he was arrested for armed burglary of a dwelling. (*See* Transcript p. 104-105, attached). Defendant admitted that he pled no contest and was put on juvenile commitment on August 21, 2008. (*See* Transcript p. 105, attached). Defendant did not remember pleading to strong-armed robbery on May 22, 2008, but did remember getting juvenile probation and being placed on juvenile commitment that day. (*See* Transcript p. 105, attached). Defendant admitted that he pled to burglary of an unoccupied conveyance on April 24, 2008. (*See* Transcript p. 105, attached). Defendant admitted to being arrested for battery on June 12, 2006, for battery on a

specified official employee on November 28, 2006, and for battery on January 4, 2007. (See Transcript p. 105-106, attached).

Defendant testified that when he was initially contacted by police regarding this incident, he lied and said he did not have any knowledge about what happened because he was scared. (See Transcript p. 106-107, attached). Defendant admitted that defense counsel informed him that his cell phone records placed him at the scene that day, and that a text message to his girlfriend which stated he “shot a nigger today” was obtained by police. (See Transcript p. 107, attached). When asked by defense counsel whether that text message also indicated that he had been “set up,” Defendant agreed that it did and added that he also told his girlfriend that he was robbed. (See Transcript p. 115, 117 attached). Defendant agreed that he only came forward with his story after independent evidence, including his cell phone records, placed him at the scene. (See Transcript p. 115, attached).

### **CONCLUSIONS OF LAW**

Section 776.032, Florida Statutes, commonly known as the “Stand Your Ground” statute, provides that where a person is justified in using force as permitted in sections 776.012, 776.013, or 776.031, that person is immune from criminal prosecution and civil action for the use of such force, unless the victim is a law enforcement officer. See § 776.032, Fla. Stat. (2005). When a criminal defendant files a motion to dismiss<sup>12</sup> on the basis of the Stand Your Ground statute, the

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<sup>12</sup> The Court notes that some District Courts have explained that a motion for immunity based on section 776.032, Florida Statutes, need not be filed under or interpreted as a motion to dismiss pursuant to Florida Rule of Criminal Procedure 3.190(c)(4). See generally *Horn v. State*, 17 So.3d 836, 839 (Fla. 2d DCA 2009), contrast with *Velasquez v. State*, 9 So.3d 22 (Fla. 4th DCA 2009). Rather, a motion or petition filed under section 776.032 must comply with the general requirements of Rule 3.190(a) for pretrial motions. See *Horn*, 17 So.3d at 839. Additionally, a trial court has general authority to hear and rule upon such motions necessary to resolve criminal cases. See *id.* at 839 (citations omitted). The Court mentions this simply to acknowledge that, although common practice, the Stand Your Ground argument need not be made exclusively through a motion to dismiss.

trial court must decide the factual question of whether the statutory immunity applies. *See Dennis v. State*, 51 So.3d 456, 458 (Fla. 2010).<sup>13</sup> Thus, upon the filing of a proper motion to dismiss, or other motion or petition filed pursuant to Rule 3.190(a), based on the Stand Your Ground statute, a trial court “must decide the matter by confronting and weighing only factual disputes. The court may not deny a motion simply because factual disputes exist.” *See id.* at 459, *citing Peterson*, 983 So.2d at 29. Upon presentation of live testimony at an evidentiary hearing, the trial court shall weigh the credibility of the witnesses, make findings of fact based upon that evidence, and finally apply the preponderance of the evidence standard in making its final determination. *See Horn v. State*, 17 So.3d 836, 839 (Fla. 2d DCA 2009); *see also State v. Gallo*, 76 So.3d 407 (Fla. 2d DCA 2011) (explaining that “section 776.032 placed the burden of weighing the evidence in ‘Stand Your Ground’ cases squarely upon the trial judge’s shoulders” and finding that the trial judge’s factual findings were supported by substantial, competent evidence). Defendant bears the burden of showing, by a preponderance of the evidence, that he is entitled to immunity under section 776.032, Florida Statutes. *See Horn*, 17 So.3d at 839; *see also Peterson*, 983 So.2d at 28.

Section 776.012, Florida Statutes, permits the use of force in defense of a person as follows:

A person is justified in using force, except deadly force, against another when and to the extent that the person reasonably believes that such conduct is necessary to defend himself or herself or another against the other’s imminent use of unlawful force. However, a person is justified in the use of deadly force and does not have a duty to retreat if:

- (1) He or she reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself

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<sup>13</sup> The *Dennis* Court approved of the First District Court of Appeal’s procedure in *Peterson v. State*, 983 So.2d 27 (Fla. 1st DCA 2008), for ruling on motions to dismiss filed pursuant to the Stand Your Ground statute. *See Dennis*, 51 So.3d at 460.

- or herself or another or to prevent the imminent commission of a forcible felony; or  
(2) Under those circumstances permitted pursuant to s. 776.013.

§ 776.012, Fla. Stat. (2005).

Section 776.013, Florida Statutes, in relevant part, provides as follows:

(3) A person who is not engaged in an unlawful activity and who is attacked in any other place where he or she has a right to be 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.

§ 776.013(3), Fla. Stat. (2005). The Court finds that immunity under either section is not warranted in this case, as Defendant did not prove by a preponderance of the evidence that he is entitled to such immunity.

In this case, the Court first notes that Defendant concedes that he was involved in a drug transaction, that he “obtained possession” of the gun, and that he shot Drake. (*See* Transcript p. 6, 95, 97, 109-110, 113, attached). However, Defendant, through counsel, argued that there was a separation or segregation between the drug transaction (i.e., the illegal activity), and the shooting. Defendant argued that the drug transaction was never consummated, and that he was fleeing the scene and attempting to get away, indicating that he was no longer involved in a drug deal. Because he was no longer involved in the illegal activity (i.e., the drug transaction), Defendant claims that once attacked by Drake, he had a right to stand his ground under sections 776.032, 776.012, and 776.013(3), Florida Statutes. Defendant’s position is that because he attempted to disengage from the drug transaction, and was no longer participating in an unlawful activity, his right to stand his ground was reinstated. There is no dispute that a drug transaction was initiated by and between Defendant and Drake. There is no dispute that the drug transaction was never “completed,” in the sense that Defendant received marijuana and in exchange, Drake

received money. There is also no dispute that Defendant attempted to flee the scene; Defendant, Wilson, and Drake all testified to such, although Defendant's reasons for running away were different from those postulated by Wilson and Drake. Essentially, what Defendant seeks by requesting this Court to grant him immunity under section 776.032 is a ruling that he was not engaged in unlawful activity at the time that he shot Drake. Such a ruling would require this Court to find that, although Defendant admitted to initiating a drug transaction with Drake, Defendant's act of attempting to run away, or disengage from the drug deal, somehow "cut off" the drug deal, making it null and void for purposes of consideration under section 776.032, and thus, reinstated his right to stand his ground. Based upon the evidence adduced at the evidentiary hearing, the plain language of the statute, as well as the somewhat vapid Stand Your Ground case law in existence today, this Court specifically rejects this argument and declines to make such findings.

Rather, the Court finds that on January 20, 2012, Defendant was engaged in an unlawful activity. Specifically, the Court finds that Defendant was involved in a drug transaction for the purchase and sale of some quantity of marijuana.<sup>14</sup> Defendant admitted such at the evidentiary hearing. The Court finds that Stand Your Ground immunity was never designed by the legislative or executive branches of our Florida government, to protect those engaged in unlawful activity, as evidenced by the language in section 776.013(3), Florida Statutes.<sup>15</sup> In fact, the

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<sup>14</sup> Additionally, testimony indicates that Defendant reached into the victim's car and grabbed an object. Defendant testified that he was only retrieving some of his money; others testified that the object was football-shaped and possibly contained Drake's marijuana stash. Defendant also admitted that he ran from the scene with the gun that he had just taken from Wilson, and claimed was not his gun. Given these facts, the Court finds that Defendant was possibly involved in additional, although uncharged, criminal activity at the time that he shot Drake.

<sup>15</sup> The Court notes that other portions of the Stand Your Ground statute support the explicit language in section 776.013(3). Section 776.013(2)(c) states that the presumption of reasonable fear set out in section 776.013(1) does not apply where "[t]he person who uses defensive force is

statute explicitly states that an individual claiming immunity under section 775.032 must not be engaged in unlawful activity.<sup>16</sup> This Court is not aware of any ruling to date that has found that an individual engaged in an illegal activity can claim protection if he or she attempts to flee the scene of the crime, and this Court declines to be the first. Such a ruling would open the floodgates to frivolous claims of justified use of force for every future drug-deal-gone-bad scenario, among any number of other criminal activities.

Even assuming, *arguendo*, that Defendant was no longer involved in the drug transaction itself—the actual exchanging of money for marijuana—Defendant was, in this Court’s view, still involved in criminal activity. Everything that occurred on the afternoon of January 20, 2012, from the moment that Defendant and Drake got into Drake’s car to conduct a drug transaction was part of a continuous pattern of criminal activity. Defendant testified that the entire altercation lasted for approximately five minutes. (*See* Transcript p. 98, attached). As such, the Court finds that there was no significant time lapse between the attempted drug transaction and the shooting. Indeed, everything that occurred, including the shooting of Drake, was part and parcel of the drug transaction. The catalyst of the altercation in the car that led to the fight that spilled onto the driveway and the subsequent shooting of Drake *was* the unlawful drug transaction that Defendant initiated.<sup>17</sup> Defendant cannot draw an arbitrary line between the

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engaged in an unlawful activity or is using the dwelling, residence, or occupied vehicle to further an unlawful activity.” § 776.013(2)(c), Fla. Stat. (2005).

<sup>16</sup> Section 776.013(3) explicitly states “[a] person *who is not engaged in an unlawful activity* and who is attacked in any other place where he or she has a right to be 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.” § 776.013(3), Fla. Stat. (2005) (emphasis added).

<sup>17</sup> Because there was testimony regarding Drake and Wilson’s drug dealing activities, the Court finds the victim’s reputation as a drug dealer is somewhat irrelevant to the finding that Defendant

failed drug transaction and the shooting—all of which occurred within approximately five minutes—when the shooting was a direct consequence of the altercation that started *because of* the drug deal. Having found that Defendant was engaged in the unlawful activity of purchasing marijuana, the Court further finds that the Stand Your Ground immunity does not apply.

In the event that our appellate courts decide that those engaged in unlawful activity are afforded some protection under Stand Your Ground, and as Defendant proposes, are protected under this statute where they attempt to disengage or flee from the unlawful activity in which they were participating, this Court further finds that such protection is not appropriately afforded to Defendant under the unique facts and circumstances of this case. To justify the use of deadly force, as Defendant employed in this case, one must “*reasonably* believe[] [the use of force] is necessary [] to prevent death or great bodily harm to himself or herself or another or to prevent the commission of a forcible felony.” § 776.012, 776.013(3), Fla. Stat. (2005) (emphasis added). This is an objective standard. *See Montanez v. State*, 24 So.3d 799, 803 (Fla. 2d DCA 2010) (explaining that the trial court’s determinations were “in accord with the objective, reasonable person standard by which claims of justifiable use of deadly force are measured”). The Court finds that any belief Defendant had that he was in imminent danger of death or great bodily harm was not reasonable under the circumstances. Drake did not present a weapon aimed at Defendant. Defendant, Wilson, and Drake all testified that Drake did not have a gun, a knife, or a stick that he was using against Defendant or threatening Defendant with. Although Defendant testified that Drake was hitting him, Defendant agreed that he is in “pretty good physical

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was involved in unlawful activity at the time he shot Drake. Defendant admitted that he walked up to the group of males standing by the green TECO box, seeking out marijuana to purchase, thus initiating the entire interaction. (*See* Transcript p. 89-90, attached).

condition” and “fairly well-muscled.”<sup>18</sup> (*See* Transcript p. 108-109, attached). The Court finds Defendant’s testimony with respect to his fear and his explanation for running away and then shooting Drake is not credible. Defendant claimed that he was afraid because he had “never been robbed before” and had “never been in nothing like that;” yet, Defendant admitted to being arrested at least eleven times for robbery with a firearm, burglary, and battery, among other crimes, and denied several other arrests when questioned by the State regarding his prior criminal record.<sup>19</sup> (*See* Transcript p. 98, 103-106, attached).

The Court also finds that Sarah Piwonar’s testimony is the most neutral, and thus, most credible, of all the testifying witnesses, as she had no involvement in the altercation and was simply an innocent onlooker. Ms. Piwonar testified that she did not hear any arguing and did not see any physical fighting, but rather saw one black male put a gun to the other white male’s head and shoot. (*See* Transcript p. 142-143, attached).

Additionally, the Court finds that Defendant did not “meet force with force.” Wilson testified that Drake never pointed a firearm at Defendant, never shot at him, never grabbed a knife to stab him, and never made any threatening comments towards Defendant, but rather Drake used only his fists towards Defendant. (*See* Transcript p. 71-72, attached). Drake testified that he fought with his hands and that he did not have a gun or any weapon. (*See* Transcript p.

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<sup>18</sup> There was also testimony that Drake had smoked marijuana that day at least once, if not more, while there was no such testimony that Defendant had smoked that day. (*See* Transcript p. 18-19, 137, attached). Although not critical, the Court notes this additional fact only to give a full picture of why the Court believes that any fear of great bodily harm or death was unreasonable under all the circumstances.

<sup>19</sup> The Court notes that there was some argument from defense counsel about the fact that some or all of Defendant’s prior criminal record contained juvenile arrests and juvenile dispositions. (*See* Transcript p. 101-102, attached). The Court notes that in considering the prior criminal activity of Defendant, this Court considered such only to the extent that it relates to Defendant’s credibility, and the reasonability of his fear and his statement that he had “never been robbed before” and had “never been in nothing like that.”

124, attached). Defendant confirmed that Drake did not have a gun, knife, or stick, and he admitted he was the one that had possession of the gun as he was attempting to run away, and that he did in fact shoot Drake. (See Transcript p. 97, 113-114, attached). Given these facts, the Court finds that the use of *deadly* force was not justified. Having found that Defendant was engaged in unlawful activity and, that he did not have a *reasonable* fear of imminent death or great bodily harm which would justify the use of deadly force, the Court also finds that Defendant had a continued obligation to retreat. *Dorsey v. State*, 74 So.3d 521, 527 (Fla. 4th DCA 2011) (explaining that the plain language of section 776.013(3) provides that where a defendant is engaged in an unlawful activity or is in a place where he does not have a right to be at the time he was attacked, the common law duty to retreat still applies).

Based on the foregoing, the Court finds that Defendant has not shown by a preponderance of the evidence that he is entitled to statutory immunity under the Stand Your Ground statute. However, Defendant is not precluded from submitting the matter to the jury as an affirmative defense at his jury trial. See *Dennis*, 51 So.3d at 459, citing *Peterson*, 983 So.2d at 29.

It is therefore **ORDERED AND ADJUDGED** that “Defendant’s Motion to be Declared Immune from Prosecution pursuant to § 776.032(1), Florida Statutes (2009) and Rule 3.190(a) & (b), Florida Rules of Criminal Procedure and Supporting Memorandum of Law” is hereby **DENIED**.

Defendant has thirty (30) days from the date of this Order within which to appeal.

**DONE AND ORDERED** in Chambers in Hillsborough County, Florida, this 9 day of May, 2012.

  
GREGORY P. HOLDER, Circuit Judge

Attachments:

Motion  
Transcript

Copies To ✓

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Assistant State Attorney, Anthony Falcone



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**Palm Beach County  
Board of County  
Commissioners**

Shelley Vann, Chair  
Steven L. Abrams, Vice-Chairman  
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Paulette Durdick  
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**County Administrator  
Robert Weisman**

*An Equal Opportunity  
Affirmative Action Employer*

May 16, 2012

Office of Lieutenant Governor Jennifer Carroll  
Task Force on Citizens Safety and Protection  
The Capitol  
400 S. Monroe Street, Suite PL-05  
Tallahassee, Florida 32399

Dear Lieutenant Governor Carroll and Task Force Members:

As the Law Enforcement Planning Council (LEPC) Chairman, I am writing on behalf of the LEPC to express the need to revise Florida Statute Chapter 776. The LEPC is a law enforcement sub-committee of the Criminal Justice Commission, and is comprised of criminal justice officials from fifty (50) local, state, and federal law enforcement/criminal justice agencies in Palm Beach County.

At the May 3, 2012, LEPC meeting, members of the council stressed the importance of amending the following sections of Chapter 776. In light of recent events, the LEPC is greatly concerned by the current statute as it raises intrinsic public and officer safety issues - putting both law enforcement and the general public at undue risk. These issues could be addressed by implementing the following recommendations.

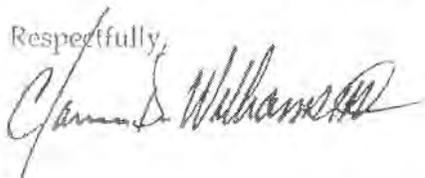
- Repeal subsection Sec. 776.013 (3), F.S., "in any other place"
- Repeal "no duty to retreat" in any other place (other than home or vehicle).
- Repeal language that the person using defensive force "knew or should have known" the individual was a law enforcement officer
- Repeal the language from sec. 776.032, F.S., "As used in this subsection, the term 'criminal prosecution' includes arresting, detaining in custody, and charging the defendant."

May 16, 2012  
Page 2

The LEPC views the tragedy in Sanford as an opportunity for our legislators to demonstrate leadership and show concern for everyone's public safety.

If you would like to speak directly to me on this matter, please contact me at 561-845-4138.

Respectfully,



Chief Clarence D. Williams, III  
Law Enforcement Planning Council Chairman  
Criminal Justice Commission  
Palm Beach County

Cc: Michael L. Rodriguez, Executive Director of the Criminal Justice Commission  
Commissioner Shelley Vana, Chair of the Palm Beach County Board of County Commissioners  
Peter Antonacci, State Attorney of the Fifteenth Judicial Circuit  
Carey Haughwout, Public Defender of the Fifteenth Judicial Circuit  
Chief Judge Peter Blanc, Fifteenth Judicial Circuit  
Senator Christopher L. Smith, Florida Senate, Stand Your Ground Taskforce

OFFICE OF THE GOVERNOR  
12 APR - 9 12:27 PM

Dear Governor Scott,

My name is Elise Spive Brown  
I'm seven and am in 1st grade  
I live in Fort Myers Florida  
I have a concern that  
the law where here in  
Florida we can come around  
a dog and if we feel  
threatened we can shoot  
them. I'm concerned about  
that because any person  
could make something up  
to the police and can  
just be threatened by any  
thing really. If you would  
like to call Mom's number  
is 641-5576 you can also  
write back. How are you  
& children Jordan and Allison?  
What is your favorite food  
and color. My favorite food  
is cheese and color yellow.  
I'm glad you're governor.  
Thanks for your help.  
You work hard. Love,

Elise

Dear Governor Scott

Stand your ground  
CAS - Warren

Back in the summer of 2011 I wrote to you about the Stand your ground law and why my grandson was charged for shooting his brother while defending his mother and himself. Your letter back to me was your office doesn't get involved with this kind of case. Well I am now seeing this interesting story in the papers about a young man from the Orlando area. Now you can get involved with the stand your ground law. It is amazing to me that it is good for some and not for others. The police in that area are wrong in my eyes because that man who shot that young boy was wrong. Like I was told in 2009 when it was my grandson who stood up for his mother it depends on the county you live in. I thought the rule was for the whole state not for a hand full of cops who could make that

decision. The more I read the madder  
I get and I have lost all my respect  
for our system and the people who run it  
politicians + police. Well it will be  
interesting to see what your next letter  
tells me. All I can say is keep fighting  
for that young man because he didn't  
do anything wrong. I am sorry that my  
grandson Chris died that night but there  
probably would have been his mother + brother  
dead if it hadn't been for David. I love  
both boys very much but drugs just destroys  
Chris and for everytime we tried to get help  
it wasn't there. Now the system has destroyed  
David's + his mother's.

Thank you.

Carol Meeler

352-686-9777

Stand Your Ground - opp  
CAS Warren

OFFICE OF THE ATTORNEY GENERAL  
12 APR 16 PM 5:12

Governor Scott,

My name is Jarquez Burches, I am an African American male student attending Largo High School who does not think it is right for Mr. Zimmerman to get away with killing Trayvon Martin.

I think he should have been arrested like others in my area that killed someone.

The "stand your ground" law should be changed. Anyone who wants to kill can use this law to get out of trouble.

Sincerely,

**JARQUEZ BURCHES**  
Jarquez Burches

Warren Warren - Repeat  
CAS Warren WRW

Bon vivant, Raconteur, Continental Gentleman, International Man of Mystery, Author



JAGUAR XK120

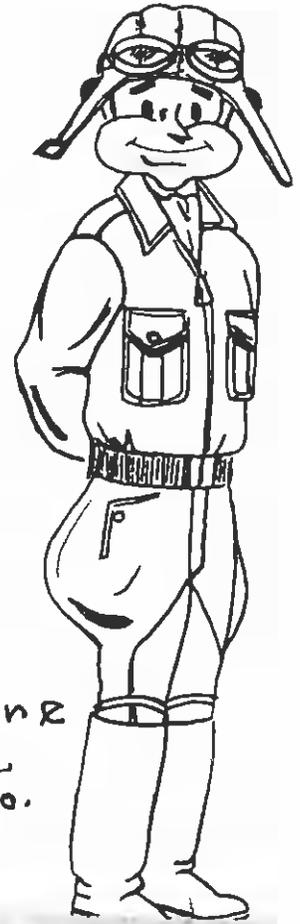
MSgt THOMAS KAYE

USAF Retired

5686 Spring Park Road

Jacksonville, FL 32216

(904) 733-2167



To Gov Rick Scott

From MSgt Thomas Kaye (USAF RET)

"Well Done" You are doing great

I would like Make you aware

of these rabble rousers are up to.

MSgt Thomas Kaye

# Senator wants ruling reviewed

Task force to look at controversial 'Stand Your Ground' law

By Toluse Olorunnipa  
McClatchy Newspapers

MIAMI | Florida State Sen. Chris Smith, frustrated by what he calls "stalling" by Gov. Rick Scott following the shooting death of unarmed teen Trayvon Martin, is launching a task force to review the controversial law at the center of the case.

"Instead of waiting on the governor to act, I've decided to lead in the state of Florida," the Fort Lauderdale Democrat said Tuesday. "I've assembled a task force to look at the controversial Stand Your Ground law."

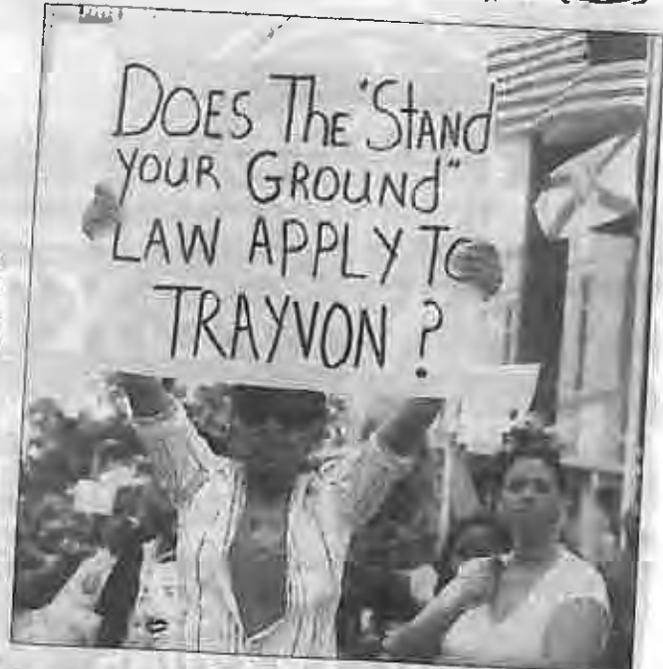
The governor created a task force to review Stand Your Ground law.

ago, but has said the group will not convene until after the investigation into the Trayvon Martin shooting is completed.

Smith wanted faster action. His South Florida-based task force, made up of legal professionals and law enforcement officers, will hold its first meeting on Thursday.

Smith said local judges, attorneys and tourism officials will present to the task force on Thursday, to show how the controversial law — which allows people to use deadly force when they are threatened — has impacted the state.

The task force includes Rep. Perry Thurston, D-Plantation, Miami-Dade public defender Carlos Martinez, Broward State Attorney Mike Satz, former Sen. Dan Gelber, D-Miami Beach, Fort Lauderdale Police Chief Frank



Julie Fletcher Associated Press

Sanford resident Selina Gray shows a sign at a march, led by the NAACP, in support of Trayvon Martin, who died after being shot by a neighborhood watch patroller.

attorney Alfreda Coward, legal scholar Zachary Weaver and several others. Although most of the task force members are Democrats, Smith said he did not consider politics when putting together the group.

Smith also announced a new website to help

StandYourGround.org.

Informed of Smith's decision to start a task force, Scott maintained his position that the state should look into the law after the Trayvon case is settled.

"We should always look at things like this but the

# viewpoint

PUT IN PLACE BY STATE

## How to get \$287,000 for doing nothing

To Keep Miniontas Happy



ron  
littlepage

times-union  
columnist

I was sitting around doing nothing, which got me to thinking.

I don't want to seem like a braggart, but I'm pretty good at doing nothing.

In fact, after years of honing my skills, I'm better than most people

at doing nothing.

With that in mind and a solid resume that backs me up, I humbly offer my professional services to the Jacksonville Transportation Authority.

Last week, the JTA board agreed to pay the authority's outgoing executive director, Michael Blaylock, \$287,000 for one year of doing nothing.

Whoa. Blaylock may be good at doing nothing, but I'm sure I'm better by far, and I'll gladly do nothing for the JTA for one year for, say, \$100,000.

The JTA could then take the \$187,000 it's saving while I do nothing and contribute it toward keeping the Mayport ferry operating, which actually has something to do with their mission — transportation.

It would be what people who hang out in government circles call a "win-win" situation.

And if the JTA balks at \$100,000, I will do nothing for \$75,000.

Of course, as it stands now, the only winner is Blaylock, who got the sweet-heart deal when he "resigned" last week, effective Sept. 30.

Yes, that's right. He will get paid as a lame duck through the end of September and then begin his year of being paid for doing nothing.

Now some of the suspicious among us may have thought his "resignation" was

really a "firing" and just might have had something to do with a recent Times-Union investigation that found 258 JTA bus drivers had a total of 1,276 criminal and driving violations dating back to the 1970s.

Let's just say it seems the JTA, under Blaylock's leadership, had a rather lax system of checking the backgrounds of bus drivers.

Reacting to that bit of unwelcome news, JTA Chairman Ed Burr had said the findings reported by the Times-Union were "an embarrassment to every member of the board."

So did an embarrassed board fire Blaylock, which would be the only way to even remotely justify paying him a year's salary of \$287,000 for doing nothing?

No, no, he resigned, board members insisted with straight faces.

"This is a transition," Burr said of Blaylock's pending departure. "It's time for new leadership that will take us to the next level."

Agreed.

A new executive director is needed, and a board that signed off on paying Blaylock more than a quarter of a million dollars for doing nothing needs to be replaced as well.

For a moment, I thought about asking my boss if I resigned, would the Times-Union continue paying me for a year while I did nothing, which, as I said, I'm pretty darn good at.

But I'm certain I know what the answer would be.

I would get paid for what doing nothing is worth.

Nothing.

# Black Fla. lawmakers push 'Stand Your Ground' session

But Gov. Rick Scott says he'd prefer investigation be complete first

Associated Press

TALLAHASSEE | Florida's political leaders are divided over how quickly the state should respond to the shooting death of unarmed teenager Trayvon Martin.

Amid protests and a national outcry, black Democrats in the state are calling on for near immediate action, including holding a special session to consider whether to repeal the state's 7-year-old "Stand Your Ground" law which eliminated a person's duty to retreat when threatened with seriously bodily harm or death.

Martin was shot by neighborhood watch volunteer George Zimmerman, who has maintained he acted in self-defense.

Republicans — including Gov. Rick Scott — have insisted that the state should wait until ongoing investigations are completed. Last week, Scott appointed a new prosecutor to handle the case and announced the creation of a task force that would look at laws re-

lated to citizen safety and protection.

The governor made it clear that he does not want the task force that will be led by Lt. Gov. Jennifer Carroll to begin its work until the criminal investigation into Martin's death has finished.

His initial assignment gave the new prosecutor up to a year to finish her

work. "The task force will need to have all the facts available before it can make substantive recommendations so that tragedies like that can be avoided in the future, but they are ready to convene immediately upon the conclusion of the investigation," said Brian Burgess, a spokesman for Scott.

Stand Up! Ground  
CAS - Warren WRN

## Petition to Florida State Governor Rick Scott

To: Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001  
(850) 488-7146

From: Chauntelle R. Wood  
2<sup>nd</sup> Year Law Student  
Southern University Law Center  
Baton Rouge, Louisiana

From *Chauntelle Wood*  
PO Box 364  
Baton Rouge, LA 70821

Office of Governor Rick Scott  
**TO** State of Florida  
The Capitol  
400 S Monroe St.  
Tallahassee, FL 32399-0001

Label 228, January 2008

### Subject matter:

The subject matter of this petition is to repeal the provision in Florida Statute 776.013 (3) and 776.032 (1): Stand Your Ground Law.

### Statement of subject matter and action requested:

The following petitioners ask the State of Florida repeal the Stand Your Ground law, which has resulted in an increase in the threat of violent crimes within the State of Florida. The law has not provided the safe and crime free environment originally thought to result from the passage of the law.

### Signatories:

I, Chauntelle R. Wood, submit this petition along with the signatories attached in support of repealing the "Stand Your Ground" law and the immunity clause.

Cc: the sponsors of the bill.

12 APR 16 PM 3:59

OFFICE OF THE GOVERNOR

**Petition to Repeal Florida Statute 776.013 (3) and 776.032 (1): “Stand your ground law” and the immunity clause**

The “stand your ground” law has been amid controversy since Governor Jeb Bush signed it into law in 2005. The controversial statute states:

**776.013(3)**

A person who is not engaged in an unlawful activity and who is attacked in any other place where he or she has a right to be 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.

**776.032(1)**

A person who uses force as permitted in s. 776.012, s. 776.013, or s. 776.031 is justified in using such force and is immune from criminal prosecution and civil action for the use of such force, unless the person against whom force was used is a law enforcement officer, as defined in s. 943.10(14), who was acting in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law or the person using force knew or reasonably should have known that the person was a law enforcement officer. As used in this subsection, the term “criminal prosecution” includes arresting, detaining in custody, and charging or prosecuting the defendant.

The students at Southern University Law Center are among many who believe this law should be repealed. We ask that this be taken into consideration, not only in light of the Trayvon Martin case, but also in light of the increased usage of deadly force in the state of Florida.

The law as it is currently written and applied allows citizens to act as vigilantes, taking lives indiscriminately without fear of being prosecuted as long as they claim that they acted in self-defense. Additionally, this law as currently written provides compensation to those who act in accordance with this law. The

killing of innocent of Trayvon Martin is yet another example of why this law should be repealed. Trayvon was walking home when a fanatic neighborhood watchman, George Zimmerman, gunned him down. Mr. Zimmerman and the Sanford Police Department are hiding behind the Stand Your Ground law as a way to shield him from prosecution. In essence, if George Zimmerman is set to walk free from prosecution under this law, then if he could be awarded compensation for having to defend himself under this law.

When this law was first adopted, one of the bill's sponsors, Representative Dennis K. Baxley, stated that the law would "curb violent crime and make the citizens of Florida safer." However, it has only increased the threat of violent crime. Since 2005, this law has been used 130 times by police as an excuse not to charge someone with a crime, such as in the case of Trayvon Martin. In Florida, since the enactment of this stand your ground law, "justifiable homicides" have *tripled* from just 12 in one year to, on average, 35 a year; a 283% increase through 2010. Yet, this law was created to protect citizens.

**This petition is in support of repealing the Stand Your Ground law. Please see signatures below in support of repeal Florida Statute 776.013 (3): "Stand your ground law" and the immunity clause Florida Statute 776.032 (1).**

PRINTED NAME	SIGNED NAME AND CLASSIFICATION
Erashida D. Baringer	E. Baringer
<del>Steph J. SKYLA JOHNSON</del>	<del>Steph J. Johnson</del>
Michael Trotter	Michael Trotter
LeeAnne de Mott	LeeAnne de Mott
<del>Thomas J. Venue Johnson</del>	<del>Thomas J. Johnson</del>
Lamirid Craig	Lamirid Craig
Joseph Mouton	Joseph Mouton
MISHANN TANTON	MISHANN TANTON
Bethany Blackson	Bethany Blackson 1L
Ken Shales Jr	Ken Shales Jr 1L
Taryn C. Branson	Taryn C. Branson
Tyler Bailey	Tyler Bailey 1L
Jarrod D. Mansford	Jarrod D. Mansford
TRISIA A. ZEIGLER	TRISIA A. ZEIGLER
Menzik Cosay	Menzik Cosay
Johnson Wally	Johnson Wally
Shawn Gaeube	Shawn Gaeube 2L
Summer Miller	Summer Miller 2L
Jalita Huff	Jalita Huff 1L
Philey Butler	Philey Butler 1L
Christy Robinson	Christy Robinson
Ephraim Lucas	Ephraim Lucas
Edward Peterson	Edward Peterson
Lee Jeter	Lee Jeter 2L
Ashley Schmitt	Ashley Schmitt 2L
amantia mallett	amantia mallett
Jeremy A. Morris	Jeremy A. Morris 2L
JESSA PATTMAN	JESSA PATTMAN 3L
Brittany Ware	Brittany Ware 3L
Karen Manning	Karen Manning
Dawn Hartung	Dawn Hartung
Antonia M. Floyd	Antonia M. Floyd 2L
Shanika Kim	Shanika Kim 2L
Dwayne Braithwaite	Dwayne Braithwaite 2L
Tatiana Robinson	Tatiana Robinson
Amber Owens	Amber Owens 2L
Chidiebere Oha	Chidiebere Oha
Tiffany Ford	Tiffany Ford
Amelia Colomb	Amelia Colomb
Brandon Brisco	Brandon Brisco
Cara Davis	Cara Davis
Briana Westry	Briana Westry
Adrian Hebert	Adrian Hebert
Timothy James	Timothy James
Lester Muse-Vincent	Lester Muse-Vincent 2L
Ashley Debonna	Ashley Debonna 2L
Tealyn Charles	Tealyn Charles
Shane Williams	Shane Williams
Kristi Julien	Kristi Julien 2L
Serony Bazile	Serony Bazile
Tori Houze	Tori Houze
Mukhaie Nangalama	Mukhaie Nangalama
AVIA RICE GAUTHIER	AVIA RICE GAUTHIER
Cleveland Patterson	Cleveland Patterson
Asia Mitchell	Asia Mitchell
WELVA KAGANOV	WELVA KAGANOV
Velda W. Witz	Velda W. Witz
JEROME C. THERIOT	JEROME C. THERIOT
Harold Jacob Rideau	Harold Jacob Rideau













**Person lodging petition:**

Chauntelle Renee Wood  
P.O. Box 364  
Baton Rouge, Louisiana 70821

Signature:



aging petition:

Michelle Renee Wood  
Box 364  
Moton Rouge, Louisiana 70821

Signature:

A handwritten signature in black ink that reads "Michelle Renee Wood". The signature is written in a cursive style with a large, looping initial "M".

Stand your ground  
CAS - Warren UBA

OFFICE OF THE GOVERNOR  
STATE OF FLORIDA

12 APR 18 AM 8:36

Office of Governor Rick Scott  
State of Florida  
The Capital  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Gov. Scott,

4/6/2012

My name is Robert Deuell and I go to school at Missisquoi Valley Union High school in Swanton Vt. I'm writing to you because of the unjust Travon martin murder because of the stand your ground law in the state of Florida.

I think the stand your ground law has some flaws in it like, giving a person the benefit of doubt just because he or she says they felt threatened. I feel that should only take effect if it's happening in the person's house, not in the street or a car or even a bar. I feel that you should change the law to saying that the law will only take affect if the person is being threatened with a deadly weapon in their home

Thank you Gov. Scott for taking the time to read my letter. I am learning about Gandhi and how his civil disobedience was very powerful. I hope you see my civil letter as powerful and do the right thing and change the Stand your ground law.

Thank you,

Robert Deuell

Robert Deuell

Stand Your Ground  
CHS-warren

to Governor Rick Scott

Boynton Beach  
4/3/2012

Dear Governor Rick Scott

As a citizen who always votes,  
I am appealing to you to  
rescind the horrific gun laws  
recently enacted in Florida.  
The "Stand your ground" law,  
and the law allowing any one who  
has a permit to carry a concealed  
weapon any ware, is a danger to all  
our citizens.

It is time our elected officials  
stop being influenced by the N.R.A.,  
and stop passing laws that are more  
catastrophes waiting to happen.  
Thank you

Hopely yours,

Joseph H Kan

6948 Ashford St

Boynton Beach FL 33437

561 740 1268

OFFICE OF THE ATTORNEY GENERAL

12 APR -9 PM 12:48

~~Stand your ground~~  
~~Criminal legal~~  
CAS - 0011011

**Why This Is Important**

On Tuesday March 6th at 2 a.m., in Palm Harbor, Fl., Brandon Baker was driving his vehicle on his way home with his twin brother driving another vehicle behind him, while Seth Browning, an off-duty security officer driving his personal vehicle, decided to tailgate and follow Brandon all the way to the entrance of his apartment complex. When Brandon pulled to the side of the road so the pursuer, Seth Browning, could go around him, he pulled to the side behind him. When Brandon approached Seth Browning's vehicle to see what his intentions were, as the aggressor Seth Browning pepper sprayed Brandon in the face, and as Brandon fell while covering and rubbing his face, again as the aggressor, he shot and killed Brandon. Brandon's twin brother Chris exited his vehicle once he saw his brother staggering and falling. As he approached the aggressor's vehicle, Seth Browning aimed his gun at Chris but backed down as Chris assisted his mortally wounded brother.

Although Seth Browning is a "MURDERER" and used a company-issued gun while "OFF DUTY," he is stating that he acted out of self defense. The so-called "stand your ground" law implemented in 2005 is being considered in this case.

**Seth Browning IS the Aggressor with four acts of aggression:**

**1st act of aggression** on Browning's part was to tailgate Brandon at the late hour he did (2am).

**2nd act of aggression** was to pull in behind him as Brandon pulled to the side of the road to allow his pursuer to go around him.

**3rd act of aggression** was to pepper spray Brandon in the face as he approached Browning's car to find out what his intentions were. (Keep in mind that Browning's car was not a police car, nor were there flashing police lights which would alert Brandon to remain in his vehicle.)

**4th act of aggression** was to deliver a "killshot" to Brandon as he fell to Browning's car covering and rubbing his face.

Seth Browning "CHOSE" to follow and tailgate Brandon Baker, instead of calling in his tag number to the proper authorities, telling them he was concerned about his driving.

Seth Browning "CHOSE" to pull over behind Brandon Baker, instead of just going around and driving home.

Seth Browning "CHOSE" to pepper spray Brandon Baker, instead of driving away.

Seth Browning "CHOSE" to shoot and kill Brandon Baker, after he pepper sprayed him in the face.

This is NOT a case of self defense, nor should the "Stand Your Ground Law" be considered!

Seth Browning was the AGGRESSOR and the MURDERER and should be prosecuted as such!

Please Help get Seth Browning off the streets and give Brandons family some peace of mind. There was no cause for this young man to die at the hands of an angry off duty security guard.

Thank you for your help in advance with justice for Brandon.

Jean Satterfield  
Safety Harbor Fl..34695  
727.724.6450

OFFICE OF THE  
12 MAR 29 PM 3:30

Stand Your Ground  
CAS - Warren WRN

April 16, 2012

OFFICE OF THE GOVERNOR

Executive Office of Governor Rick Scott  
400 S Monroe St  
Tallahassee, FL 32399

12 APR 20 AM 11:32

Mr. Scott:

I have long loved Florida. I lived in Tallahassee from 1973 – 1981 when I was a faculty member at Florida State University. I left largely because of low faculty salaries (“Everyone wants to come to Florida so we don’t have to pay anything,” the Mantra went then – and perhaps today too). Both my career and my salary took off after my departure and I have visited the state repeatedly since then.

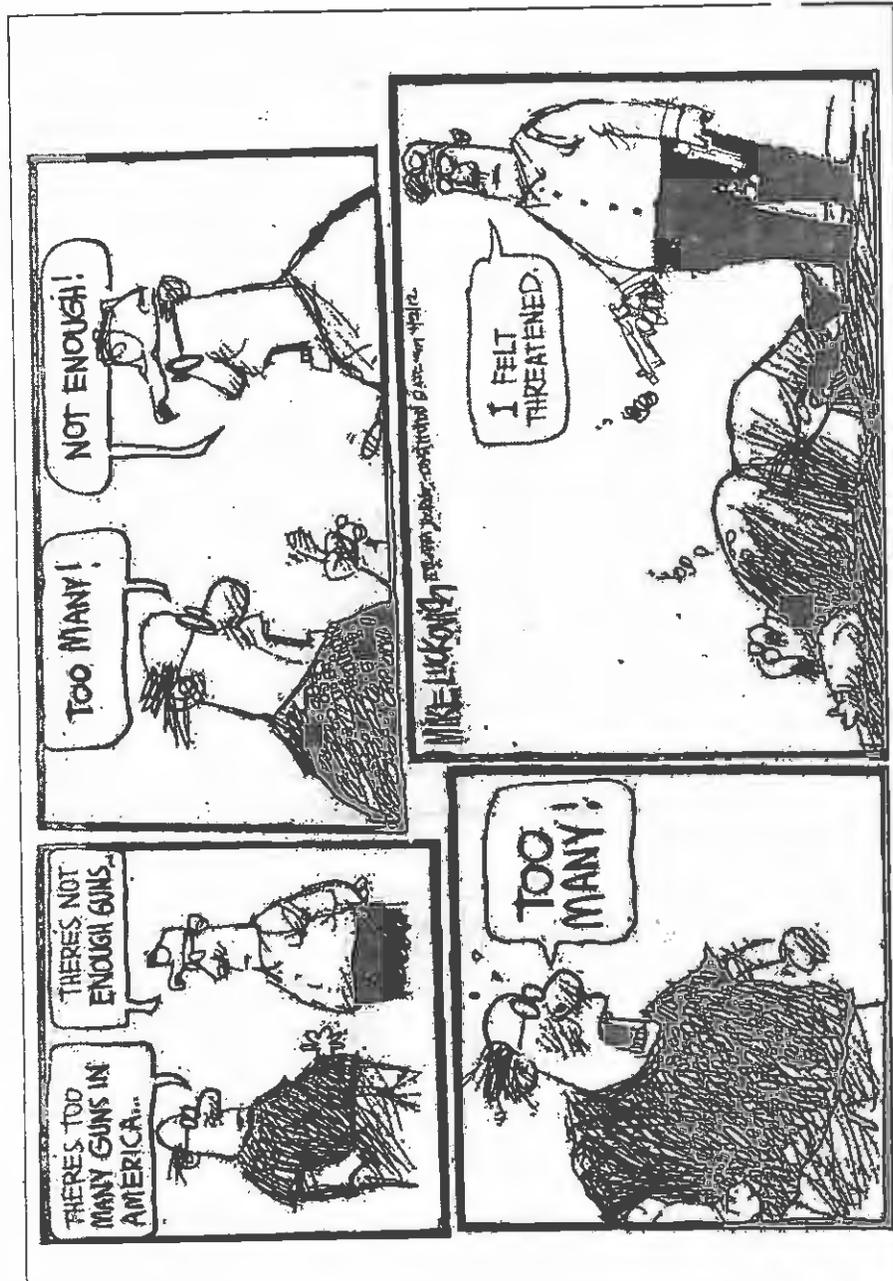
But no longer and never again. Since the Trayvan Martin killing, as a result of the infamous “Stand your ground” law, I no longer feel safe there. All anyone has to do is claim they felt threatened by me and they could blow me away with impunity (see enclosed cartoon). In addition, I object to the law on moral and ethical grounds.

I have visited the Fort Myers and Naples area several times recently looking for a possible vacation/winter home. But I have now terminated my search.

I stopped vacationing in Mexico because of the increase in crime. Now I feel the same way about Florida. But I still have the happy memories of my former times there which will have to sustain me.



E. Thomas Dowd  
2353 Thurmont Road  
Akron OH 44313



Stand Your Ground  
CMS - Warren WRN

April 12, 2012

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

OFFICE OF THE GOVERNOR

12 APR 20 PM 12:03

Dear Governor Scott;

I would like to inform you of our family's decision not to travel to the State of Florida until the State repeals the so-called "Stand Your Ground" law. This law is an abrogation of responsibility and common sense. I believe that the "Stand Your Ground" law has emboldened some individuals to act upon their baser instincts, and encourages Floridians to consider the use of lethal force as a normal approach to personal security, instead of as a last resort. As shown in the case of Trayvon Martin, even the police appear to have suspended due diligence and basic investigation procedures under the premise that simply claiming 'self-defense' under this law can justify and excuse one's actions, no matter how poorly justified.

As a Canadian, I cannot (and would not) ask you to reconsider your support for this law; that is a responsibility for the citizens of Florida. However, I do not want any member of my family to meet such individuals who feel protected and encouraged by such a law. Accordingly, for safety reasons we have decided to not visit Florida during our 2012/2013 vacations as planned, and not to support its many spectacular attractions. For moral reasons, we will no longer purchase products grown or manufactured in Florida. I have been a passionate supporter of the American space program since the mid-60's, and I would love to share this enthusiasm with my children; nonetheless, I have cancelled our plans to visit the Kennedy Space Center. My children are now at the age that they would love to visit Disney World, but this too has been cancelled. Both would have included an extended stay in the Sanford/Orlando area. As a professional chemist, I will not attend scientific conferences in Florida, and I will similarly refuse invitations to present our work in your State. I will freely explain our decisions to family, friends and colleagues, including our neighbours who visit Florida for several months each year.

Cordially,



Paul A. Rowntree  
6 Quail Creek Drive,  
Guelph, Ontario Canada  
N1C 1A9, [Rowntree@uoguelph.ca](mailto:Rowntree@uoguelph.ca)

Cc : see attached list of organizations affected by, and informed of, this decision

**Kennedy Space Center via NASA/Washington**

Public Communications Office  
NASA Headquarters  
Suite 5K39  
Washington, DC 20546-0001

**Orlando Regional Chamber of Commerce**

P.O. Box 1234  
Orlando, Florida 32802-1234

**Walt Disney World via their web site 'Contact Us' link**

<http://disneyworld.disney.go.com/contact/>

**Orlando Tourism Information Bureau**

1303 Charles Street  
Orlando, FL 32808, United States  
(407) 415-7283

**Sanford City Hall**

City of Sanford, Florida  
300 N. Park Ave.  
Sanford, FL 32771

**Orlando Sentinel**

633 N. Orange Avenue,  
Orlando FL 32801

**American Chemical Society**

1155 Sixteenth Street, NW  
Washington, DC 20036  
USA

**Universal Orlando Resort**

Universal Orlando® Resort  
1000 Universal Studios Plaza  
Orlando, Florida 32819-7610

**Orlando Science Center**

Orlando Science Center  
777 E. Princeton Street  
Orlando, Florida 32803

Stand Your Ground  
CAS Warren NFN

Executive Office of Governor Rick Scott  
400 S Monroe St  
Tallahassee, FL 32399

April 20, 2012

12 APR 23 PM 4: 07

OFFICE OF THE GOVERNOR

IN RE: Florida's Stand Your Ground Law

Governor Scott,

I understand that you're looking into the "Stand Your Ground Law" why? To change the law as it stands is to say you do not trust honest, law abiding, taxpaying Floridians. You wish to take away from the honest and give to the dishonest. Will you be saying to the honest turn and run, retreat, giving the dishonest time to stab, or shoot you in the back? Governor as you may know a human being does one of two things when confronted with danger, "fight or flight". The fight or flight response is the automatic defensive system that is built into your body that is triggered when your body senses danger. The purpose of the fight or flight response is to either help fight an enemy or to flee away and save yourself. Florida's Stand Your Ground Law, as written, gives the honest non aggressor an option to fight or to flee. Most times this option must be exercised within seconds. No one, and no law, should take away this option from any American. To do so is to give the dishonest aggressor the advantage over the honest non aggressor. As they will then know the honest can no longer protect themselves from being robbed, raped, or killed. In a perfect scenario a person would have a cell phone to call the Police and the Police would be at the scene within seconds to stop the aggressor. Even in this perfect scenario the Police may arrive just in time to see an honest person die. Let the Stand Your Ground Law stand as is.

Governor, as I understand it you are looking into the Stand Your Ground Law because of the Trayvon Martin case. I am saddened for the loss of the young man's life. However, I have to ask why his case became the case that it is? We have the Rev. Al Sharpton, Rev. Jesse Jackson, and many others here in Florida asking for justice. Asking for guns and laws like the Stand Your Ground be done away with. Why? One would think firearms were the only weapons if you listen to them. If these two men, and others, were to spend some time in Shands Trauma ER in Jacksonville or Gainesville they would see what another weapon can do. In the hands of a drunken person a car/truck is a deadly weapon. In 2010, 10,228 people were killed in the US by drunken driving crashes. Thirty-one percent of all traffic fatalities in 2010 were drunk driving related. From 2006 to 2010, 59,187 people were killed in drunk driving crashes. Source: MADD.

In 2010, the latest year for which detailed statistics are available, there were 12,996 murders in the U.S. Of those 8,775 were caused by firearms. Source The FBI.

I did a search on the internet and I could not find a single time when the Rev. Al Sharpton, Rev. Jesse Jackson was at any of these deaths demanding justice. I thought surely one of them would have been at the Raquel Nelson case below.

Could it be Rev. Sharpton and Rev. Jackson does not see a vehicle as a deadly weapon? Or, they do not wish to be involved in drunk driving cases. Cannot a drunk person pickup a gun and kill? I have to wonder just how many lives would be saved if ALL alcohol was ban?

Odd, if a person driving drunk kills someone the person is at fault. If someone kills with a gun while drunk it's the guns fault. When all firearms are ban what will be the weapon of choice. In England it's knives. The other day a man in Suwannee County, Fl. used a chain saw to try and kill a man.



Regards, Burnice H. O'Hara

BHO1949@mediacombb.net

## After Drunk Driver Kills Child, Mother Faces Three Years in Prison

WEDNESDAY JUL 20, 2011 - BY GAYLE LACOUR

A grieving African-American mother in Georgia is facing the potential of more time in prison than the drunk driver who struck and killed her child and then fled the scene.

Raquel Nelson lost her four-year-old son while trying to shuttle him across a five-lane highway, along with two of her other children. Jerry Guy — a partially-blind man who has admitted to having consumed alcohol and painkillers beforehand — hit the young boy with his vehicle. The child later died of his injuries. Nelson and her daughter were also struck and suffered injuries.

An all-white jury has convicted Nelson of homicide by vehicle in the second degree, jaywalking and reckless conduct. She could serve up to three years in prison.

David Goldberg of Transportation for America expressed his outrage that the all-white jurors couldn't seem to place themselves in the shoes of a mother trying to provide essentials for her children while crossing a five-lane highway—which encourages speeding in a mixed-zoned community:

*That's right: Because Nelson did not lug her exhausted little ones three-tenths of a mile from the bus stop to a traffic signal in order to cross five lanes of traffic, she is guilty of vehicular homicide. Because she did as her fellow bus riders, who crossed at the same time and place, and because she did what pedestrians will do every time – take the shortest reasonable path – she is guilty of vehicular homicide.*

Meanwhile, the drunk driver, Guy — who was previously convicted of two-hit-and-runs in one day in 1997 — was initially charged with hit and run, first degree homicide by a vehicle and cruelty to children. But the charges were later dropped to simply hit and run. Guy served a six-month jail term and will spend the remainder of his five-year sentence on probation.

Stand Your Ground

CAS - Warren

OFFICE OF THE GOVERNOR

12 APR 18 AM 9:48

4/12/2012

Lee K King  
227 Arlington Ave East  
Oldsmar, Florida 34677

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

I would like to give you my take on the stand your ground law. I believe that the intent of this law is to protect Floridians from violent crime. The crime rate has continued to fall after the law was enacted in 2005. It was never meant to allow someone to follow or chase someone down because they look suspicious. That is up to the police department. If you shoot and kill someone you should expect to be arrested and held until everything is sorted out. All the unpleasantness that we saw in Sanford could have been avoided. Had the Sanford police performed that simple process of placing him in protective custody or have him voluntarily confined to his house and remove the weapon, none of the ensuing protests would have occurred. It would have been cheaper to have done this.

So let's change the law just a little; **add the words that say you may not follow, pursue, chase or provoke any person that has not done you no harm.** There are many of us who carry fire arms every time we leave the house. The vast majority that carry do want to be a cowboy , policeman or anything else. We just want to be safe. This addition to the stand your ground law show you have taken a positive step to close any loop holes. Bad judgment is a way of life for some.

*The law is to stand your ground not chase 'em down.*

Lee K King

cc. Gus Biliraks  
Angela Corey  
NRA

## Stand Your Ground Law

A stand-your-ground law states that a person may use force in self-defense when there is reasonable belief of a threat, without an obligation to retreat first. In some cases, a person may use deadly force in public areas without a duty to retreat. Under these legal concepts, a person is justified in using deadly force in certain situations and the "stand your ground" law would be a defense or immunity to criminal charges and civil suit. The difference between immunity and a defense is that an immunity bars suit, charges, detention and arrest. A defense permits a plaintiff or the state to seek civil damages or a criminal conviction. More than half of the states in the United States have adopted the Castle doctrine, stating that a person has no duty to retreat when their home is attacked. Some states go a step further, removing the duty of retreat from any location. "Stand Your Ground", "Line In The Sand" or "No Duty To Retreat" laws thus state that a person has no duty or other requirement to abandon a place in which he has a right to be, or to give up ground to an assailant. Under such laws, there is no duty to retreat from anywhere the defender may legally be.[1] Other restrictions may still exist; when in public, a person must be carrying the firearm in a legal manner, whether concealed or openly. ( Hand gun Open carry is not option for Florida residents ) You may not follow ,pursue, chase or provoke any person that has done you no harm (Please amend it does not need to be repealed)

"Stand your ground" governs U.S. federal case law in which self-defense is asserted against a charge of criminal homicide. The Supreme Court ruled in *Beard v. U.S.* (158 U.S. 550 (1895)) that a man who was "on his premises" when he came under attack and "...did not provoke the assault, and had at the time reasonable grounds to believe, and in good faith believed, that the deceased intended to take his life, or do him great bodily harm...was not obliged to retreat, nor to consider whether he could safely retreat, but was entitled to stand his ground." [2][3]

In a Minnesota case, *State v. Gardner* (1905), where a man was acquitted for killing another man who attempted to kill him with a rifle, Judge Jaggard stated:



The doctrine of "retreat to the wall" had its origin [in Medieval England] before the general introduction of guns. Justice demands that its application have due regard to the general use of and to the type of firearms. It would be good sense for the law to require, in many cases, an attempt to escape from a hand to hand encounter with fists, clubs and even knives as a justification for killing in self-defense; while it would be rank folly to require [an attempt to escape] when experienced persons, armed with repeating rifles, face each other in an open space, removed from shelter, with intent to kill or cause great bodily harm[4]

CAS Warren

4/10/2012

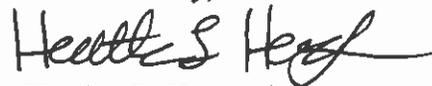
OFFICE OF THE GOVERNOR

12 APR 16 PM 2:44

Dear Governor Rick Scott,

My name is Heather L. Hernandez, I am writing to you with concerns of mine and several other citizens of Monroe County. Last month in the Key West Detention Center there were three deaths, two ruled natural causes yet they still don't know, or say of what exactly, and the third ruled a suicide. The third more questionable than the first two because this man, Leonardo Hernandez, was not looking at a lot of time and talked with my husband, Hector L. Hernandez, about starting a life with his girlfriend and wanting to work to take care of his mother. On Sunday April 8<sup>th</sup>, Hector's life was threatened by an Officer that works at the facility, this Officer also implied that Leonardo Hernandez was murdered and the same would happen to Hector. I know that majority of people trust Officers and look at inmates as terrible people, but I don't. Inmates are people like you and me and are already paying there dues to society by being incarcerated, they do not deserve to be tortured for the Officer's amusement, and certainly do not deserve threats being made on their lives by an Officer, or be murdered by an Officer. There are morally and ethically wrong things happening at the Key West Detention Center and it is all being covered up. Something needs to be done, these inmates, no, these people should not be forgotten and left for dead. I urge you to please take this letter with the seriousness it demands and at least look into my words because I am not the only one who wants answers. If you or someone in your office would like to get in touch with me I can be reached on my cell phone at 305-395-9698. Thank you.

Sincerely,



Heather L. Hernandez

Stand Your Ground  
Chris Warren

1037 Paddington Terrace  
Lake Mary, Florida 32746  
shirleyjg13@aol.com

Central Florida News 13  
20 North Orange Avenue  
Orlando, Florida 32801

May 6, 2012

Your reporting on the Trayvon Martin case barely covered and certainly did not focus on Florida's Stand Your Ground Law. Instead the public was given information by your station that seemed to support the social media viewpoint and America's need to quickly make a judgment as to right or wrong.

I am dismayed that Channel 13 would not immediately look at the core of the problem which is the Stand Your Ground law and the impact of similar laws in the other 24 states that have enacted them.

I have lived in proximity to Sanford for over 30 years and taught school in Sanford for 15 years. I regularly shop and attend events in Sanford. The community and local government have worked very hard the last 20 years to change and improve Sanford. It has become a city that reflects American values as a multi-ethnic, multi-cultural community. Sanford is very proud of its identity as a city, and not just a suburb of Orlando.

To allow this one incident to adversely impact an area because of the reporting of what should be responsible media outlets is unfair. The Stand Your Ground law should have been the focus of your reporting.

This tragic problem could have turned into a discussion that showed how Americans can provide thoughtful responses in a crisis - looking at the Stand Your Ground law, evaluating all aspects of the situation, and then giving those in charge time to analyze, synthesize, and respond to the facts.

Channel 13 provides excellent, in depth coverage of the news. Your fair and unbiased reporting is noticed and appreciated. This is why I was so surprised at your coverage of the Trayvon Martin case. I write from my point of view and hope you will reflect on the negative impact of social media reporting.

Sincerely,  
Shirley Gibson

Copy: Lt. Governor Jennifer Carroll, Florida, Task Force on Citizens' Safety and Protection, Stand Your Ground Task Force  
Representative Chris Dorworth, Florida  
Senator Alan Hays, Florida  
Mayor Jeff Triplett, Sanford, Florida

NOTE: letter also written to CBS News, Face the Nation.



Dear Governor Scott, ~~Storage~~ 5-2-2012

Please refer to the ~~enclosed~~ article.

I would be willing to bet Dodey will get a slap on the wrist if anything at all. Why? Because whites don't stick together the way blacks do. If there is one thing I admire about them it is the tenacity with which they champion a cause. If whites had just half of theirchutzpah, this world would be a better place in which to live. We must start changing laws that are no longer applicable. Whether the laws are antiquated or were just poorly written it is time to review and revamp them all. There is no justice! It takes years to execute a murderer and murderers are selected on a whim. One crime can be far more heinous than another and the person who killed just one victim dies, the murderer who killed many for the pure sport of it, gets life in prison.

Respectfully,  
Christine Miller



# 'Stand your ground' defense challenged

**Prosecutors say the law should apply to the victim, not the shooter, in a Valrico father's killing.**

BY JOHN BARRY  
Times Staff Writer

**TAMPA** — If anyone meets the definition of Florida's "stand your ground" law, it's the father who died on a Valrico basketball court in a struggle over a gun, not Trevor Dooley, the then 69-year-old neighbor who says he fired out of fear for his life, the State Attorney's Office said in written arguments Thursday.

"The evidence proved that if anyone had the right to stand their ground, it was David James, the victim," the state argued.

Prosecutors have offered three witnesses who refute Dooley's version of the shooting. Those witnesses, a Tampa defense attorney said Thursday, will be "a tremendous hurdle" for Dooley's lawyers to get over. Another attorney said Dooley will have a hard time presenting any kind of self-defense case, assuming the witnesses are credible.

The arguments were in response to a defense motion to dismiss a manslaughter charge against Dooley, now 71, based on the "stand your ground" law. It's the same law being invoked in the fatal shooting of Trayvon Martin in Sanford by George Zimmerman — a case with many similarities. There, lawyers also dispute which one was actually standing his ground.

Dooley admits to shooting his neighbor, David James, 41, after they argued over a skateboarder using their community basketball court. He claims he had no



**Trevor Dooley, left, contends he fired his gun in self-defense at David James in an argument in 2010 which ended in James' death.**

around his throat. "He was killing me," Dooley testified in February. "My finger was on the trigger. I shot."

But witnesses the prosecution cited in Thursday's arguments say otherwise. They have testified that Dooley first flashed a gun at James, then pulled it from his pants when James stepped toward him. They said they didn't see James choke Dooley. They said James was shot while trying to wrestle the gun away.

Those witnesses do not include James' daughter, who was just 8 years old when she saw her father shot. Danielle James, now 10, says she remembers little about the shooting. She says she remembers Dooley saying he didn't want to fight. She doesn't remember seeing a gun, or hearing threats. What she remembers most was a gunshot.

The three witnesses who said they clearly remembered the shooting were the 14-year-old skateboarder who Dooley tried to shoo from the courts, and a married couple playing tennis nearby.

None of those witnesses said they knew either man before that day.

All three say Dooley had turned his back to James after arguing, apparently headed

said Dooley had first shouted an obscenity and flashed a gun in his waistband.

All three said they saw Dooley turn and pull out the gun as James stepped toward him. They said James then reached for the gun as the two toppled to the ground.

The state says those actions by Dooley constitute aggravated battery, or, at the least, improper exhibition of a weapon, which would negate a "stand your ground" defense.

Tampa defense attorney Lyann Goudie predicted the state's arguments make it unlikely that a judge will rule in Dooley's favor and throw out the case. Tampa attorney Rick Terrana went further, saying that, based on his reading of the arguments, Dooley will be hard-pressed to argue self-defense of any kind.

"I'm a proponent of the stand your ground law," said Terrana. "The problem is that everyone wants to use it nowadays."

Dooley's defense team submitted its written arguments two weeks ago. Hillsborough Circuit Judge Ashley Moody has scheduled a hearing on its motion for dismissal on May 17.

One local attorney refused to predict an outcome. Grady Irvin Jr. said such cases "are so factually intense that it's unfair to comment on a potential outcome when you're not in the judge's position."

He agreed the three witnesses pose a huge defense challenge, "no matter what the charge is. That's why these cases are so tough for judges to deal with. But Moody is a very well-respected judge. I'm confident her ruling will be the right one."

John Barry can be reached at [jbarry@tampabay.com](mailto:jbarry@tampabay.com) or (813)

Crime, Stand Your Ground  
CAS Warren WRN

12801 Maidenwood Terrace

Beltsville, MD 20705

April 20, 2012

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

12 APR 27 AM 11:50

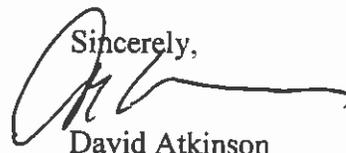
OFFICE OF THE GOVERNOR

Dear Governor Scott:

I was horrified to learn of the Marissa Alexander situation and fail to understand why she is facing a mandatory 20 year sentence in prison due to her exercising her rights under the Florida Stand Your Ground Law. I was under the assumption that the law in its original intent was created for people such as Ms. Alexander, to be able to fend off aggressors intent on doing serious physical harm .

From the facts I have read with regard to this case it appears she was attempting to protect herself from a violent man that she had restraining orders against. Ms. Alexander did not pursue this man and she was not the aggressor. This individual apparently lied to police and has a prior history of violence, a reasonable person can conclude that she did what needed to be done short of killing this person, so I respectfully your office to look in to this matter in greater detail so that justice is served. I am not a resident of your state, but I felt compelled to write your office about this injustice that appears to be on its way to national attention.

Sincerely,



David Atkinson

CHS Warren

April 23, 2012

VIA US Mail and Email

To:

Governor Rick Scott, Office of the Governor, State of Florida, The Capitol, 400 S. Monroe St., Tallahassee, FL 32399-0001; <http://www.flgov.com/contact-gov-scott/email-the-governor/> 850 488-7146

Lieutenant Governor Jennifer Carroll, C/O Office of the Governor, State of Florida, The Capitol, 400 S. Monroe St., Tallahassee, FL 32399-0001; 850 717 9331

State Senator Steve Oelrich, 4131 NW 28<sup>th</sup> Lane, Suite 7, Gainesville, FL 32606;  
[oelrich.steve.web@flsenate.gov](mailto:oelrich.steve.web@flsenate.gov) Gainesville office: 352 375 3555 FAX: 352 955 6262

From:

Your Constituents, Pat and Lane Watkins  
159 SW Sydney Nicole Ct, Lake City, FL 32024 904 673 0788

Subject: Review of Florida Statute 776 "Stand your Ground Law"

Everyone, and I do mean everyone, is saddened by the loss of Trayvon Martin and we all pray for his family.

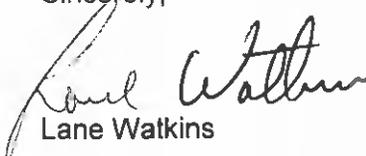
Everyone prays for justice in this case and hopes for a thorough, fair and impartial investigation in this matter.

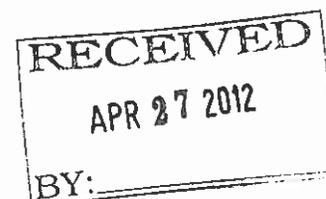
It is sad, no, depressing that this tragic death has been hijacked by those seeking to further their own cause. In the case of this shooting we have the hysteria being deliberately instigated by those who do not like the Florida "Stand Your Ground" statute.

It is important that all Florida statutes be reviewed from time to time and modified, if necessary, based on objective facts and lessons learned. I expect no less for the "Stand Your Ground" statute. However, by assembling a task force to review this statute at this time, the Governor has singled it out for review in an atmosphere of hysteria and distortion. I fear that it will be impossible for an objective review and that every effort will be made to overturn the law despite whatever objective factors are relevant. This task force should not begin deliberations until the Zimmerman trial is concluded. Lt. Governor Carroll has a real challenge in keeping this task force fair and impartial. I certainly expect her to do so and expect my Senator, Steve Oelrich to keep a close eye on the proceedings to ensure impartiality.

News of the task force suggests that the members have already been selected. That is disappointing. I hereby volunteer to serve on this task force. Please contact me if there is anything I can do.

Sincerely,

  
Lane Watkins



Dear Rick Scott

Life is not an action movie.

Warrior-like phrases like

"Stand your Ground" and "Shoot First"

encourage our law enforcement officers

to think like bigoted robots.

Please either repeal the Shoot First law  
or visit each Florida police station  
and personally encourage officers  
to show love as well as caution.

Don't let Fear own you.

Sincerely,

Don Corbin

unnamed African-American 17 yr old  
Trayvon Martin was shot and killed on  
2/26/2012 in Sanford, Florida. No one should  
be killed because of the color of their skin, their  
clothes or simply because they look "suspicious"  
to someone else. However, Martin's killer was  
not charged with second-degree murder until  
4/11/2012.

I call on the Florida prosecutor and the  
U.S. Department of Justice to do a thorough  
review of the prior investigation by the Sanford  
Police Department, as well as prosecute the  
killer to the full extent of the law

I ask that all states repeal "Shoot First"  
laws to protect human life.

Sincerely,

Lisa Mackie

William Byrd Jr.  
1900 Elmwood Avenue  
Kansas City, Missouri 64127

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Rick Scott,

How are you doing? I am writing you to discuss your current stand your ground law. I'm sure you know about the Trayvon Martin case and as George Zimmerman says he used self-defense. On the date of March 14, Mary Cutcher a neighbor of Zimmerman tells a television station "I know this was not self-defense".

On March 16<sup>th</sup>, Zimmerman says he's monitoring a "black male". Instead of listening to the operator who said "not to chase him", George Zimmerman followed Martin. They got into an altercation, Martin was heard screaming right before he was shot and killed.

I don't see how this is a case of self-defense, Martin only had a can of tea, a bag of skittles, and his cellphone. Trayvon didn't have any weapon. He was just making a run to the store. Zimmerman racial profiled Trayvon he probably thought because he was wearing a hoodie he was going to do something suspicious.

Florida's controversial "Stand your ground" law lets residents use force against threat when feel danger. This law clearly needs to be changed if it is going to be misused as Zimmerman did

This case should not be taken lightly because it is very serious. The state of Florida should think about changing or making this law different. Only if you know for a fact that the person used self-defense then they should be able to say that they stood their ground. This law can cause a lot of cases like the Trayvon Martin case.

*Sincerely,*

*William Byrd*

5/8/2012.

To whom it may concern,

Unarmed African-American seventeen-year-old Trayvon Martin was shot and killed on 2-26-2012. No one should be killed because of the color of their skin, their clothes (including wearing a hoodie), or simply because they look 'suspicious' to someone else. Laws such as Florida's so-called 'Stand Your Ground' law (also known as the 'Shoot First' law) should be repealed because they encourage the killing of other people without consequences. Prior to the law's enactment in 2005, Florida had an average of 34 'justifiable' homicides per year; after the law, in 2009 there were 105 such homicides.

I ask that all states repeal 'Shoot First' laws to protect human life.

Sincerely,  


Rebekah V. Swanson.

To whom it concerns,

The idea that any individual can shoot first before establishing cause is crazy to say the least. It releases the individual of responsibility promoting a culture where innocent individuals can be shot and killed. Repeal the Stand Your Ground laws and make every last person responsible for their actions!

— Wyatt Parks  
Citizen.

DEAR GOVERNOR SCOTT

UNARMED AFRICAN-AMERICAN seventeen-year-old Trayvon Martin was shot : killed on February 26<sup>th</sup> in Sanford, Florida. No one should be killed because of the color of their skin, their clothing - such as wearing a hoodie, or simply because they look "suspicious" to someone else.

Trayvon was killed by George Zimmerman, yet Zimmerman was not charged with the death of Trayvon until April 11, 2012 - OVER ONE MONTH AFTER THE FATAL SHOOTING.

I CALL ON YOU RICK SCOTT TO PUT A STOP TO THE SO-CALLED "STAND YOUR GROUND" LAWS WHICH CONTRIBUTED TO IF-NOT-CAUSED THE MURDER OF TRAYVON MARTIN.

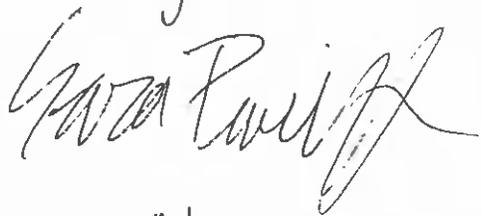
IF YOU DO NOT REPEAL "STAND-YOUR-GROUND" YOU WILL BE KNOWN AS THE GOVERNOR WHO HELPED KILL TRAYVON ; PERHAPS OTHER YOUTHS BEING TARGETED UNDER "STAND-YOUR-GROUND."

Dear Governor Rick Scott,

Unarmed African-American seventeen-year-old Trayvon Martin was shot and killed on 2-26-2012. No one should be killed because of the color of their skin, their clothes (including wearing a hoodie), or simply because they encourage the killing of other people without consequences. Prior to the law's enactment in 2005, Florida had an average of 34 "justifiable" homicides per year; after the law, in 2009, there were 105 such homicides!!

I ask that all states repeal "Shoot First" laws to protect human life.

Sincerely,



Citizen

*yes* opposed  
CAS ~~XXXXXXXXXX~~ LAUGH  
OFFICE OF THE GOVERNOR  
CITI.  
12 AUG 10 AM 9:38

August 1, 2012

Charles Miller  
2130 SW 97<sup>th</sup> Road  
Davie, FL. 33324

Lt. Governor Jennifer Carroll  
Office of the Governor  
The Capitol – PL-05  
400 South Monroe Street  
Tallahassee, FL. 32399-0001

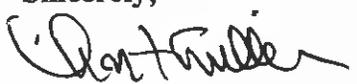
Re: Stand Your Ground Law

Dear Lt. Governor Carroll:

The enclosed newspaper article and other validated studies have shown that the flawed "Stand Your Ground Law" has in many cases benefited violent and career criminals instead of protecting law abiding citizens. This poorly enacted law needs to be modified so that these loopholes are closed and we revert back to its original intention, which is self defense in light of a violent and immanent threat, and protection of our property.

Many of us are very interested in where you and Governor Scott stand on this issue and what steps are being taken via the recently formed review committee to correct these deficiencies.

Sincerely,

  
Charles Miller

Enclosure

RECEIVED  
AUG 03 2012  
BY: \_\_\_\_\_

# 'Stand your ground' benefits free killers

BY KAMEEL STANLEY  
Tampa Bay Times

**ST. PETERSBURG** — Maurice Moorer is not the kind of person lawmakers had in mind when they gave Florida the broadest self-defense law in the nation in 2005.

State legislators sold "stand your ground" as a legal protection for law-abiding Floridians who were forced, through no fault of their own, to defend their family and property.

But the day Moorer killed his ex-wife's boyfriend in 2008 capped two years of violent behavior that had landed Moorer in jail multiple times and left his wife living in fear.

Still, prosecutors set Moorer free, saying Florida's "stand your ground" law prevented them from pursuing murder charges.

A Tampa Bay Times analysis of "stand your ground" cases found that it has been people like Moorer — those with records of crime and violence — who have benefited most from the controversial legislation. A review of arrest records for those involved in more than 100 fatal "stand your ground" cases shows:

■ Nearly 60 percent of those who claimed self-de-



**Maurice Moorer** killed his ex-wife's boyfriend in 2008. Prosecutors set him free because of Florida's self-defense law.

**"The legislators wrote this law envisioning honest assertions of self-defense, not an immunity being seized mostly by criminal defendants trying to lie their way out of a murder."**

**Kendall Coffey, former U.S. attorney from South Florida**

rests within the state. The records do not always show when arrests end in conviction, and it is likely that many did not.

And of course, an arrest record doesn't mean you give up your right to defend yourself in the future. A person who was guilty of something in the past may be utterly innocent in a different case now.

In some cases examined by the Times, a defendant's prior arrests occurred years before their fatal confrontation and therefore they reveal nothing about their propensity for trouble. For example, Max Wesley Horn Jr. successfully claimed self-defense after he shot a man during a 2010 dispute in New Port Richey. The ar-

cases are no different. The Times analysis found that 67 percent of all defendants who invoked the law went free. For defendants who had at least one arrest, the success rate dropped to 59 percent. Serial law-breakers — those with three or more arrests — walked free only 45 percent of the time.

Even so, killers with repeated run-ins with the law and with violent accusations in their past have successfully claimed "stand your ground" across the state.

Jackson Fleurimon had been arrested for battery, aggravated assault and drug possession. Witnesses said he was in a beef over drug turf when he shot and killed a man in Orange County in 2009. A judge granted him

tatal "stand your ground" cases shows:

■ Nearly 60 percent of those who claimed self-defense had been arrested at least once before the day they killed someone.

■ More than 30 of those defendants, about one in three, had been accused of violent crimes, including assault, battery or robbery. Dozens had drug offenses on their records.

■ Killers have invoked "stand your ground" even after repeated run-ins with the law. Forty percent had three arrests or more. Dozens had at least four arrests.

■ More than a third of the defendants had previously been in trouble for threatening someone with a gun or illegally carrying a weapon.

■ In dozens of cases, both the defendant and the victim had criminal records, sometimes related to long-running feuds or criminal enterprises. Of the victims that could be identified in state records, 64 percent had at least one arrest. Several had 20 or more arrests.

Florida's "stand your ground" law has been under intense scrutiny since George Zimmerman claimed self-defense after killing 16-year-old Trayvon Martin at a Sanford apartment complex Feb. 26. Police and prosecutors said they did not immediately charge Zimmerman because they could not disprove his self-defense claim.

All told, 119 people are known to have killed someone and invoked "stand your ground." Those people have been arrested 327 times in incidents involving violence, property crimes, drugs, weapons or probation violations. That does not include more than 100 traffic violations and other minor arrests not considered in the analysis.

The Times' background checks relied on Florida Department of Law Enforcement records, which log ar-

successfully claimed self-defense after he shot a man during a 2010 dispute in New Port Richey. The arrests on Horn's record — for battery, larceny and for violating probation — were more than 15 years old.

Steve Romine, a Clearwater defense attorney, said a person's arrest record may affect their credibility, but that should not disqualify them from claiming "stand your ground."

"It would be impractical to try and apply the law differently between those who do and don't have records," he said. "And frankly, it would be unfair."

But others say the prevalence of criminals invoking "stand your ground" is evidence of a flawed law.

"The legislators wrote this law envisioning honest assertions of self-defense, not an immunity being seized mostly by criminal defendants trying to lie their way out of a murder," said Kendall Coffey, a former U.S. attorney from South Florida.

Coffey said the most troubling part about habitual offenders using the law is that their experience may have taught them how to manipulate the system.

"People who've been through the legal system are going to be more seasoned to using the law to their advantage," Coffey said. "And it doesn't take a master of fiction to write in a few lines of the script to turn a homicide into a stand your ground case."

## Repeated arrests

When detectives investigate a homicide, they check the arrest record of their suspect as a matter of course.

A record can impact how defendants are treated, including how hefty a sentence they face and even how believable they are to police and prosecutors.

"Stand your ground"

he was in a... over... turf when he shot and killed a man in Orange County in 2009. A judge granted him immunity.

Tavarious China Smith was a drug dealer with multiple arrests who killed a man during an 2008 argument over drug territory in Manatee County. He claimed self-defense and went free. Less than three years later, he was back in front of prosecutors for a different homicide, this one the result of a shoot-out outside a nightclub. Smith once again went free by claiming "stand your ground."

Norman Borden, a now-deceased West Palm Beach man, racked up arrests for criminal mischief, disorderly conduct and aggravated assault in the 1980s and '90s before he was acquitted of murder in the deaths of two men who threatened him with bats while he walked his dog.

## Vague law

Charlie Rose, a Stetson University law professor, said he remembers his students years ago predicting killers with long criminal histories would wind up benefiting from "stand your ground."

He blames the law's vague wording.

"Right now it makes it available to everyone regardless of what you did to put yourself in the situation," he said. "They did not put limitations on who could use it."

Rose said "stand your ground" needs fixing.

"I think a reworking of the statute would be to the benefit of the criminal justice system in Florida," he said. "It's a fascinating combination of good intentions, bad politics and bad legislative drafting. This particular statute has a lot to do with the right to bear arms and not a lot to do with self-defense."



NO Address

SYG opposed  
CAS-WD URN

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUN 18 PM 12:18

June 12, 2012

Governor Rick Scott  
400 S. Monroe Street  
Tallahassee, FL 32399

Dear Governor Scott:

By way of introduction, I am not a resident of Florida though I have visited there a number of times over the years. I am a retired law enforcement officer who spent over 25 years in that service and I was also in the military in Vietnam. I rose to a high rank in the police department before retiring and spend many years both in street work and in administrative functions. I hold a Masters Degree in Public Administration and am a graduate of the 103<sup>rd</sup> Session of the FBI National Academy.

I am writing this letter merely to offer a perspective on your state's law known as "Stand Your Ground". First, I need to mention that historically in our country the old common law rules for self defense have always seemed to work very well in our criminal justice system and the Stand Your Ground law was most definitely not an improvement on the common law.

Second, historically in our country there are only two groups who have been given the legal right to use deadly force. Those are member of law enforcement and members of the military. Perhaps the most glaring distinction between your law and the old way of doing things is that both of these groups (law enforcement and military) are not simply turned loose on the streets with loaded guns. Rather, both groups have minimum entrance standards that they must meet before entering those professions. However, perhaps most important is that both groups receive very very extensive training both in the safe use of weapons and – more importantly in the extremely complex decision making process that involves the use of deadly force. They are trained not just once, but every year for their entire careers and even with that extensive training sometimes mistakes are made for which they are held accountable.

As I understand your law, there is absolutely no training – even minimal – and there is certainly not on-going extensive training before arming your populace with the right to shoot other people. I would wager that some of these people cannot even read the law and they still have the right to shoot anyone who makes them "feel threatened" – whatever that means. The very concept of giving someone the right to shoot another person simply because they feel threatened goes beyond just being unwise to somewhere around absolutely ridiculous. The idea of feeling threatened is certainly not a legal concept. It seems to have been invented in the minds of some legislators who probably did not even read the original bill before voting on it and most certainly did not understand the impact that such a law would have.

Unfortunately, the idea of legislators who pass laws that they never read and never understand is all too common in our world. But, we are the ones who elect them and ultimately we as citizens are responsible for their strange actions.

You may certainly choose to ignore this letter and that is your choice.

I wish you the best of luck.

You have now taken your state back to the "wild west". Although, even in the "wild west" there were at least a few rules that most folks understood. However, that is not true in Florida.

Sincerely

A handwritten signature in black ink, appearing to read "John Round", written over a horizontal line.

John Round  
Overland Park, Kansas



PITTMAN LAW GROUP, P.L.  
ATTORNEYS AT LAW

Stand your ground  
CAS-Warren-NRA  
(oppose)  
OFFICE OF THE CLERK  
12 APR 26 AM 9:37

April 2, 2012

The Honorable Dean Cannon  
Florida House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Dear Speaker Cannon,

With the recent controversy over the context of Florida's Stand Your Ground Law, I humbly ask that the leaders in the Florida Legislature call a Special Session for a thorough analysis of this measure and review its ramifications since 2005. Furthermore, since the events in Sanford, Florida, we know that this law is far too vague and should be revised or repealed.

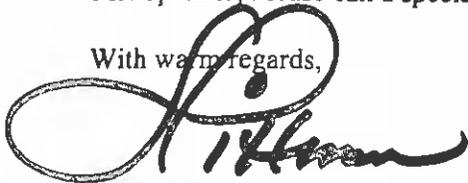
Speaker Cannon, our Legislature and state is currently under a microscope over the context and validity of this law from every news outlet, political figure and even former-President Bill Clinton. I believe we have approached a crossroad in our state's history where our leaders should be at the forefront of a change that ultimately shifts America's focus and belief in our political process.

Furthermore, as a leading state in our nation, our elected leaders should be an example of how other states should conduct business when turmoil arises. I applaud Governor Scott for his swift action to appoint a task force to review the impacts and concerns of Florida's Stand Your Ground Law. However, I believe waiting to convene the task force until AFTER the Trayvon Martin case has been completed is too late and risks the chance of this kind of tragedy happening again. Moreover, I firmly believe the Legislative body that originated this law should guide these discussions moving forward and our legislative system should not wait for the tensions in Florida to boil over before you act.

Again, I humbly ask that you and other leaders in the Legislature ACT NOW and take the lead to analyze the ramifications of the Stand Your Ground Law for needed revisions or repeal. None of us can rest comfortably knowing that this extremely vague law is still in place and functionally legalizing lawlessness. Please don't sit by idly and allow this law and state inaction to cast a further negative shadow on Florida's beautiful history.

Mr. Speaker, Please call a special session and act accordingly.

With warm regards,

  
SEAN PITTMAN

RECEIVED  
APR 04 2012  
BY: \_\_\_\_\_

REPLY TO

Wilhelmina Square 1028 East Park Avenue • Tallahassee, Florida 32301 • 850 216 1002 ph • 850 224 7477 fax  
 2655 North Ocean Drive, Suite 130 • Singer Island, Florida 33404 • 561 712 1072 ph • 561 845 7455 fax

Trayvon Martin (Page 2 of 2)

CC:

Governor Rick Scott

✓ Lieutenant Governor Jennifer Carroll

President-Designate Don Gaetz

Speaker-Designate Will Weatherford



PITTMAN LAW GROUP, P.L.  
ATTORNEYS AT LAW

April 2, 2012

The Honorable Mike Haridopolos  
Florida Senate  
409 The Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1300

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SEAN PITTMAN

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Wilhelmna Square • 1028 East Park Avenue • Tallahassee, Florida 32301 • 850 216 1002 ph • 850 224 7477 fax

2655 North Ocean Drive, Suite 130 • Singer Island, Florida 33404 • 561 712 1072 ph • 561 845 7455 fax

Trayvon Martin (Page 2 of 2)

CC:

Governor Rick Scott

Lieutenant Governor Jennifer Carroll

President-Designate Don Gaetz

Speaker-Designate Will Weatherford



PITTMAN LAW GROUP, P.L.  
ATTORNEYS AT LAW

April 2, 2012

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Florida House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

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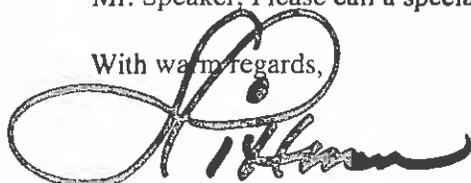
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With warm regards,



SEAN PITTMAN

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Trayvon Martin (Page 2 of 2)

CC:

Governor Rick Scott

Lieutenant Governor Jennifer Carroll

President-Designate Don Gaetz

Speaker-Designate Will Weatherford

Stand Your Ground - Supp  
CNS Warren WPA

Charles L. Tait  
5656 Emily Lane  
Hahira, Georgia 31632

May 19, 2012

Office of Governor Rick Scott  
State of Florida  
The Capital  
400 South Monroe Street  
Tallahassee, Florida 32399

Dear Governor Scott:

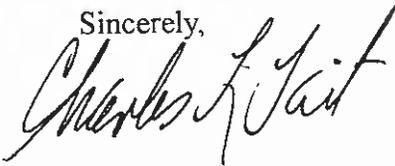
The Second Amendment to the United States Constitution clearly states that the right to keep and bear arms **SHALL NOT BE INFRINGED**. The U.S. Supreme Court has render its decision that this amendment applies to We The People.

Florida's Stand Your Ground Self-Defense Law protects victims who wish to fight back against their attackers.

Rick Scott Stand Your Ground "task force" may recommend gutting Florida's Stand Your Ground Self-Defense Law. If this law is gutted, the anti-gun lobby will use the same tactics to gut pro-gun laws in other states.

I urge you to publicly oppose weakening of Stand Your Ground Defense in Florida -- and vow to fight it -- at every opportunity.

Sincerely,



Charles L. Tait



SEATTLE GIRLS' SCHOOL

Empowering each girl to live her potential

Stand Your Ground - OPS  
C/A's Warren NRN

MAY 22 2012

May 15<sup>th</sup>, 2012

Dear Governor Richard Scott,

My name is Alena Friedrich and I am a 7<sup>th</sup> Grade student at Seattle Girls' School. For the past couple of months, I have been researching gun violence and "Stand Your Ground Laws". I have become very passionate about this these issues, but I have also realized how dangerous states can become.

Many believe that Stand Your Ground Laws protect a citizen and give them the ability to defend themselves, but statistics have show otherwise. In your state, since Stand Your Ground Laws were introduced, homicide rates have nearly tripled. People who have guns in their homes are increasing their chances of homicide by 2 percent. Many more deaths are occurring because of the laws that say that a person can use their gun when they feel threatened. These statistics leave me wondering why a gun would ever be needed in a bar, a preschool, even on a sidewalk. Cases like the Trayvon Martin case are much less likely to happen if our country didn't allow these laws. And I am aware that we even have these laws in my state, Washington. I am writing to your state in hope that you will consider proposing to change your laws, because you have set a precedent that has lead to many problems in other states, and it could get worse.

In my state, Washington, there are more gun-related deaths than ten times the firearm deaths in England, more than half due to suicides. When a person keeps a weapon in their home, suicide risks increases by 460%. States that don't have Stand Your Ground laws and have better laws regarding gun violence have far fewer gun deaths. In Washington State, more people are killed by guns than in motor vehicle accidents. In America, approximately 268 people are killed per day, and our state is a part of that. Yet even with all these powerful statistics, we still have more restrictions on toy guns than real guns.

States like Oklahoma are now allowing firearms in places as absurd as bars, and other states are allowing them in preschools, cars, capitol building parking lots, etc.

As a citizen of America, this concerns me. Guns are getting increasingly more capable of causing harm, yet our laws enable more usage of these weapons. I urge you to please, consider the impact it has on your state and all the other states who have followed. I urge you to consider making a change. Many times the court isn't consistent about these issues, and it has become very apparent to me that these laws need to be clarified. Certain freedoms may contribute to the well being of our population, but allowing someone to use a dangerous weapon whenever they feel threatened certainly could be harmful unless we clearly define when using a weapon is self-defense. I have connections to people who have personal stories regarding these issues and some have been in situation where they were judged because of stereotypes about race, sexual orientation, etc. Please, I only ask you to consider my perspective as a citizen of America that we need more laws regulating gun usage. Thank you for taking the time to read my letter, and I have strong hope in the future.

Sincerely,

*Alena Friedrich*

Alena Friedrich

Stand Your Ground Oppose  
CAs Warren WGN

Dear Governor Rick Scott

I ask that All states repeal "Shoot First" laws. They allow you time with weapons to make eye-altering choices based on snap shot judgements and assumptions. ~~assumptions~~ Assumptions that largely rely on stereotypes ~~that~~ tied to Race, Class, and Gender Presentation. Does not any death - reliant on this logic increase inequality and hate rhetoric?

Repeal Shoot First Laws

- Cass J Brown

Stand Your Ground - oppose  
C.A.S Warren WPN

Dear Rick Scott,

I am writing this letter to repeal such laws as Florida's "Stand Your Ground" law, because they encourage and permit ~~officers~~ <sup>people</sup> to kill suspect innocent civilians without consequences. Additionally, I am calling for a full review of the police department involved who failed to prosecute ~~the~~ ~~officer~~ George Zimmerman most likely due to racists ideologies whom likely believed the death of Trayvon Martin was not a "big deal". Thank you for your time Governor Rick Scott. I hope you can respond and act to this ~~the~~ injustice with full intention.

Sincerely,

James Bertson

To whom it may concern,

Unarmed African American seventeen year old Trayvon Martin was shot and killed on 2-26-12. No one should be killed because of the color of their skin, clothing or because they look suspicious to someone else. Laws such as Florida's so called "stand your ground" law should be repealed because they encourage the killing of other people without consequences. Prior to the law's enactment in 2005, Florida had an average of 84 "justifiable homicides" per year; after the law, in 2009, there were 105 such homicides.

I ask that all states repeal "shoot first" laws to protect human life.

Sharon Gittel.

10/21/2011

May 8, 2012

To Governor Rick Scott:

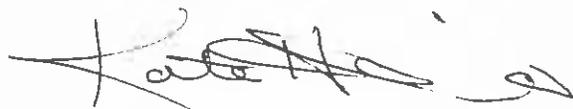
Unarmed African-American seventeen~~12~~<sup>14</sup>-year-old Trayvon Martin was shot and killed on 2-26-2012. This is an incident we cannot let go unnoticed, or excused because the killer was finally ~~prosecuted~~ <sup>charged</sup> two months later ~~after~~ national pressure. Trayvon's case is one of many incidents when an innocent kid has been killed based on his skin color, dress, and the claim that he looked "suspicious."

Hobbies and race are never grounds for suspicion. Something needs to change; the racism prevalent in this country ~~and~~ needs to end and we need to stop denying that it exists.

What happened in February was a kid got shot for unsubstantial reasons. This needs to stop. We at WWU will refuse to look away when this kind of injustice occurs.

I call on the Florida prosecutor and the U.S. Department of Justice to do a thorough review of the prior investigation by the Sanford Police Department, and prosecute the killer to the full extent of the law.

Sincerely,



(Kate Harrison)

Stand Your Ground - opp  
CHS Walker

TO: GOVERNOR RICK SCOTT

RE: REPEAL "STAND YOUR GROUND"

We, the undersigned members and friends of Amnesty International, do hereby urge you to work to repeal the law known as "Stand Your Ground." The recent death of young Trayvon Martin in Sanford, Florida has shown the world the devastating consequences of this irresponsible legislation. We entreat you to make full use of your power as governor to ensure that this tragedy may be the last of its kind in our state.

FILED  
MAY 22 2012

Signed	Street Address	Date
Udis R. Goltz	5450 Windantide Rd.	5-21-12
Rita R. Goltz	St. Augustine 5450 Windantide Rd.	5/21/12
Gene Schepere	St Augustine 32080 789 CAPTAINS DRIVE ST. AUGUSTINE, FL 32080	5/21/12
Patricia Bell	218 B Street St Augustine, FL 32080	5/21/12
Cynthia McAuliffe	115 Ferdinand Ave	5/21/12
Cynthia McAuliffe	St. Augustine FL 32080	
Palmer Short	1051 Esplanade Ave St. Augustine FL 32086	5-21-12
Off. [Signature]	82 Magnolia Ave, FL 32084	5/21/12
LaCene Engert	789 Captain's Dr. St. Augustine FL	32080-6157 5/21/12

stand your ground oppose  
CAs Warren

12 MAY 18

Dear Mrs CARROLL  
WE NEED A SENSITIVE  
PERSON LIKE YOU TO  
PURSUDE THIS RED NECK  
MENTALITY LIKE DENNIS  
BAXELY THIS NON SENSE  
STAND YOUR GROUND LAW  
IS UNNECESSARY. MORE  
GUN CONTROL LAW  
NEEDED TO STOP THIS  
GUNS CANCER SPREADING  
FAST, FLORIDA IS OUT  
OF CONTROL, I HOPE  
THAT YOU AND THE  
GOVERNOR PUT A STOP  
TO THIS VIOLENCE,  
AND DONOT WORRY  
ABOUT NRA PRESSION  
THAT THEY PUT ON  
REPUBLICANS AND DEMOCRAT  
TO BY MORE GUNS!  
sincerely. Frank

Dr. David Shonting, Naples

## Cowboy country

Last week we walked our dog through the pleasant Conner Park in North Naples.

At its entrance was the usual posting of park regulations in icon symbols: no grills, alcohol, fires, fireworks, etc., along with the ordinance codes.

However, in the lower left was an additional painted-out square. Faintly visible through the enamel was the eerie silhouette of a handgun. As I strolled on I thought, what sort of government mindset would have a prohibition of handguns in a public family park repealed? Moreover, what curious logic would deny the lighting of firecrackers while at the same time not prohibiting the shooting of a sidearm.

Then I realized it was a Florida cowboy mindset, the one which enacted the country's first "Stand Your Ground" law — which I hope will undergo serious scrutiny in light of the killing of Trayvon Martin.

It was bewildering and sad to have one of my European friends ask me, "Is it safe to live in Florida?"

## Consider this

Editor, Daily News:

U.S. District Judge Marcia Cooke granted a temporary injunction on the Firearm Owners Protection Act, which literally prohibits a physician from discussing gun ownership with a patient or the parent of a patient.

Why should a physician ask a personal question involving gun ownership? To representatives of the National Rifle Association, it's strictly another attack

on gun owners in order to take their guns away.

However, consider the public-health aspects. Physicians often ask, "Do you feel safe in your home." Spousal abuse and elder abuse are much more common than people think. Physicians also ask personal questions concerning diet, as well as about drug, alcohol and tobacco use.

In the same way, pediatricians often query parents about the use of car seats, water safety, poison prevention, suicide prevention and gun safety.

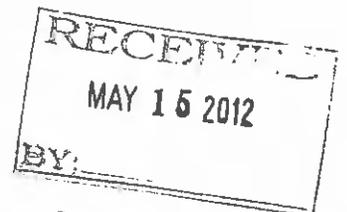
Asking about pool safety doesn't mean the physician wants people to get rid of their swimming pools. In Florida, not many weeks go by that we don't read of a child drowning in a backyard pool.

Many studies indicate, for the average family, it is better for the health of the children if a gun is not kept in the home. If there are guns in the home, safety procedures must be put into effect.

In summary, physicians should continue to ask about anything that can have a negative impact on their patients' health.

Since 90 percent of children who are injured by firearms are injured by a parent's, relative's or friend's gun, this makes asking about gun ownership and weapon safety incredibly important.

— Allen Malnak, M.D.  
Bonita Springs



B.K VICTIMS  
OF GUN VIOLENCE

State briefs

## 2 officers shot, wounded Thursday evening on Florida's Turnpike

HOLLYWOOD — Two South Florida law enforcement officers were shot and wounded on Florida's Turnpike before the gunman fatally shot himself, authorities said.

Officers responded to a call Thursday evening about a man firing a weapon as he walked along the turnpike's median in Broward County.

Officials said a female Key Biscayne officer, believed to have been shot in the neck, was rushed to a nearby hospital in a police cruiser. A second officer, believed to be with Immigration and Customs Enforcement based in Homestead, also was wounded and taken to a hospital.

Traffic in both directions was stopped by the shootout. Officers were searching the area for at least one other suspect.

Additional information about the officers or suspect wasn't immediately available.

# POLICE

## Man faces drugs, weapons charges after traffic stop

After being stopped for speeding, a Naples man is accused of being in possession of more than 100 grams of marijuana as well as drug paraphernalia and weapons.



**Zachary Heitmann**, 20, of the 2300 block of Forrest Lane, was arrested Thursday by Collier County sheriff's deputies at Pine Ridge Road and Naples Boulevard.

According to an arrest report, Heitmann was stopped after deputies observed him traveling in a black Hyundai Sonata at 55 mph in a posted 45 mph zone. When they initiated the traffic stop, deputies said they conducted a search because they could smell marijuana coming from inside of the car. Heitmann immediately informed deputies he had marijuana inside the vehicle, according to the report.

The search revealed more than 100 grams of marijuana along with an unknown white powdery substance found in the center console, deputies said.

Deputies also found two digital scales, plastic sandwich bags, a plastic scoop with an unknown white powder residue on it, a small container holding 18 grams of marijuana, a grinder with marijuana residue, a glass smoking device, black gloves and two flashlights.

Deputies said they also found a large machete-

# Man shot, killed after struggle with Lee deputy identified

By Jessica Lipscomb  
jellipscomb@naplesnews.com  
239-263-4829

A man who was shot and killed Wednesday after a struggle with a Lee County deputy has been identified as Jimmie Lee Matthews of Lehigh Acres.



Matthews, 31, had been driving a Dodge Caravan that refused to stop for the deputy on Interstate 75 near North Fort Myers, Sheriff's Office officials said earlier this week. A vehicle chase ended in the Buckingham community, and shots were fired between Matthews and the deputy.

Matthews died at the scene, and the deputy was taken to an area hospital after he was shot in the

hand. The Sheriff's Office has declined further comment on the shooting, including information on who fired the shots.

As of Friday, the deputy remained in the hospital recovering from surgery he had Thursday. The Sheriff's Office has not released his name, citing the ongoing investigation, although he is reported to be doing well, spokesman Tony Schall said.

When the vehicle first came to a stop at Cemetery Road and Stratton Road, two others with Matthews fled from the mini-van. One man, taken into custody with the assistance of a Sheriff's Office K-9, was identified as Gregory Coleman, 24, of Lehigh Acres. The other occupant who fled from the vehicle has not been located.

Although court documents show Matthews had multiple criminal convictions in Lee Coun-

ty, family members said they did not know him to be aggressive.

Matthews' aunt, Gracie Matthews, said she had helped raise her nephew until he was about 6, but had not seen him since Thanksgiving and did not know much about his record.

"I really can't say because as he grew older we didn't keep in touch," said Gracie Matthews, who now lives in Lake City in north Florida. "I really don't know what his life was like down there ... I've never had any problems with him. I never had to raise a hand at him or scold him or anything."

Another aunt, Coretta Matthews, said the family still has little information about what happened Wednesday.

"I'm trying to get to the bottom of it," she said. "How do a traffic stop end in a shooting? I just really don't understand it."

# Suspect killed; deputy shot in hand after struggle in Fort Myers

By Jessica Lipscomb  
jellipscomb@naplesnews.com  
239-263-4829

A man who struggled with a Lee County sheriff's deputy after a vehicle chase Wednesday night died at the scene from gunshot wounds, authorities said.

The deputy, whom the Sheriff's Office has not publicly identified, was taken to an area hospital but expected to recover after being shot in the hand. As of late



Gregory Coleman

Thursday, the name of the suspect who was killed also was being withheld while deputies searched for his biological mother to notify her of the death, agency spokesman Lt. Larry King said.

The chase began about 7:15 p.m. when the deputy attempted to stop a black Dodge Caravan near North

Fort Myers for a traffic violation on Interstate 75, according to the Sheriff's Office. The minivan refused to stop and swerved at the deputy, reports said, then led him in a chase that ended when it came to a stop at the intersection of Cemetery and Stratton roads in the Buckingham community.

Two women stayed in the van and three men got out, King said. The Caravan's driver died at the scene shortly after getting into a fight with the deputy. King

As of Thursday, the man who fled was unidentified and at large. Although investigators don't know if the man is armed, King said he does not appear to be a threat to the community and is "just wanted for questioning."

King said he believed Wednesday's shooting was the first time a Lee County deputy had been injured in an on-duty shooting since June 1994, when deputy Mark Cohen was shot and wounded at a Fort Myers intersection.



# THE WORLD COALITION CONNECTION

"Your Voice ! Our Voice ! A Powerful Coalition, Together!"



Billy Ray Jackson III, Executive Director

L. Jamise Sipp, Chief of Staff

May 7, 2012

Governor Rick Scott  
State Capitol  
400 South Monroe Street  
Tallahassee, Florida 32399-0001

Dear Governor Scott:

It is obvious that your current "Stand-Your-Ground Law" is unpopular among the majority of voters. I would ask you, your advisors and members of your state legislature the reason why so many citizens feel that this law is a "premeditated sin."

Far more important than that is the image portrayed by your state leadership. With the worldwide media coverage of your controversial law, it paints Florida as mired in the past, unwilling to fully recognize that this misunderstood law is actually an overkill to the current "castle laws" and self-defense doctrine.

Anyone who thinks, not limited to lobbyists, that this law eats only at the heart of Christians certainly ignores reality. Of course it matters, and this law will continue to be a detriment to your state until it is repealed.

The world could reasonably conclude that your state, by repealing this offensive law, would certainly alleviate an unnecessary element of discord between people who are looking to you for leadership in this request.

Personally, I feel that you as the top leader of your state could step in by leading the charge to get this dangerous law repealed and remove the negative press concerning this "Stand-Your-Ground Law."

Certainly there might be some protest by lobbyists or confused citizens, but such would be short lived, and the matter would soon be forgotten.

I hope and pray that you and your state legislators can act decisively on this issue before another person dies as a direct result of the Stand-Your-Ground Law.

Therefore, please show us (the people) the courtesy of officially stating your position regarding this matter no later than 40 days from the postmarked date of this request.

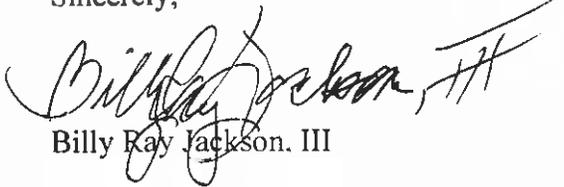
**Atlanta \*Washington\*London\*Zurich**

RECEIVED  
OFFICE OF THE  
GOVERNOR  
12 MAY - 8 PM 2:29

Please direct all correspondence to:

Col. B.R. Jackson, III  
P.O. Box 354  
Connecticut Ave., NW  
Washington, D.C. 20015

Sincerely,



Billy Ray Jackson, III

Copy: Associated Press  
Washington Post  
New York Times  
BBC News  
London Times  
Tom Joyner Morning Show  
CNN  
CBS  
NBC  
ABC  
FOX

WASHINGTON, DC \* ATLANTA \* HAWAII \* LONDON \* ZURICH

Anne McFarlane  
5939 Sandstone Ave  
Sarasota, FL 34243  
annemcfarlane@aol.com  
H (941) 388-8489

OFFICE OF THE  
12 MAY -9 PM 2:27

---

May 7, 2012

Senator Michael Bennett  
404 Senate Office Building  
404 South Monroe St.  
Tallahassee, FL 32399-1100

Re: Repeal "Stand Your Ground"

Dear Senator Bennett:

Although I believe that a person has the right to have a gun in the home, or for hunting, I support repeal of the "Stand Your Ground" law. This law is nothing but an escalation of the gun insanity that grips our state, and is a prescription for disaster.

The NRA has planted an irrational fear in our citizens, and appealed to the worst instincts in the worst among us, so that some people feel they are not safe unless they are armed to the teeth. There is no need for anyone to own an assault weapon. Period. Also, there is no need for anyone to carry a concealed weapon, with the exception of an undercover policeman, or a licensed bodyguard. And then there is the most bizarre example: in the name of individual "freedom, freedom, freedom", a local governing body cannot control the guns in their own community. So, who is free?

The thing I am afraid of is the NRA, and the legislators who bow down to them.

Sincerely,



Anne McFarlane

Sarah Emma Fay  
8325 Citrus Chase Dr  
32836 Orlando, FL

Stand Your Ground oppo  
CA's Warren

April 20, 2012

To Whom It May Concern:

As a concerned citizen, I am writing to support the repeal of the "Justifiable Use of Force" code, also known as the "Stand Your Ground Law," passed in 2005. On February 26, 2012, 17-year-old Trayvon Martin was gunned down by George Zimmerman, allegedly on the basis of Martin posing a deadly threat to Zimmerman's life. Similar defenses have been used successfully by Floridians more than 130 times since the Stand Your Ground law passed. The law, in its current form, grants immunity to people who use deadly force in self-defense, and so-called "justifiable homicides" have tripled in the past six years. These statistics aren't just numbers, but they are sobering reminders of how good intentions to protect one's life and/or property have the potential to go awry.

According to section 776.32.2 of the Stand Your Ground Law, law enforcement officials are required to prove the party using deadly force acted in self-defense against the alleged assailant. If the alleged assailant is dead, as was the case in the shooting of Trayvon Martin, how can we prove the surviving party did in fact act in self-defense? Zimmerman was also one of more than 920,000 Floridians licensed to carry concealed guns, a number that trounces every other state and beats Texas by a 2-to-1 ratio. In the past decade, a number of laws have passed making it easier to own guns and carry them into more and more places in Florida, helping to turn both non-dangerous and potentially dangerous situations in public places into deadly ones.

I am troubled by the fact that so many people do not seem to understand that there is a true dichotomy here—one can actually be anti-"Stand Your Ground Law" and pro-gun at the same time. What I do not support is an environment of fear that I believe gets people killed for simply being in the wrong place at the wrong time, and that is what I believe the Stand Your Ground Law creates. Furthermore, the law, in its current form, encourages vigilantism by codifying a set of assumptions that magnifies the real degree of threat posed by "suspicious" persons possessed of unknown intent. This effect is exacerbated by racial profiling, as well as outright racism, and further fueled by the now well-known "hoodie effect." Unfortunately, this is why the Martin family suffers, along with thousands of other unarmed victims who were "justifiably" killed. Such a fatality can happen to anyone. The arbitrary nature of this law cannot remain part of our legal system.

I urge you to please reconsider the implications of the Stand Your Ground law and remember that lax gun laws do not promote safety; they only promote fear-driven insecurity and vigilante justice.

Thank you for your time and consideration.

Sincerely,

Sarah Emma Fay

Cristhiana Williams  
8440 26<sup>TH</sup> STREET SOUTH #21  
Saint Petersburg, FL 33712

Stand Your Ground - oppose  
CAS Warren

April 20, 2012

To Whom It May Concern:

As a concerned citizen, I am writing to support the repeal of the "Justifiable Use of Force" code, also known as the "Stand Your Ground Law," passed in 2005. On February 26, 2012, 17-year-old Trayvon Martin was gunned down by George Zimmerman, allegedly on the basis of Martin posing a deadly threat to Zimmerman's life. Similar defenses have been used successfully by Floridians more than 130 times since the Stand Your Ground law passed. The law, in its current form, grants immunity to people who use deadly force in self-defense, and so-called "justifiable homicides" have tripled in the past six years. These statistics aren't just numbers, but they are sobering reminders of how good intentions to protect one's life and/or property have the potential to go awry.

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Thank you for your time and consideration.

Sincerely,

*Cristhiana Williams*

Stand Your Ground  
CAS Warren Oppose

RONALD VANDER SCHAAF

4051 Roxane Blvd.

941-366-0105

van5256@yahoo.com

Sarasota, FL 34235

5/6/12

Office of Lieutenant Governor Jennifer Carroll  
400 S Monroe St.  
Tallahassee, FL 32399

Dear Lt. Governor Carroll:

I am writing to request that the "Stand your ground" law be revised dramatically or better yet, completely discarded. I know that you chair a special review. Please share this letter with the committee.

This was a terrible law to begin with, pushed in extremis by the gun lobby. They do not speak for me or, I believe, a majority of Florida residents. Florida continues to be the laughing stock of the country. We have a situation in Tampa where the mayor requested a ban on guns during the Republican convention and Gov. Scott turned him down, singing loudly the tune called by the NRA and its ilk. Picture this: police officers confiscating water guns but allowing snub nosed 38's free rein in convention hall. So comforting to know that no Republicans will be squirted.

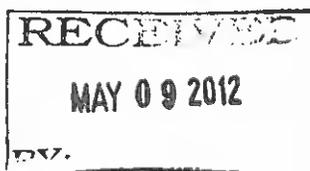
Also, I wanted to e-mail you. When I clicked on the link it asked for my name and password. As this was my first attempt to use the service I had neither, nor could I get either. So that was a blind alley.

Let's do away with the silliness that guns don't kill people, people do. Lots of folks seem to like the feeling of pulling that trigger when another human being is looking down the barrel. I don't read of many murders by baseball bats, edgers, hatchets, tire irons, shovels, or pick axes. Guns kill. Period.

Sincerely,

*Ronald Vander Schaaf*

Ronald Vander Schaaf





Leo A. Williams  
100 Pennsylvania Ave Apt 1511  
Baltimore, MD 21201

4/19/2012

OFFICE OF THE GOVERNOR

12 APR 25 PM 3:15

Stand your  
ground  
CAS-WOODEN  
NR7  
(OPPOSE)

SIR

YOU ARE A GOVERNOR AND WOULD ENDORSE LAWS THAT PROMOTE RACIAL PROFILING? DO YOU BELIEVE THAT BLACK AMERICA WILL LET EXTREMIST WHO WANT TO WRITE - BIGOTRY INTO OUR LAWS AND IMPOSE THEIR NARROW-MINDED VIEW OF MORALITY ON THE REST OF AMERICA? YOUR STAND YOUR GROUND POLICY IS LITTLE MORE THAN A GREEN LIGHT FOR WHITE ~~THE~~ SUPREMIST AND THEIR SICK LIES.

-for A Williams

PS

YOU LOOKING FOR A FIGHT WELL PARTNER YOU ARE GOING TO GET ONE, IN A COURT OF LAWS

Stand Your Ground oppose  
CAS WARREN

April 23, 2012

Charles Miller  
2130 SW 97<sup>th</sup> Road  
Davie, FL. 33324

Lt. Governor Jennifer Carroll  
Office of the Lt. Governor  
State of Florida  
400 South Monroe Street  
Tallahassee, FL. 32399

Re: Stand Your Ground Law

Dear Lt. Governor Carroll:

We do not envy you in your position of chair of a committee that has been tasked to examine this terribly flawed law. In the opinion of many of us, this law in essence made an ordinary citizen the Judge, jury and executioner.

What we really don't understand is why this law was necessary since the right of self defense and the Castle Doctrine were already established and from all indications workable within our criminal justice system. As retired law enforcement officer in Miami-Dade County I thoroughly understood the restrictions placed upon us in terms of deadly force, especially since the 1985 Garner versus Tenn. ruling.

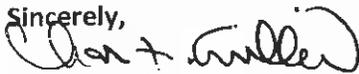
It is obvious that this bill and subsequent law were rammed through the legislature at the request of the NRA et. al. without being thoroughly vetted. The negative results are obvious in that no one thoroughly understood it's intent or even why we need it.

I urge you to demand that the necessary changes be made to either make this law workable and/or eliminate it so that we can go back to a system that protects both parties without, except in rare cases, the need for deadly force.

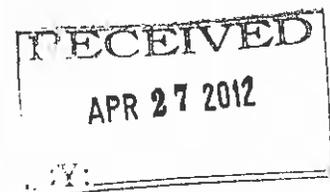
Enclosed for your information is a recent article written by former Chief of Police John F. Timoney that contains some relevant issues that need to be addressed.

Thank you for your attention to this subject matter and your service to our state and country.

Sincerely,



Charles Miller  
Enclosure



# Florida's Disastrous Self-Defense Law

By John F. Timoney

**T**HE very public controversy surrounding the killing on Feb. 26 of Trayvon Martin, an unarmed 17-year-old, by a crime watch volunteer, George Zimmerman, was predictable.

In fact, I, along with other Florida chiefs of police, said so in a letter to the Legislature in 2005 when we opposed the passage of a law that not only enshrined the doctrine of "your home is your castle" but took this doctrine into the public square and added a new concept called "stand your ground."

Use-of-force issues arose often during my 41-year policing career. In fact, officer-involved shootings were the No. 1 problem when I became Miami's police chief in January 2003. But after we put in place new policies and training, officers went 20 months without discharging a single bullet at a person, while arrests increased over 30 percent.

Trying to control shootings by members of a well-trained and disciplined police department is a daunting enough task. Laws like "stand your ground" give citizens unfettered power and discretion with no accountability. It is a recipe for disaster.

At the time the Florida law was working its way through the Legislature, proponents argued that a homeowner

*John F. Timoney is a former Miami police chief, Philadelphia police commissioner and deputy police commissioner in New York. He is now senior police adviser to the Bahrain Minister of the Interior.*

should have the absolute right to defend himself and his home against an intruder and should not have to worry about the legal consequences if he killed someone. Proponents also maintained that there should be no judicial review of such a shooting.

But I pointed out at the time that even a police officer is held to account for every single bullet he or she discharges, so why should a private citizen be given more rights when it came to using deadly physical force? I also asked the bill's sponsor, State Representative Dennis K. Baxley, to point to any case in Florida

## Police chiefs did not want to give citizens such power.

where a homeowner had been indicted or arrested as a result of "defending his castle." He could not come up with a single one.

The only thing that is worse than a bad law is an unnecessary law. Clearly, this was the case here.

The second part of the law — "stand your ground" — is the most problematic. Until 2005, in all 50 states, the law on the use of force for civilians was pretty simple. If you found yourself in a situation where you felt threatened but could safely retreat, you had the duty to do so. (A police officer does not have the duty to retreat; that is the distinction between a sworn police officer and the average citizen regarding use of force.)

Police officers are trained to de-escalate highly charged encounters with aggressive people, using deadly force as a last resort. Citizens, on the other hand, may act from emotion and perceived threats. But "stand your ground" gives citizens the right to use force in public if they feel threatened. As the law emphatically states, a citizen has "no duty to retreat and has the right to stand his or her ground."

During one debate, one of the law's proponents suggested that if a citizen felt threatened in a public space, he should not have to retreat and should be able to meet force with force. I pointed out that citizens feel threatened all the time, whether it's from the approach of an aggressive panhandler or squeegee pest or even just walking down a poorly lighted street at night. In tightly congested urban areas, public encounters can be threatening; a look, a physical bump, a leer, someone you think may be following you. This is part of urban life. You learn to navigate threatening settings without resorting to force. Retreating is always the best option.

As Florida police chiefs predicted in 2005, the law has been used to justify killings ranging from drug dealers' turf battles to road rage incidents. Homicides categorized as justifiable have nearly tripled since the law went into effect.

Back in 2005, the National Rifle Association identified about two dozen states as fertile ground for the passage of laws just like this one. Florida was the first state to pass such a law. Today, at least 20 other states have followed suit.

Gov. Rick Scott of Florida can make all Floridians proud by being the first governor to reject and repeal such misguided laws. □

Albert Eskenazi, Ph.D.  
1304 Jaffa Street  
Lakeland, FL 33801

Stand your gr.  
CAS-WARNER  
(OPPOSE LAW)  
OFFICE OF THE GOVERNOR  
12 MAY -3 Pm 1:04

April 30, 2012

Governor Scott's "Stand Your Ground" Task Force  
C/O Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe Street  
Tallahassee, FL 32399-0001

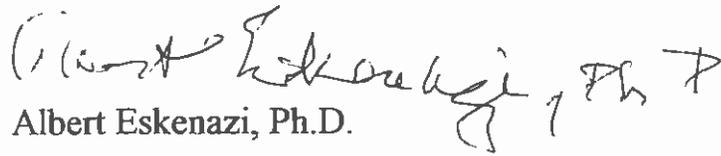
I am a retired licensed Clinical Psychologist having practiced in the state of Florida for many years. I should like to send my thoughts about the Zimmerman-Martin case regarding the state law referred to as "Stand Your Ground".

The above law states that the holder of a weapon may use that weapon with deadly force if he or she perceives that another person is a threat. This law is stated very poorly. The perception of threat is very difficult to predict. People can perceive threat from prejudices, language, gestures, physical characteristics of the other person and numerous other factors that are not predictable. I hope that you will recognize that the concept of perception of threat is too unpredictable to be a reliable law. I do not know what Zimmerman will testify as to his perception of Martin's behavior. However, it's very difficult to know from that description whether Martin actually attempted to harm him. Intention to harm does not mean intention to kill. Therefore, I urge that you look into a more scientific background of perception of harm. I would suggest that the Committee might wish to appoint a number of psychologists who have background in the research on this topic. Please contact me if you wish further comment.

I urge a veto of this poorly constructed legislation, the "Stand Your Ground" law.

The person who has a weapon is likely to use it if perceiving threat.

Respectfully Yours,

  
Albert Eskenazi, Ph.D.

Cc: The Prosecutor of the Zimmerman-Martin Case

Cc: Congressman Dennis Ross

Cc: The Brady Campaign to Prevent Gun Violence

Cc: Douglas E. Bark, Lakeland, Florida, CLEW (Citizen's Law Enforcement Watch)

Cc: TV Channel 9

Cc: Florida Psychological Association

AE/fjm

# CREATING AN AMERICA FREE FROM GUN VIOLENCE

FIGHTING FOR SENSIBLE GUN LAWS

## THE GEORGE ZIMMERMAN ARMED VIGILANTE ACT

Only days after Trayvon Martin was tragically killed, the NRA started pushing legislation through Congress that would give George Zimmerman – and thousands of other dangerous people like him – a legal right to carry loaded hidden guns into almost any neighborhood in America.

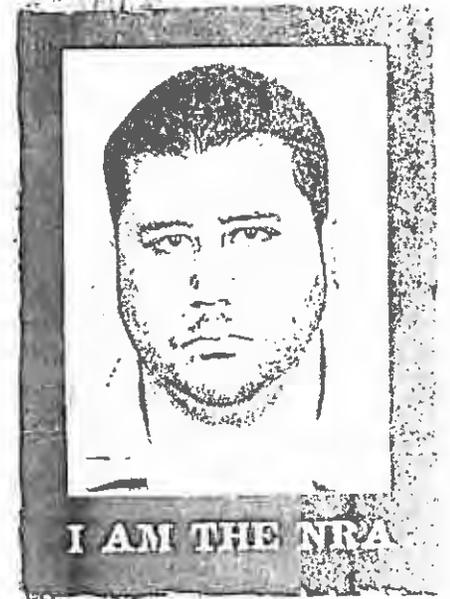
If the bill we call the "George Zimmerman Armed Vigilante Act" passes, Senators Mark Begich (D-Alaska) and Joe Manchin (D-WV) will be giving George Zimmerman and anyone with a concealed weapon permit the legal "right to carry" their guns to Times Square in New York through the arches of St. Louis to the beaches of California.



Join our "Americans for the Freedom to Buy Skittles Without Getting Shot" campaign and promote this campaign on Facebook and Twitter.

Watch for more appearances by Dan Gross and Brady staff on CNN, MSNBC and other major networks. Join us and help turn this horrible tragedy into a game changer. Now is the time!

Tell your elected leaders to do their job and keep you safe by signing our petition now:  
[www.bradynetwork.org/skittles](http://www.bradynetwork.org/skittles)



George Zimmerman is a direct product of the NRA's "guns everywhere" agenda. Florida's "Shoot First, Ask Questions Later" and other terrible gun laws create and embolden a vigilante mentality within people like George Zimmerman.

## TAKING THE FIGHT AGAINST GUN VIOLENCE INTO OUR NATION'S COURTS

*Victory!*

### TEXAS REJECTS NRA BID TO LET TEENS CARRY CONCEALED GUNS



The NRA lost another legal battle in January when a famously pro-gun District Court judge agreed with the Brady Center that there is no constitutional right for teenagers to carry loaded and concealed weapons in public. The judge in the case upheld a Texas law setting 21 as the minimum age to legally carry a concealed weapon. The Brady Center had filed an amicus brief defending the Texas law.

*Victory!*

### OBAMA ADMIN. GETS "GREEN LIGHT" TO CRACK DOWN ON GUN TRAFFICKING

You may remember that the Obama Administration has implemented a rule requiring gun dealers in Southwest border states to report bulk sales of semi-automatic rifles to law enforcement. The law was an attempt to crack down on illegal gun trafficking to the Mexican drug cartels and, as expected, was immediately challenged in court by the gun lobby. The Brady Center worked closely with the Obama Administration to defend this sensible gun law. In January U.S. District Judge Rosemary M. Collyer ruled against the gun lobby and agreed with the Brady Center that the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) has the legal authority to issue the rule and cracking down on illegal gun trafficking.

Governor Scott,

Stand your Gr.  
CAS-Warren  
(OPPOSE LAW)

00:00:00 5-11-13

The "Stand your Ground" law is one that increases fear and insecurity in Florida. It gives vigilantes and irrational, trigger-happy people the excuse to kill without cause. Trayvon Martin, who was shot and killed on 2-26-2012, is a prime example of this injustice. Please repeal this law and enact more specific boundaries and definitions for the word "suspicious" so that incidences like this do not happen again. Thank you for doing what is right.

— Jack Moore

OFFICE OF THE  
12 MAY -3 PM 1:13

April 27, 2012

Stand your br.  
CAS-Warren  
OFFICE OF THE ATTORNEY GENERAL  
(OPPOSE LAW)  
12 MAY - 3:15 PM '12

Governor Rick Scott  
400 South Monroe Street  
Tallahassee, FL 32399

Dear Governor Scott:

I'm writing this letter in regards to the Stand Your Ground law. I have looked into Trayvon Martin's case and believe this law should be repealed. This law was created to give citizens the right to defend themselves if they believe they are in danger. The problem with this law is too much room for error.

People all over the country have addressed this question about repealing the law. The case concerning Trayvon Martin has come into my perspective. Martin was walking in a gated community with a hoodie, skittles and an iced tea. Because of his suspicions, George Zimmerman pursued and shot Martin. Zimmerman is claiming self-defense, but Martin is no longer here to say his side.

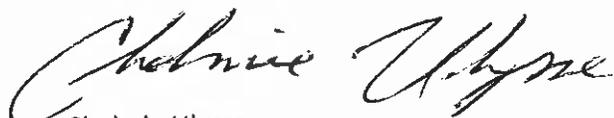
For years, many years, Americans have fought for equal rights and fair hearings. Zimmerman was not arrested until six weeks after Martin's death due to the Stand Your Ground law. If this law did not exist, an immediate arrest would have occurred. That led to cries of injustice by the NAACP, people of the Sanford community and other members of the United States.

There is evidence against and for Mr. Zimmerman, but the problem is rooted in the Stand Your Ground law. Zimmerman claims he was attacked by Martin and because of that he had to defend himself with a weapon. Tapes have been disclosed by the Orlando Sentinel and other media that portray the sound of a male screaming for help. Tom Owen of Owen Forensic Services LLC is known to be an expert voice identifier. He found that the screams for help were not the voice of Zimmerman.

This Stand Your Ground law gives people room to use self-defense as a way to commit acts of crime. Maybe Zimmerman is innocent, maybe not, but this law provides people with additional ways to escape punishment. Repealing this law will allow judges and other law officials with easier access to discovering the truth. Killing the accused only complicates the case because they have been striped the right to defend themselves.

Thank you for reading my concerns for the Stand Your Ground law and Martin's case. I have read that you are looking into this law and I hope you repeal it or modify it in a way that does not further complicate future cases. Please write me back at the address below by May 31<sup>st</sup>. Thanks again for your time and patience.

Sincerely,



Chelmie Ulysse  
12 Brookwood Drive  
Maplewood, NJ 07040

Stand your Ground  
CIS- WARRIOR  
(OPPOSE)  
12 MAY -1 File: 34

Louise Sheehy  
612 Woodridge Drive  
Fern Park FL 32730  
(407) 644-5504

To: Gov Scott

Urge you to repeal the "STAND YOUR GROUND"  
law. Florida can do better in its treatment of ALL  
people.

Sincerely,



Louise Sheehy

Stand your ground

MS-WARREN

OFFICE OF THE GOVERNOR (OPPOSE)

12 APR -5 Pii 1:57

4/3/12

Governor Scott,

We should not have to give up the right to protect ourselves. These people come down here and tell us they don't like our laws. They need to stay home.

Not say you do leave your home without a way to protect yourself. (The stand your ground law give us a chance to protect ourselves from these people. I don't live in town I live away from the city. One of my friends son was killed last week someone drove up beside him and shot him in the head.

Don't let these thugs push you around stand your ground so we can protect ourselves. Some of us will protect ourselves anyway. I know I will I am a person that believes I leave you alone. I will risk you 2 times, but not 3 times

Bobby Hutch  
Jacksonville FL

Stand your ground  
CAS-warren  
OFFICE OF THE GOVERNOR  
OFFICE  
LOW

12 APR -5 PM 12:05

1426 Dogwood Drive  
Sarasota, FL 34232  
April 2, 2012

Governor Rick Scott  
400 South Monroe Street  
Tallahassee, FL 32399-7146

Re: "Stand Your Ground" Law

Dear Governor Scott,

The recent killing of an unarmed teenager, Trayvon Martin, has brought to light how easily one can kill another human being and claim immunity from arrest because of this poorly conceived law. In emotional, adrenaline pumping altercations, reason cannot be used to determine how threatening the situation really is. While the outcome of the current case is yet unknown, innocent people have and will continue to be killed as long as this law remains on the books.

This law should never have been enacted and should now be repealed.

Sincerely,



Ann L. Berna  
(941-378-0128)

Stand your ground oppose  
CHS - Warren

Rick Scott, Governor  
State of Florida

OFFICE OF THE GOVERNOR  
CITIZEN

12 APR -3 PM 3:40

Dear Sir,

If we are to have a well-ordered society,  
we cannot have the free-wheeling use of  
deadly weapons in our daily lives.

The enclosed editorial from the New York Times  
tells the story, to the point.

"Stand Your Ground" law - an invitation  
to create a Dodge City atmosphere, in which  
simple annoyance, or even fistcuffs, can  
turn deadly in the wink of an eye.

I urge you, if you will pardon the  
intrusion, to rescind this law, before the  
next victim loses his life.

Yours sincerely,  
Ben Calderon

Mar. 30, '12

Ben Calderon  
129 Meridian Road  
Levittown N.Y.  
11756 -4220

# The Fatal Flaw in Florida-Style Gun Laws

NY TIMES  
3/30/12

As the investigation of the shooting death of the teenager Trayvon Martin by a self-appointed neighborhood watchman goes forward in Florida, news accounts are reporting a toll of shootings, knifings and other violent homicides in which the state's dangerous Stand Your Ground law was successfully claimed as a defense.

The killings included domestic disputes, barroom brawls and drug violence, according to The Tampa Bay Times, which surveyed 130 cases in which the 2005 law has been invoked. Seventy percent of the cases involved a fatality; more than half of the cases did not have to go to trial.

So far, that is the laissez-faire situation in the Trayvon Martin slaying. The civilian shooter, George Zimmerman, ignored a 911 dispatcher's instructions, tracked the teen he found suspicious, unholstered his gun and fired — and then claimed immunity under the law. With the boy dead, Mr. Zimmerman was taken at his word when he claimed that his life was threatened in a confrontation.

The victim was unarmed, walking back from a store. A videotape of Mr. Zimmerman's arrival handcuffed at the local police headquarters shows none of the cuts and

bruises he claimed resulted from an attack by the teenager. Audio experts have been asked to analyze police tapes of screams from the scene and a possible racial epithet uttered by Mr. Zimmerman about the black teenager.

Reported differences between local and state investigators over whether to charge Mr. Zimmerman initially only underline the dangerous vagaries of Stand Your Ground laws passed at the demand of the gun lobby in a score of states. Their lethal flaw is the abolition of the traditional legal duty to retreat from a threat before resorting to deadly force.

The air of legalized mayhem stirred by the shooting is underscored by the separate news that Florida residents continue to flock in record numbers to obtain concealed-weapon permits. There are 900,000 residents licensed to carry guns in the state amid a population of 19 million people, with officials reporting 58,000 applications and renewals last month.

The tragedy of Trayvon Martin is ongoing as political leaders nationally and in Florida extend personal sympathy while ducking the underlying gun-control issue. Stand Your Ground should be abolished from the land.

STAY IN YOUR COUNTRY  
CITS - WARREN  
OPPOSE

OFFICE OF THE GOVERNOR

Frank J Spoto  
13510 S Magnolia Dr  
Plainfield, IL 60544

12 MAR 30 AM 11:36

March 26, 2012

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Governor Scott

I implore you to review and revise the legislation that brought about the killing of Trayvon Martin.

I am sure you did not intend for your "concealed carry" law and "stand your ground" legislation to allow someone to be shot and killed on the street, and for the killer to go home unchallenged. It is far too convenient for the shooter to kill someone because he felt "threatened", thereby avoiding all investigation.

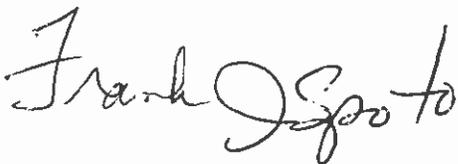
As you can see from my address, I am not a citizen of Florida. But, for a state that enjoys \$86 million a year in tourism dollars, I would expect you to be concerned if not for your citizens, then for your visitors.

After all, a visit to Florida at this point in time would expose me to a potential 18 million gun carrying Floridians who might feel threatened by my looks and decide to stand their ground. And, if I am shot dead, who is going to contradict the story of the killer? My death would not even be investigated.

Until you are able to review and correct these laws, there are 49 other states and US possessions in the Caribbean that appear to be much safer for both residents and vacationers.

Please correct your legislation to show the rest of the country that Florida is not the dangerous vigilante state that it appears to be. Or, is it?

Sincerely,



Frank J Spoto

cc: VisitFlorida.com

5-17-2012

Stand your ground

CAS-Warren

Dear Governor Scott,

My husband and I voted for you in the last election. We thought you would be promoting employment but we see attitude show the Governor's office that cutting costs is everything - top down your employment is decreased.

I am including an article that shows some towns are afraid to come here because of the "absolute" attitude toward gun ownership. We are long time gun owners and hunters. 5 days ago I'm in our locker at 9 miles but the

"Stand your Ground" law is causing concern among towns who makes use good. For every person who writes they are making work for the same way and won't write - just stay away or buy a vacation home somewhere else. Making the Mayor of Tampa down on his knees to resist gun for a short period of time to promote safety seems about right and towns need to feel safe as they will be reassured when they come here. We need some common sense and a practical approach. Give out to entire people to buy our distance buying steel and more than on tanks. Please reconsider your position on employment. See.

**OCUL, DISNEY**

We are planning a trip to Orlando to take my son to Disney World for Memorial Day weekend. Everything was booked, and then the Trayvon Martin case happened. We are quite angry at the murder of this child, the Stand Your Ground law and the deliberate negligence of the Florida authorities. Are we obligated to cancel our trip? Our son very much wants to go, but even if we lose a lot of money, I feel that ethically we shouldn't be spending our tourist dollars in Florida.

**NAME WITHHELD**

Voting with your dollars is powerful, so your desire to curtail your spending in Florida, given your beliefs, makes a lot of sense. But have your dollars already voted? If the trip is prepaid and nonrefundable, then staying home won't register as any kind of protest, and you will succeed only in hurting your family. Instead, go on the trip, pack peanut-butter-and-jelly sandwiches — so no more of your dollars are spent in Florida — and stay at the park from dawn to dusk to really get your money's worth. But be careful sharing your amazing vacation photos with friends, lest you inadvertently encourage them to spend their tourist dollars in Florida.

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399  
Dear Governor Scott,

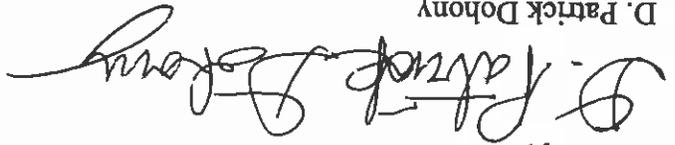
I am a twenty year old college student from Philadelphia, Pennsylvania. While walking through Philadelphia's LOVE Park with my girlfriend yesterday, I saw a rally in support of Marissa Alexander, who I am sure you are familiar with at this point. The activists were trying to raise awareness of the issue and I feel writing a letter about it is the best way to show that their effort paid off.

It is understandable that the lawmakers of your state would want to deter and incapacitate criminals with measures such as 10-20-life. I thankfully have never been affected directly by gun violence, but I know many who have and I can see the pain it causes. However, after reading the facts I believe that this case is a legal anomaly. Even though the act fit the letter of the law, I do not believe that Marissa Alexander intended to commit the crime that she is now being punished for. I believe this is a tragic case of bad circumstances and judicial binds.

I am not writing this letter in the hope that mandatory minimums be abolished, or that the "Stand Your Ground" law is changed. I am however writing this letter on Mother's Day. I have a mother. Marissa Alexander is a mother. One of the cornerstones of the case against her was that she fired the gun in the direction of her two young children, thereby increasing the risk and enhancing the crime. As understand it though, she had no intention of harming them, only driving away her attacker. These two children will be without their mother for essentially their entire lives as a result.

As the Governor of Florida, you have the power to change this. Please consider a commutation of her sentence. No one was killed or even injured in this case. No one wants to see this woman imprisoned for two decades. I know your state has been a firestorm of legal controversy in the last year, but this course of action seems like a win-win for everyone. I'm sure there are others who have expressed the same sentiment. Please give it just a moment of consideration.

Sincerely,

  
D. Patrick Dohony

Stand your Ground  
CRS Warren

Marissa Alexander

APR 17 2013

This Petition will be compiled and delivered to Gov. Scott by Gun Owners of America

Signature

Respectfully Submitted, *David K. Anderson*  
Date *May 29, 2012*

WHEREAS, the Trayvon Martin incident is being used by anti-gun fanatics to attack our right to defend ourselves, our loved ones and our homes against attack, and

WHEREAS, the *New York Times* demanded that Florida's Stand Your Ground law be "put on trial" and stated the law invites "gun owners to flirt with vigilantism," and

WHEREAS, in the four years after the Stand Your Ground law was passed in Florida, homicides dropped by 16.1%, saving hundreds of innocent lives in that state alone, and

WHEREAS, gun haters and race baiters in Congress are crawling out of the woodwork to milk this tragedy to attack our gun rights and advance their own selfish political agendas, and

WHEREAS, it is clear that Florida will be the test case to see whether anti-gunners can use threats of riots and lynchings to force the repeal of Stand Your Ground laws, and

WHEREAS, if Florida surrenders to mob rule and repeals its Stand Your Ground law, these same anti-gun tactics, riots, violence and vigilante justice, will come to other states and communities next, and

WHEREAS, without Stand your Ground laws, anti-gun prosecutors and attorneys will soon begin to go after law-abiding citizens for the "crime" of defending themselves with a firearm,

THEREFORE BE IT RESOLVED that, to restore the rule of law, to preserve our constitutional right to keep and bear arms, and, to ensure our right to defend ourselves, our loved ones and our homes, we call upon Florida Governor Rick Scott to reject efforts to repeal or water down Florida's Stand Your Ground law.

*"Posterity: You will never know how much it cost the present generation to preserve your freedom! I hope you will make a good use of it." John Adams 1777*

Official Petition to Governor Rick Scott  
Stand Your Ground  
CAS Warren

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JAN -1 PM 12:19

WPA



Criminal Justice Commission

301 North Olive Avenue, Suite 1001  
West Palm Beach, FL 33401-4705

(561) 355-4943  
Fax: (561) 355-4941

www.pbcgov.com/cjc

Palm Beach County  
Board of County  
Commissioners

Shelley Vana, Chair  
Steven L. Abrams, Vice-Chairman

Karen T. Marcus  
Paulette Burdick  
Burt Aaronson

Jess R. Santamaria  
Priscilla A. Taylor

County Administrator  
Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

May 16, 2012

Office of Lieutenant Governor Jennifer Carroll  
Task Force on Citizens Safety and Protection  
The Capitol  
400 S. Monroe Street, Suite PL-05  
Tallahassee, Florida 32399

Dear Lieutenant Governor Carroll and Task Force Members:

As the Law Enforcement Planning Council (LEPC) Chairman, I am writing on behalf of the LEPC to express the need to revise Florida Statute Chapter 776. The LEPC is a law enforcement sub-committee of the Criminal Justice Commission, and is comprised of criminal justice officials from fifty (50) local, state, and federal law enforcement/criminal justice agencies in Palm Beach County.

At the May 3, 2012, LEPC meeting, members of the council stressed the importance of amending the following sections of Chapter 776. In light of recent events, the LEPC is greatly concerned by the current statute as it raises intrinsic public and officer safety issues - putting both law enforcement and the general public at undue risk. These issues could be addressed by implementing the following recommendations.

- Repeal subsection Sec. 776.013 (3), F.S., "in any other place"
- Repeal "no duty to retreat" in any other place (other than home or vehicle).
- Repeal language that the person using defensive force "knew or should have known" the individual was a law enforcement officer
- Repeal the language from sec. 776.032, F.S., "As used in this subsection, the term 'criminal prosecution' includes arresting, detaining in custody, and charging the defendant."

RECEIVED  
MAY 23 2012  
BY:

Stand the ground  
24 S. ...  
The letter was sent to  
CJS by the LEPC

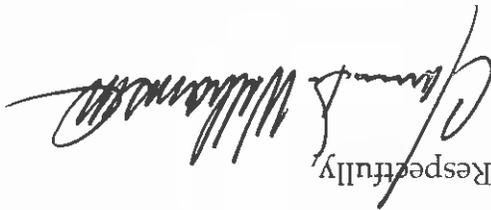
OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

AM ID: 26

The LEPC views the tragedy in Sanford as an opportunity for our legislators to demonstrate leadership and show concern for everyone's public safety.

If you would like to speak directly to me on this matter, please contact me at 561-845-4138.

Respectfully,



Chief Clarence D. Williams, III  
Law Enforcement Planning Council Chairman  
Criminal Justice Commission  
Palm Beach County

Cc: Michael L. Rodriguez, Executive Director of the Criminal Justice Commission  
Commissioner Shelley Vana, Chair of the Palm Beach County Board of County Commissioners  
Peter Antonacci, State Attorney of the Fifteenth Judicial Circuit  
Carey Haughwout, Public Defender of the Fifteenth Judicial Circuit  
Chief Judge Peter Blanc, Fifteenth Judicial Circuit  
Senator Christopher L. Smith, Florida Senate, Stand Your Ground Taskforce

STAND YOUR GROUND  
745 Warren Blvd  
OFFICE OF THE ATTORNEY GENERAL  
12 MAY 14 PM 2:52

3413 Briar Circle  
Carmel, IN, 46033  
15 April 2012

Rick Scott  
400 S. Monroe St.  
Tallahassee FL 32399-0001

Dear Mr. Rick Scott,

My name is Kevin Whitaker and I am writing this letter to inform you of the concerns I have about the current "Stand Your Ground" law in Florida. More specifically, the recent case of *Troyon Martin vs. George Zimmerman*. I understand that prior to your position in office the law was implemented. However, your high authority position gives you the chance to prevent future tragic events such as what has recently occurred. Almost six decades ago, Emmitt Till was murdered at a time when the lives of black boys were not appreciated, and the rights of black Americans were questionable. A 25 year old male, Michael Griffith, was hit by a car and killed in Howard Beach, NY in 1986. Allegedly, a mob of ten white teens had chased Griffith onto a highway after beating him and his friends. Amaduo Diallo, 23, was killed by four NYPD officers, who fired 41 shots at the Guinean immigrant. Sean Bell, 33, was killed by undercover and plainclothes NYPD police officers in a hail of 50 bullets in 2006. The officers were acquitted of all charges. Finally, in 2009 Oscar Grant, 23, was shot in the back in a San Francisco BART station, face-down and execution-style as police officers stood over him. All of these murderers were not sentenced, yet, times have changed, it's no longer okay to ignore hate crimes and racial profiling. I'm sure that you don't appreciate all the negative attention directed towards the state of Florida. I strongly believe that if you choose not to make an example of the immoral acts of George Zimmerman and do not attempt to change the current law, the criticism towards the state of Florida will continue.

I understand that you're a busy individual and it may be difficult to concentrate your manpower towards a change in law, yet, I ask that you reach out towards the state of Florida and at least give them a choice. Give them a choice to make a change and not just wait for a change that may never occur. The controversy is causing debate in my school and I know that many of my friends support the idea of changing the "Stand Your Ground" law. We have had many conversations at school and have thought of ideas on how to change the law. If you're interested in us helping you, please contact me at the address listed above.

Sincerely,  
*Kevin Whitaker*  
Kevin Whitaker

5/17  
Was in court

"STRO young people"  
you have a task force  
re-evaluating the law  
yes, it needs to be re-  
examined. Do in the  
Thayer Martin case,  
are we ready if  
anybody can work  
around with someone  
fill you didn't yourself  
then get to use the  
state your "la  
repressive"  
Please let me  
know the results of  
the book review  
binding. Who  
their needs to be  
specific:  
Hincenry.  
Kathy Day

As a post script:  
I chose another  
Genre: Poed  
STamps: Lakota  
Your position on  
Reducing them by  
50% or eliminating  
them all together?  
My position is that  
they are necessary.  
I may get \$16.00  
amount, a small  
amount, but it  
helps me get  
through the  
month. I bet

Stand Your Ground  
Chas. Wagner  
Arbuckle

they will be a waste of tax payers money. Couldn't you stay on the "business personnel track"....being advised by lawyers when needed. Governor Rick Scott, this panel of lawyers looks like act together to even get started....and when they do it will be a long drawn out affair.

As usual.....just a suggestion!!!!

Allan and Diane Lake  
Fort Myers, FL

*[Handwritten signatures]*

local & state

STAND YOUR GROUND

5-2-12 NEWS PRESS FORT MYERS, FL

# Task force begins weighing Florida's self-defense laws

The News-Press staff and wire

**TALLAHASSEE** — A new task force created by Gov. Rick Scott to look at Florida's controversial self-defense laws spent its first meeting debating where to meet, what to do, and whether or not change is even needed.

Scott created the panel in the wake of the shooting death of teenager Trayvon Martin by neighborhood watch volunteer George Zimmerman. Zimmerman said he acted in self-defense, relying on a seven-year-old law known as Stand Your Ground that allows a person to meet force if they reasonably believe they are in danger of being killed or seriously harmed. Zimmerman was charged with second-degree murder after weeks of protest.



It will be months before the group wraps up its work, but it became clear that battle lines were already forming over the law, and whether it should be kept or modified as prosecutors lifted as judges and legislators argued over what they wanted.

Lt. Gov. Jennifer Carroll, the head of the task force, maintained that the main focus of the group needed to be on the self-defense laws because the group doesn't have the time to "delve" into every public safety law.

Baxley also wanted the state to battle what he called "hodge-podge" way by law-enforcement authorities and prosecutors.

Lorenzo Grechen, a crime prevention coordinator for the Fort Myers Police Department and a member of the task force, could not be reached for comment late Tuesday.

The group even had a spirited debate over where they should meet.

Carroll started the meeting with a spirited defense of the task force, which come under fire because it lacks any young people and because it includes legislators who voted for the Stand Your Ground law. Sen. Chris Smith, D-Fort Lauderdale and who convened his own task force that concluded major changes were needed, was among those who questioned the make-up of the panel.

Carroll started the meeting with a spirited defense of the task force, which come under fire because it lacks any young people and because it includes legislators who voted for the Stand Your Ground law. Sen. Chris Smith, D-Fort Lauderdale and who convened his own task force that concluded major changes were needed, was among those who questioned the make-up of the panel.



Florida House of Representatives  
 Representative Dwight M. Bullard  
 District 118



OFFICE OF THE CLERK  
 12 MAY -2 PM 12:52

April 25, 2012

Office of Governor Rick Scott, State of Florida  
 The Capitol, 400 S. Monroe St.  
 Tallahassee, FL 32399-0001

Dear Governor Scott,

As elected representatives for the people of Florida it is our responsibility to act in the best interest of those whom elected us. That being said I have to take this time to address the members of your task force on Citizen Safety and Protection. Prior to convening this committee you stated publicly that the group would not go in with any pre-conceived notions, but instead would take the task of reviewing not only Stand Your Ground but issues of public safety in general. The people of Florida took you at your word. In the last week with the establishment of this task force you have sent a very inconsistent message to Floridians. Though on face you have selected a mixed group. In reality the lawmakers chosen for this Task Force all represent a singular viewpoint having all voted and/or co-sponsored the bill that would become the Stand Your Ground statute (excluding Rep. Brodeur, who is a proven pro-gun advocate).

Here and now you are presented with an opportunity to show real courage by reorganizing the makeup of the Task Force and removing and or replacing a few members. Here are a few suggestions.

- Remove Rep. Baxley (As the bill sponsor, he has a very clear bias and has publicly stated that the statute is fine as is) and/or Sen. Simmons (who was a co-sponsor of the bill and vocal advocate for it's passage)
- Replace with Rep. Watson and/or Sen. Brayton (both represent the area where Mr. Trayvon Martin is from, considering Sanford's Representative and Senator are both on the committee)

and include a Gun Victim's Rights representative and/or a Conflict Resolution specialist.

It is my sincere hope that you consider these actions prior to the first meeting of the task force on May 1st.

Sincerely,

State Representative Dwight Bullard  
 Florida House of Representatives (D-118)

CC: Lt. Governor Carroll  
 Rev. R. B. Holmes

Dwight.Bullard@myfloridahouse.gov ~ www.myfloridahouse.gov

**DISTRICT OFFICE:**  
 10720 Caribbean Blvd  
 Cutler Bay, FL 33189  
 Phone: (305) 234-2208  
 Fax: (305) 234-2210

**CAPITOL OFFICE:**  
 1302 The Capitol  
 402 South Monroe Street  
 Tallahassee, FL 32399-1300  
 Phone: (850) 488-5430

**COMMITTEES:**  
 Education Committee  
 RANKING MEMBER  
 K-20 Competitiveness  
 Subcommittee  
 Agriculture & Natural  
 Resources Policy  
 Subcommittee  
 Justice Appropriations  
 Subcommittee  
 Criminal Justice  
 Subcommittee

**STAFF:**  
 Rashida Barley  
 Legislative Assistant, II  
 Venusmia Lovey  
 Senior Executive Secretary

**McDaniel, Deborah**

**From:** Governor Rick Scott  
**Sent:** Thursday, May 03, 2012 10:29 AM  
**To:** McDaniel, Deborah  
Davis, Warren  
**Cc:**  
**Subject:** FW: ATTACHED SCAN DOCUMENT  
SKMBT\_C35312050308311.pdf  
**Attachments:**

-----Original Message-----  
**From:** Bixler, Katherine  
**Sent:** Thursday, May 03, 2012 10:08 AM  
**To:** citizensafety  
**Subject:** FW: ATTACHED SCAN DOCUMENT

-----Original Message-----  
**From:** McDaniel, Deborah  
**Sent:** Thursday, May 03, 2012 9:44 AM  
**To:** Bixler, Katherine  
**Cc:** Wood, Rebecca; Burdette, Brenda  
**Subject:** FW: ATTACHED SCAN DOCUMENT

The attached postal correspondence from Representative Dwight Bullard was received by the Governor's Office of Citizen Services and will be assigned to Appointments for review and any response necessary.

**RE: Appointments - Citizen Safety and Protection**

Thank you.

Sincerely,

Deborah McDaniel  
Citizen Services

Perry Ellis



Most sincerely yours,

interest.

We would like to share this article with you. Hopefully, you would find it of some

Dear Governor Scott:

May 1, 2012

Tallahassee, FL 32399-0001

400 S. Monroe Street

The Capitol

State of Florida

Rick Scott

C/O Executive Office of the Governor

Governor of Florida

Rick Scott

Cell: (940) 391-9957

Gainesville, FL 32601

1111 SW 16<sup>th</sup> Ave, #124

Perry Ellis

(Sharing article)

~~CAS-Warren~~

stand your ground

THE GAINESVILLE SUN, THURSDAY, MARCH 22, 2012.



VOICE OF THE PEOPLE

**Crime watch and guns not a good mix**

Recently a young man lost

his life because of the bad

judgment of the neighbor-

hood crime watch captain.

We are both former Texas

peace officers and are very

grateful that Texas has

considerably stricter gun

regulations compared to

Florida. We had no idea that

neighborhood crime watch

volunteers are allowed to

carry firearms while partici-

pating in the program.

This situation raises a lot of

red flags. It looks like this was

the accident waiting to

happen. Crime watch is an

excellent program but it

appears that the participants

need more understanding of

what deadly force is and the

difference between crime

watch team and police force.

It may be that Florida needs

to reassess the law that led to

the loss of the young man's

Perry and Larisa Ellis,  
Gainesville

15 MAY -3 AM 8:21

Perry Ellis



Most sincerely yours,

interest.

We would like to share this article with you. Hopefully, you would find it of some

Dear Governor Scott:

May 1, 2012

Tallahassee, FL 32399-0001

400 S. Monroe Street

The Capitol

State of Florida

Rick Scott

C/o Executive Office of the Governor

Governor of Florida

Rick Scott

Cell: (940) 391-9957

Gainesville, FL 32601

1111 SW 16<sup>th</sup> Ave. #124

Perry Ellis

(Sharing article)

~~CBS Warren~~

stand your ground

THE GAINESVILLE SUN, THURSDAY,  
MARCH 22, 2012.

www.gainesville.com



VOICE OF THE PEOPLE

**Crime watch and guns not a good mix**

Recently a young man lost his life because of the bad

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We are both former Texas peace officers and are very

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watch team and police force. It may be that Florida needs

to reassess the law that led to the loss of the young man's

life.

Perry and Larisa Ellis,  
Gainesville

15 MAY -3 AM 8:21

Legislation SB98 (paper  
CPS-Sarah  
Stand your ground

2 May 2012

Dear Steven,

I'm surprised that you

didn't vote the "Prayer" bill.

There are a lot of us who

think it is unconstitutional.

People can pray anywhere, any

time they want. What we don't

need is "school sanctioned" prayer.

The fact that our "open donation

promoted it, would be rather en-

ough to vote it.

I have a lesbian city

commissioner and a converted

open state donation, Parents,

note.

Also, those people who

were appointed to look into the

"Cattle Routine" (stand your ground)

law don't need a minister or

the group. We need that law

and I don't know the full

text of the law, maybe you

Legislation SB98 (passed)  
CPS-Sarah

Stand your ground

2 May 2012

Dear Steven,

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The fact that our "Belton" senators

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ough to vote it.

I have a lesbian city

commissioner and a endorsed

police state senator, Roberts,

etc.

Also, those people who

were appointed to look into the

"Cattle Becking" (stand your ground)

law don't need a minister or

the group. We need that law

and I don't know the full

text of the law, maybe you

RECEIVED  
OFFICE OF THE GOVERNOR  
12 MAY -8 AM 9:33

We the people of good old boy (and girl) Oklahoma have a real water management problem, and that is very very poor (stupid) water management. Director Melissa Meeker is always right, in that a small band-aid on a open wound, she also does not have the leadership to complete any projects. She is a lobby for Agriculture, and Agriculture is our state water problems. I agree with the idea of our Senate to confirm water district appointments. As for had to Florida to stand your ground/had. We need this law because our 6 month guest from up north. When they come here out of state and stay until April of another year. Also our lawmakers who come here every year. Always seem in order. Stay their legs. These people our guest always seem to trespass on our property. And when they are confronted, they always want to know how we look. So we need to stand our ground with these guest from up north. We do have a problem with our black folks in other U.S.A. So

4 May 2012

Warren. This is a report written by subject stated has not been addressed - I don't think (The letters are included)

James S. ...  
CAS-0000000

PLEASE LEAVE OUR STAND YOUR GROUNDS AND

AS IT IS NOW. AS YOU KNOW ALL OUR NEAR PASSES  
EVERY WEST YOU SEE. WHERE ABOUT 80% OF THE

AND BREAKERS IN OUR STATE ARE BLACK FOLKS. AND  
AS A U.S. CITIZEN THIS, WOULD HAVE EVEN ME ON MY

GUARDS AS TO THESE PEOPLE WHEN I SEE OUR STATE  
DO THEIR JOBS ON AND ENFORCEMENT TO PROTECT

OUR CITIZENS. THEN I WOULD SAY WE DO NOT NEED  
A LAW LIKE STAND YOUR GROUNDS

MY OTHER QUESTION IS ON FEDERAL (AND

ENFORCEMENT) IN FLORIDA. EVERY WEST-END HERE IN

SMALL TOWN U.S.A. WILLIAMS BY THE BUSES LOOKS COME

TO TOWN. I SEE 10 TO 15 BUSES EVERY WEST-END

AND. NO BORDER-GUARD AT THE. AS THE TO STOP THE

E-VERIFY THESE PEOPLE. AERIAL VIEW IN FLORIDA

HIRE THE WILLIAMS THOSE THE WILLIAMS AND BUS THE WILLIAMS

WHEN DO WE THE PEOPLE GET SOME AND ENFORCEMENT

IN SMALL TOWN U.S.A.

Robert M. Williams

Erasmus William

MAKE OBTAINERS

T.M.D. FOR MAKE OBTAINERS IS FROM. HOPES

GET BACK IN YEAR 2001. WE HAVE YET TO SEE

SHOULD MAKE THIS (LINK) TO MAKE OBTAINERS  
COME TO LIKE

AM 3:33  
STATE CAPITOL

Stand your ground  
Chs- Warren  
Support

OFFICE OF THE ATTORNEY GENERAL  
STATE OF FLORIDA

12 MAR 30 AM 10:15

I am writing this letter in support of our "Stand your Ground" law, its provisions and the concealed Weapons Program that allows law-abiding citizens to defend themselves or their loved ones from a serious bodily injury or death from an attacker (s), without a duty to retreat.

As a lifelong Florida resident I have been supportive of any law that empowers everyday law-abiding citizens to ensure their safety, as we should all know, we are our own first line of defense. However, recently, I have been alarmed by what I am reading and hearing in the news that Governor Scott (of whom I supported) has chosen to put the Stand Your Ground law under review, in light of the unfortunate incident involving Trayvon Martin and George Zimmerman.

Without knowing all the facts that investigators have regarding the incident, I think it is most imprudent to make such a decision. I would ask that you not give in to the mob mentality that is running this story, with the media being the most culpable party. We shouldn't be giving in to the rabble rousing by the media, celebrities, or race-baiters, less we find ourselves with a gross miscarriage of justice.

Let's give investigators and the Special Prosecutor a chance to do their job, and justice will be served.

In the coming days/weeks I ask that you stand strong behind myself and my family, protect our rights- 2<sup>nd</sup> amendment or otherwise and support our Law Enforcement Officials, so that they may do what their profession calls for, blind justice.

Thank you for your time,

Clifton Taylor  
Altamonte Springs, FL. 32701



Please see political cartoon on other side

J. Turner  
3572 Fenn Street  
Irvine, CA 92614

Also, please conduct a rigorous investigation of Mr. George Zimmerman for the shooting death of Trayvon Martin. Mr. Zimmerman from all accounts is a self-appointed judge, jury, executioner who was requested by 911 to stand down and wait for the police. The only reason he called 911 was to provide legitimacy and subterfuge to his unlawful act. All we have is George Zimmerman's word motivated by his desire to stay out of jail.

People who don't have the same education, training, and rigorous testing as a POLICE OFFICER should not be allowed to carry a gun! People who can't pass a psychological exam, physical fitness exam, or law enforcement exam should not be allowed to carry a gun! People who don't have liability insurance should not be allowed to carry a gun! Please repeal the "Stand Your Ground" law because there is NO accountability and no judicial review!

Dear Governor Scott:

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe Street  
Tallahassee, FL 323-0001

March 24, 2012

OFFICE OF THE GOVERNOR

12 MAR 30 AM 9:54

Please see political cartoon on other side

oppose

245-1000

Stand Your Ground

3-26-12

pg 1 of 2

P.S. I'm retired  
f on a budget.  
It would save  
me money if  
I could fax  
you these  
letters  
P. Malouf

Governor Rick Scott  
m: Patricia Malouf  
18870 S.W. 294 Terrace  
Homestead, Fla 33030

I need to keep the  
"your Ground Law"  
is the 2nd Amendment,  
the right to bear arms.  
There are older people, (like  
myself), who can't run away,  
when threatened, and there  
are women and others who  
work night shifts, and they  
are vulnerable to being  
robbed, or ambushed by  
criminals. They should be  
able to defend themselves.  
If you can't out run some  
one, you have to fight for  
your life. The last thing  
I want to do is shoot  
someone. The Zimmerman  
man is being tried in  
the court of public opinion.

OFFICE OF THE GOVERNOR  
TAMPA, FLORIDA

12 MAR 30 AM 9:34

3-26-12

To: Governor Rick Scott pg 2 of 2  
FROM: Patricia Malouf

That is not fair. A witness said he saw Zimmerman on the ground, and Trayvon on top of him. Now we have the "Black Panthers" here in Fla. They have threatened to kill Zimmerman, and are offering \$10,000.00 to any one who kills him. Isn't this a "Hate Crime" in the making?

I was ambushed by 3 men in a pickup truck, in 1994 on my way home from work. I refused to get out of my car, and I'm lucky to be alive today.

What good is it to have a permit to carry, if you cannot defend yourself? The rules should support liberty and the innocent people, and not the criminals.

Stand Your Ground  
CFS-Warren Support  
OFFICE OF THE GOVERNOR

**Drew. J. Breakspear**  
**P. O. Box 771750**  
**Vanderbilt Beach, FL 34107-1750**

12 MAR 30 AM 10:16

March 26th 2012

Governor Rick Scott  
State of Florida  
The Capital  
400 South Monroe Street  
Tallahassee, FL 32399-0001

Dear Governor Scott:

I am concerned about the recent shooting of a teenager in Sanford. Investigation into that tragic event should be handled fully by the appropriate legally authorized agency.

My concern relates to the parallel effort to curtail and restrict the state's "Stand your Ground" law. That law allows citizens to protect themselves from home invasions and assaults as well as providing legal protection for citizens, their families and friends.

Please veto any law that attempts to weaken the protection that the "Stand your Ground" law provides us citizens of the State of Florida.

Sincerely,



Stand your ground

CAS-WARN

(support)

OFFICE OF THE GOVERNOR  
TALLAHASSEE, FLORIDA

April 2, 2012

12 APR -5 PH 1:45

Office of The Governor  
Governor Rick Scott  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Governor Scott

I'm writing to you on behalf of every Law abiding citizen in the State of Florida ! (of which there are many.) Why, in the name of Personal safety, Constitutional compliance and Freedom are you putting the "Stand Your Ground" Law in jeopardy...?

The Zimmerman/Martin situation has absolutely NOTHING to do with the "Stand Your Ground" Law ! Mr. Zimmerman was NOT "standing his ground" ! ( Zimmerman was a pursuer and an aggressor in this case.) ...and sadly, Martin a needless victim because of Zimmerman's (wanton) and potentially illegal actions.

Please, Governor... do NOT touch the "Stand Your Ground" Law with a needless review of what is a vital and important ("tool") in personal./domestic safety here in Florida !

Many of "us" live in Rural Communities (like myself) and I know the Police are only minuets away... "when SECONDS COUNT" !!! and to have the ability to 'Stand My Ground' in time of need and protect my family is of utmost and paramount importance !

Governor, I know you have so much to do and this situation and my letter may seem like a small drop in a big-sea to you, however, it could be devastating to (us) Law abiding citizens who are just wanting to live in peace and security. Please, again... Do Not "touch" the Stand Your Ground Law; let the Court decide if what Zimmerman did was in violation of anything... NOT a Bureaucratic STRIKE against a Law that is helping to protect Florida's most vulnerable citizens (like myself and my family)

Please, feel free to contact me at any time if you wish to further discuss my (and others) great concerns about "our" Standing Our Ground in time of emergencies and real need !

Respectfully,



Charles (Chuck) Doron,

Senior Citizen, Disabled Military Veteran, Voter, Constituent, Tax-Payer, Rural Property Owner (San Antonio, Florida) and \*Oath Keeper.

11217 Corey Pavin Lane  
San Antonio, Florida 33576-7907

Telephone: 813-474-4200 or 352-444-5198  
e-mail: [nynnyankee@yahoo.com](mailto:nynnyankee@yahoo.com)  
\* [www.oathkeepers.org](http://www.oathkeepers.org)

04-06-12

Stand your ground  
~~support~~  
TrauNON Martin  
CASS-warnon  
(support  
Stand your  
ground)

Dear Governor Scott:

We need to leave the "Stand your ground law" just as it is. Mr. Zimmerman should not have been following Mr. Martin. but Mr. Martin should not have attach Mr. Zimmerman either.

The press is showing pictures of a adult male killing a little 12 year black boy. You should get on the press for showing these's kinds of pictures. They are also trying very hard to make it a racial issue.

What kind of person do we have when, that person sees he is being watched and attacks the person watching him ?

Officer Larrv Wise Retired

Larry Wise  
2641 Yale Rd  
South Daytona, Florida 32119  
mwise29@cfl.rr.com

# Florida

One night in 1955 I was  
 chased down the streets of  
 D.C. by 3 guys hollering  
 stop or you will drop.  
 fortunately a cop car came  
 by I jumped in the back  
 seat. That saved my Butt.  
 I am 77 now, to old to run  
 anymore. Please don't mess with  
 our Stand your ground law.

There are a lot of bad people in the  
 real world

Crowds flock to the famous resort of Holiday Isle in the Florida keys  
 Las multitudes llegan al famoso centro turistico de la Isla Holiday en  
 los Cabos de Florida.



THE POSTCARD FACTORY

Sincerely Glenn Bowley  
 28060 Scripps Dr.  
 Punta Gorda, FL 33955



Tel: 1-800-561-7678 Website: www.postcardfactory.com Printed in Canada

R-1 PC57-FL 040

Stand your  
 Ground

CAS-  
 (Support  
 Law)

12 APR 11 P11 2: 22



To: Governor Scott

400 So. Monroe St.

The Capitol

Tallahassee FL 32399

Photo: 1 Mulvehill

Stand Your Ground - Supp  
CAS - Warren NRA

OFFICE OF THE GOVERNOR  
April 6, 2012

12 APR 16 PM 5:15

Office of the Governor, Rick Scott  
State of Florida  
400 S. Monroe Street  
Tallahassee, Florida 32399

Dear Governor Scott,

I strongly support our Stand Your Ground Law for self defense in our state and would consider it a crime against the citizens of the State of Florida to change it.

If, IN SOME CASE, someone were to try to misuse this GOOD LAW to commit a crime, that must not be a pretense to take away this CIVIL RIGHT from millions of Floridians. Just because a few persons could possibly misuse this essential self defense law, which gives protection to our citizens, especially the elderly who are most vulnerable to abuse by criminals, that does not mean that it is a bad law or that it needs to be changed.

Sincerely yours,



Dan Korolyshyn  
4006 Appleton Terrace  
North Port, FL 34286

Tel: (941) 681-6131

Stand your ground  
1995-2005  
(support)

**CDP STUCCO OF NW FLORIDA, INC**  
130 Perry Avenue SE, Suite E  
Fort Walton Beach, Florida 32548  
Phone: 850-259-2283  
Fax: 850-243-2579  
Website: <http://www.cdpstucco.com/>



April 25, 2012

Honorable Sheriff Larry R. Ashley  
Okaloosa County Sheriff's Department  
50 2<sup>nd</sup> Street  
Shalimar, FL 32579

Dear Sheriff Ashley:

I am writing as an advocate for the "stand your ground" law in the state of Florida. The law states that a person may use force in self-defense when there is reasonable belief of a threat, without an obligation to retreat first, that a person may use deadly force in public areas without a duty to retreat.

A person has a right to protect himself, his family and possessions and is justified in using deadly force in certain situations. The "stand your ground" law defends typical average citizens from a situation that could turn ugly quickly. If someone approached my family and imposed physical harm against my family, I would apply the "stand your ground" law to defend my family. By the time law enforcement could be notified and be on site, someone could be injured or kidnapped or worse. "Stand your ground" is an asset to the citizens of the State of Florida. "Stand your ground" gives regular citizens the right to be in a particular place at a particular time and should not be bullied into leaving or be threatened or harmed

As stated I am an advocate for the "Stand Your Ground" law and believe it would be an injustice to repeal this law that protects the average Joe.

Thank you for your tireless work on behalf of the citizens of Okaloosa County.

Sincerely,

Christian D. Perry

Cc: Honorable Governor Rick Scott

Honorable Lt. Governor Jennifer Carroll

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Fred P. Walker  
5319 Denver St. N.E.  
St. Petersburg, FL 33703  
727-525-8090

Stand your ground  
CAS-Warren  
OFFICE OF... (support)  
12 MAY -1 Pii 4: 20

April 25, 2012

Dear Governor Scott,

As one of your constituents I am writing this letter to ask that the State of Florida NOT repeal or modify the "Stand Your Ground" law in any way.

I realize the Trayvon Martin case is a high profile, politically involved situation but one incident, whether Mr. Zimmerman is guilty of a transgression or not, should not change the balance of ability to defend oneself for millions of others.

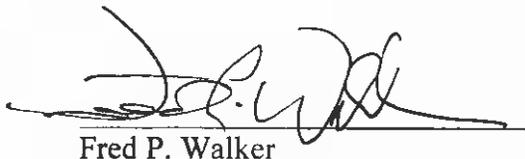
There are millions of law abiding citizens in the State of Florida. They revere our laws and would do anything within their power to avoid physical conflict. We do, however, want to be able to at least defend ourselves if something drastic should occur. I am an ex-Police Officer and I have a concealed weapons permit. I am trained in the use of firearms and I pray I never have to use one again. I don't even like guns very much but I don't want to be a victim. Nor do I want my wife or anyone around me to be victims.

Much of what we see and hear in the media are stories of robberies, drive-by shootings, muggings, senseless murders, drug related killings, home invasions and it goes on and on. Almost all of these incidents involve innocent people. A six year old girl playing in her front yard is shot to death during a drive-by. A 70 year old woman is beaten to death during a home invasion. These are the stories which sell for the media but the point remains, "Are we to sit there and just take it?" I think not.

It is my hope that you will overcome the political and racial pressures and do what is right for the people of the State of Florida. Please leave the "Stand Your Ground" laws as they are.

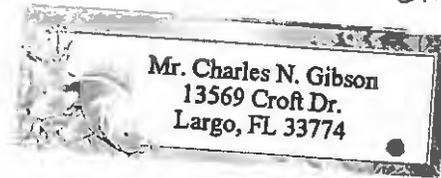
If you have questions or would like further information, contact me any time.  
Thank you for your time and consideration.

Sincerest Regards,



Fred P. Walker

Stand YOUR Ground  
CAS Warren Support



OFFICE OF THE  
12 APR 26 PM 12:50

The Honorable Rick Scott  
Governor of State of Florida  
The Capital  
400 South Monroe Street  
Tallahassee, FL 32399-0001

April 20, 2012

Re: "Stand your ground law"

Dear Sir,

The Trevon Martin vs Zimmerman case evidently caused you to set up a committee to examine the above section of the gun laws and it is a good idea and may produce some useful opinions.

It occurred to me, while the above referenced case was developing, there was a black 17 yr old teenager being given a life w/o parole sentence in Pinellas County for killing a police officer; and at the same time, a 17 yr old teenager being given a life sentence in Manatee County for killing two white British tourists who mistakenly wandered into the black neighborhood and didn't have any money so they were killed.

The newspapers reported the Police officer was checking on a suspicious activity so probably didn't have his gun drawn. The two tourists simply didn't have a gun to stand their ground. With a gun available for defense, all probably would be alive today.

In my opinion, the Zimmerman case, whatever the outcome, has no bearing on the need to be able to defend oneself and ones dependents and property. If we go back to having to retreat from assailants, as a matter of law, there will be more assailants and victims. The law shouldn't protect the perpetrator!

In my view, anyone doing premeditated and planned murder should be dispatched forthwith and those killing during a robbery, the same. The

other killings may have some legal and social justification and judged accordingly. But as long as there is little or no appropriate punishment there will be assailants. The warrant you just signed for a convict on death row for 30 years for a heinous crime is a prime example of not carrying out the punishment judged by judge and jury. The Supreme Court has said the Police have no duty to protect us. Who is going to do it? We are on our own, whether or not we like it and there s a jungle out there. Besides the murderers, rapists, robbers, "car jackers"and thieves, there are actual predatory humans driving around in their vans looking for some small child or unprotected woman to capture. The idea we can't "stand our ground" and protect ourselves is absurd.

Don't get caught up in the politics and media reports, they are not restricted to the facts. They make their own!

Respectfully,



Charles N. Gibson

CC: The Honorable  
Dennis Jones  
Florida State Representative  
5500 Ninth Street North  
St. Petersburg, FL 33703

Stand your ground  
CPS-Walker

OFFICE OF THE ATTORNEY GENERAL (SUPPORT)

April 10, 2012

12 APR 18 AM 8:40

Arthur M. Cheek  
1501 85th Ave. N.  
St. Petersburg, Florida 33702

Ref: Stand Your Ground,

Governor Rick Scott  
Plaza Level Five Capital  
400 South Monroe Street  
Tallahassee, Florida 32399

Dear Sir,

I will be 82 years old as of 4/11/12, a Korean Veteran, 6/52-9/53, 12 months and 20 days with 4.5 Rockets in line support, a retired Reserve Police Officer, with two Police Academies, and on 9/11/1980, was hostage with my partner killing the suspect. We as Police Officers were charged with a HOMICIDE, but the State Attorney after viewing the evidence, declared the shooting as Justifiable.

This is the process that is taking place right now as it relates to Stand Your Ground. The facts will prevail, and based on my experience with the information available, it leads toward self defense.

Trayvon, was armed, if the witness is viable, as he had his fist. People are beaten to death every day in this country by someone's fist. Banging a person's head against a solid object can and does kill people. If you are in a surprise attack, you have no idea as to what comes next, so you defend yourself by what ever means are necessary.

Some blame should go to Trayvon's parents for allowing him to be tainted by the NAACP's hate mongering, and listening to Reprobate men who call themselves reverend.

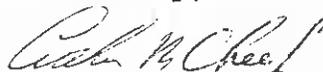
Zimmerman, by virtue of his position was required to keep a suspect in view to provide information to the responders. Word has it that Zimmerman was asked for an address, when he was supposedly attacked from behind. If that is the case, he should have defended himself.

We need to keep this Law on the books, as things will get worse from here on out. The RIOTS of the 1960's through the 1990's will come back in time. The Police Departments all the way to the State level were overwhelmed, and could not protect the whole city. The Riots spilled over out of the Riot Zone leaving the population exposed. We need this protection more than ever now, as there are foot soldiers on the ground, and home grown groups that will take advantage of any situation.

The law is the law for every one in the state, so Blacks have to obey just the same as everyone else. The FIRST AMENDMENT allows PEACEABLE ASSEMBLY, but the FIFTH AMENDMENT GIVES the RIGHT of SELF DEFENSE IN TIME OF PUBLIC DANGER. THIS ISSUE HAS NOT BEEN ADDRESSED, NOR A PERSON'S FIST as a Deadly Weapon in the Trayvon Martin Case.

The Black Panther Bounty on Zimmerman needs to be addressed, and charges made against that organization. They have gotten away with this kind of HATE SPEECH for far too long.

Sincerely,



Arthur M. Cheek

(727) 576-4857

- Encl: (1) St. Petersburg Times Article 9/11/80  
(2) St. Petersburg Times Article 9/13/80  
(3) Korean Pictures  
(4) Support Information

MISCELLANY

# Reserve Policeman Kills Suspect

**BILL HELTZEL**  
Staff Writer

An elementary school principal working as a St. Petersburg reserve police officer shot and killed a man who was threatening to kill another reserve officer/school teacher Monday night.

Here's what police said happened:

Reserve officers Art Cheek, 50, and Paul Sullivan, 49, were dispatched at 10:15 p.m. to Albertsons grocery, 3900 66th St. N, to check a report of two men trying to use a fraudulent credit card to buy groceries.

The reserve officers pulled up at the entrance and found the two men in the store. Officer John Thompson arrived in his cruiser and started walking to the store entrance to look for the manager who phoned in the complaint. The reserve officers took the two suspects outside to Thompson's cruiser.

Sullivan took Michael Henry Steele, 20, to one side of Thompson's cruiser, and Cheek took the other suspect to the other side of the cruiser. *J.R. DID*

As Thompson was walking to the entrance he heard a commotion behind him and turned around. He saw Cheek's suspect pointing a gun in Cheek's ribs and grabbing at the officer's gun with the other hand. Thompson heard the suspect threaten Cheek's life and the officer yell for help. "He heard Cheek say something like, 'Help me, he's got a gun,'" said Hal Robbins, chief of patrol.

Sullivan, who had Steele under control, pulled out his service revolver and fired one shot at Cheek's suspect. The suspect was hit in the upper chest and fell to the ground.

Sullivan holstered his gun, and Steele tried to break away. Thompson rushed over and helped Sullivan subdue

Steele. As they struggled, a 38-caliber revolver that Steele had allegedly concealed fell to the ground.

The wounded man was taken to St. Petersburg General Hospital, where he was declared dead on arrival. Police would not release the dead man's name this morning because they had not yet notified his next of kin. However, a police report identified him as Steele's brother.

Michael Steele was arrested and accused of carrying a concealed weapon. He was being held in city jail without bail. Police said he gave officers a fake St. Petersburg address.

Detectives are also investigating whether Steele and his partner had stolen the 1980 Continental that they drove to the store. A preliminary check found the car registered to a Tampa car rental firm and possibly listed as an overdue car.

Police said detectives would conduct a two-fold investigation. Homicide detectives will investigate the circumstances of the shooting and internal affairs detectives will question whether the shooting complied with the police department's policy on use of deadly force. The state attorney's office is also investigating, police said.

When the internal affairs investigation is complete, Sullivan's chain of command will review the information and rule whether it was proper.

Police said Sullivan, principal of Shore Acres Elementary School, and Cheek, a teacher at Shore Acres, have been reserve officers for five years.

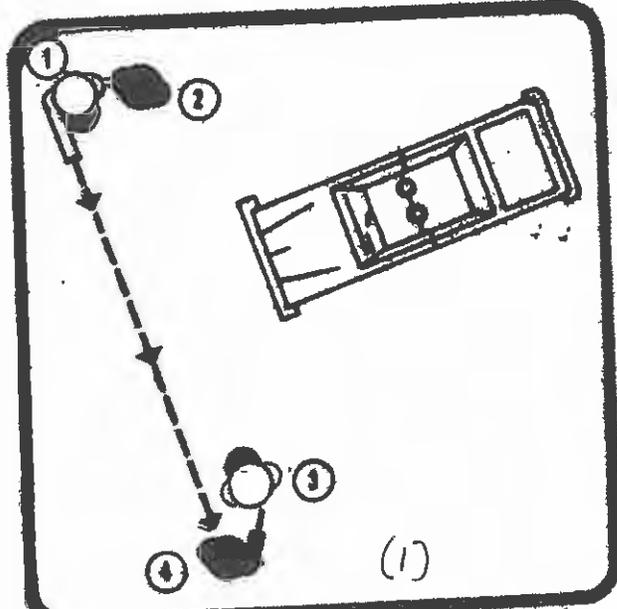
Reserve officers must attend the same police academy and take the same refresher courses as regular officers. Usually reserve officers are assigned to work with regular officers, but Sullivan and Cheek "are two of the most experienced reserve officers we have," Robbins said.

*HE HAS A GUN  
I SAID NOTHING, PAUL SAID I HAD A GUN  
I TOOK OVER FROM J.R. SO HE COULD TALK TO THE MANDAGUA*

section 3

SATURDAY, SEPTEMBER 13, 1980

*Paul, shot through the triangle formed by my arm. To keep the suspect from getting to my service revolver.*



Police reserve officer Paul Sullivan (1) was holding suspect Michael Steele (2) when Sullivan fired one shot from his service revolver, killing a still-unnamed suspect (4) who had a gun in the back of police reserve officer Arthur Cheek (3). Sullivan and Cheek work at Shore Acres Elementary School, where Sullivan is the principal and Cheek is a teacher.

OBITUARIES/MISCELLANY

# Board Rules Shooting Justified

*Here's a summary of news that developed yesterday after the Evening Independent went to press.*

A firearms review board ruled Friday afternoon that St. Petersburg reserve police officer Paul Sullivan was justified and "undoubtedly saved the life of another officer" when he shot and killed a still-unidentified man Thursday night at Albertsons supermarket, 3900 66th St. N. Sullivan and his partner, Arthur Cheek, were investigating two men who were believed to have used a stolen credit card at the store, when one of the suspects held a gun to Cheek's back and threatened to kill him. Sullivan drew his gun and killed the suspect.



✓ ✓ ✓

WINTER OF 1952



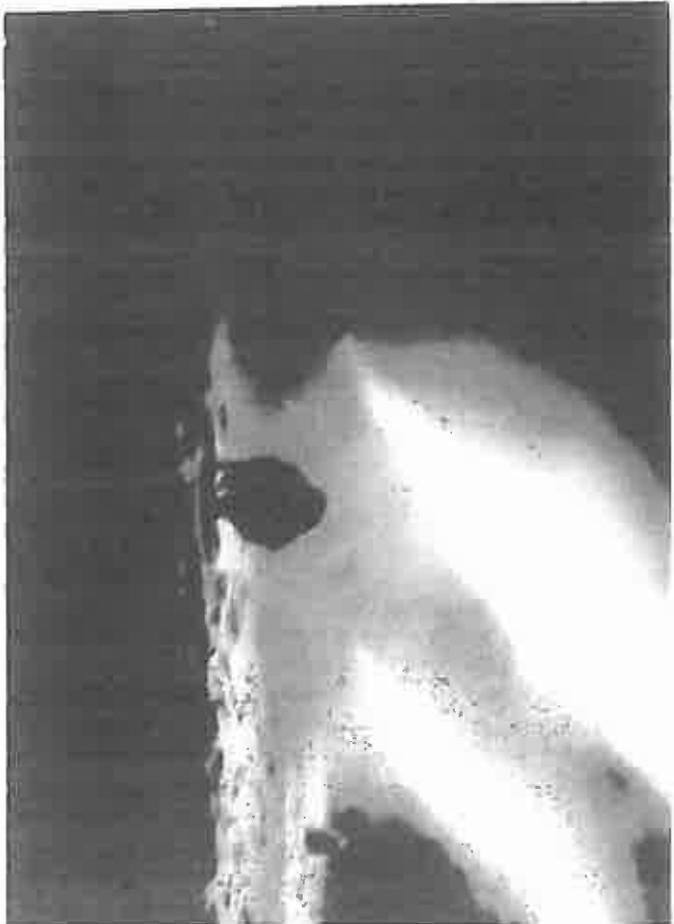
1949 or 1950



5



Signs upon Nicer hike next few years



FIRE MISSION



**Department of Veterans Affairs**



**SERVICE CONNECTED**

**CHEEK, ARTHUR MIDDLETON**

STATE OF FLORIDA  
 DEPARTMENT OF VETERANS' AFFAIRS  
**100% SERVICE-CONNECTED,  
 PERMANENTLY and TOTALLY DISABLED  
 VETERAN IDENTIFICATION CARD**

NAME Arthur M Cheek

ADDRESS 1501 85th Ave N  
St Petersburg FL 33702

NO EXPIRATION \_\_\_\_\_  
 Director, Division of Benefits and Assistance

*I CAN NOT RETREAT!*

**CONCEALED WEAPON OR FIREARM LICENSE**  
 STATE OF FLORIDA



**CHEEK, ARTHUR M.**  
 1501 85TH AVE. N.  
 ST PETERSBURG, FL 33702

ISSUED: 04/11/10 RACE: W

LICENSE: 999031 EXPIRES: 07/08/16

The above license is issued by the Department of Agriculture and Consumer Services, Florida Statutes.

*Charles H. Bronson*  
**CHARLES H. BRONSON**  
 COMMISSIONER



**ST. PETERSBURG POLICE  
 DEPARTMENT  
 RETIRED**

NAME: **CHEEK  
 ARTHUR**

DATE RETIRED: **12/12/1988, OFFICER,**

ID# **999031** RACE: White SEX: Male DOB: 04/11/30  
 EYE: Hazel HGT: 6'00"

*Arthur M. Cheek*  
 SIGNATURE

Date: 7-20-2012

DETECTIVE HOW EVER, VICTIMS ISSUE  
CAS Warren Support

Dear Mr Governor Scott,

Hello Sir how are you? I pray that all is well for you & all your loved ones. My full name is Alfredo A. Bless, and my reason for writing are as follows: I have a unique view of The Fla. Stand-your-ground-law. Sir, I've been on both sides, Back in 2001 in the state of Florida, when I feared 4 my life I shot a gang member. And because the Stand-your-ground law wasn't in effect yet. I had to turn myself in the P.B.C. Jail. Where I spent 2 months of my life locked up. Governor sir, I lost everything. And after of 5 days of trial God freed me by reason of self defense. But the sad part is I was treated like a violent Criminal, while I was trying trying to stand my ground & defend my self. As a matter of fact the shooting happened inside my apartment where I lived! I lost 2 months of my life and the state never Compensate for my pain, suffering, lost, & imprisonment.

Now Governor Sir I've been done wrong a second time by the State of Florida. On 11-30-2006 I become a victim of a violent crime, in P.B.C. Fla. in the City of Lake Worth Fla. I was shot 4 times in my back. The young gun men, shot at my car 8 times. And I cry God please don't let medic like this and The Lord heard my cry 4 help. In this situation I ran from the gun and his gang, And I jumped in my car to drive away, & when I looked in the rearview mirror I saw the gunman holding a big gun & he started shooting at me. Mr. Governor Scott, guns don't kill people, people kill people. Now as a direct result of been shot 4 times in my back & 2 times in my T-12 spinal cord, I become unable to move my legs & thus I'm now in a wheelchair. I spent 2 months in a trauma Hospital & then 8 months in a State owned operated nursing home facility And not one person had explained 2 me that was \$50,000 set aside by the state of Fla. for people who become disabled due to being a victim of a violent crime. Sadly when I was discharge from the State operated nursing home that's when the Supervisor of P.B.C. Victim Service told me the made of mistake & thus time has run out for me to file a claim to Tallahassee for the \$50,000. Mr. Gov. Scott, I beg you Sir, please, please, please & I do mean please help me please

This wrong that's been done to me twice: I contacted many State Senators & Congress man. And they all said there's nothing they can do for me. Then I went on people & found out about a Claims Bill. What's sad is not one senator told me about this Claims Bill.  
Mt. Governor Scott I'm a small David going up a Huge Goliath. But I have a lot of faith & this is why I'm writing you. Sir since I'm disable & in a wheel chair I've been unable to obtain a job.

Now when I heard via t.v., internet, & word of mouth about the Trayvon-martin case I really can sympathize with his family. Because it seems that sometimes justice & rewriting the wrong that's been done to you must be an act of God! Mr. Gov. Scott even though I was shot 4 times in my back, I strongly support the Stand-your-ground law! And I would testify this belief in front of congress, the Supreme Court, T.V. media, and who ever else that want to hear why a Shooting victim supports such a law. Mt. Governor Scott I have a Florida conceal weapons permit, and I also own two guns. And one day some one had threaten me, and I chose the high road & apologized that person even though I did nothing wrong. See Mr. Scott I'd rather make peace with some one, then to try & pull out my gun & hurt that person. Mt. Governor Scott, I know the pain of shooting some one, & also the pain & trauma of being shot by someone! That's why I strongly feel I'm the right person to speak up in favor of Florida's Stand your ground law! Please Governor Scott under the old self defense Fla. law, I tried to flee from the gunman & he shot me 4 times in my back! Because of that I can boldly tell anyone that The Stand your ground Law is needed in Today's violent world. Mr. Governor Scott please contact me as soon as you done reading this letter at area code (1-561-313-1171) Because Governor Sir it's time 4-people to know that the Stand your ground Law is a Life savor & not a Life taker! I thank you very much for your time in addressing this matter, and can you please help me with the compensation that The State never gave me? sincerely Mr. Albert R. Rom

Stand Your Ground - Supp  
CHS - Warren

OFFICE OF THE GOVERNOR  
FLORIDA

12 APR 16 PM 4: 32

126 Sun Lane  
Panama City Beach, FL 32413  
April 10, 2012

Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Governor Scott:

Florida must keep the stand your ground law to protect the honest and decent people of this state. A burglar alarm in your house does not keep a determined criminal out of your house. A cell phone to call the police does not protect your life. The police do not come to your aid UNTIL YOU'RE ALREADY A VICTIM. When your life is in peril, you, the individual, are the only one who can save yourself. For years the criminal has always had the upper hand because he was able to attack you anytime he chose and you had no defense until the stand your ground law came into effect. As with any law, it may not be perfect, but it still fulfills a very useful purpose.

How many black people have murdered white people since the Trayvon Martin incident took place? In the year 2011, how many black people have outright murdered white people in the state of Florida and in the United States? I don't see Reverend Al Sharpton or Jesse Jackson being outraged when black people murder white people. It is infinitesimal the amount of white people that murder black people in the United States. The stand your ground law only becomes racial when a white person finally defends himself.

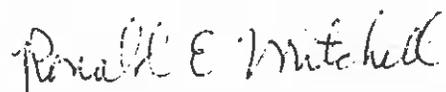
Race has nothing to do with stand your ground. If black people were not the highest percentage of aggressive people murdering people, it wouldn't be a racial issue. The black population of the United States is approximately 13% and yet the

black population is disproportionately the group that commits most of the murders. Now, if you want to call that racial, fine, but the facts still remain the same. I didn't hear Reverend Al Sharpton or Jesse Jackson telling their group of people to quit committing murders on their own people or anybody else. Why aren't Al Sharpton and Jesse Jackson outraged at the high death rate of blacks killing blacks and having public demonstrations over that issue?

All living creatures have a right to defend themselves, and stand your ground is a very important law that gives the people the legal right to defend themselves. This is already an inherent right in nature. As our governor, I expect you to give me every tool possible to defend myself against the evil people in the world. We would not need the stand your ground law if it wasn't for the evil people in the world who do exist.

Looking forward to having you, as my governor, protect me and every other person in the state of Florida by giving me the right to stand my ground.

Sincerely yours,

A handwritten signature in black ink that reads "Ronald E. Mitchell". The signature is written in a cursive, slightly slanted style.

Ronald E. Mitchell

# the armed citizen



**W**hile a 21-year-old store clerk was working his shift at Balwi Food Market one afternoon, 31-year-old Urban Anderson entered the store wearing a ski mask and wielding a knife. When Anderson began swinging the knife, the store employee was quick to grab the rifle kept behind the counter for protection. The employee forced Anderson to the ground and kept him there until police arrived. Anderson was then arrested and charged with attempted robbery, assault and criminal possession of a weapon. The employee suffered cuts to his arms and was treated at a local hospital. (*The Post-Standard*, Syracuse, NY, 1/07/12)

**C**hristopher Oster, 28, and John Shanks III, 29, broke into the home of a resident said to have been involved in a break-up and alleged domestic dispute with Oster's sister, police said. With their identities concealed and an apparent intent to assault the tenant, they forced their way into the home. Inside, they were met by a citizen armed with a .22-cal. handgun. Shanks was shot once in the chest. Oster attempted to drag Shanks out of the home, but fled when he was confronted by the armed resident. Shanks' wound was fatal and Oster was later arrested and charged with first-degree burglary. (*Enterprise Record*, Chico, CA, 12/22/12)

**S**uspected of committing a string of robberies, Martel Harris, 21, returned to the apartment complex where he allegedly had stolen a vehicle from the parking lot earlier that same day. When he attempted to rob a 54-year-old man at gunpoint, the man produced a firearm of his own and fired several shots. Police were notified when Harris turned up at a local hospital with a gunshot wound. After being treated, he was arrested and charged with robbery, attempted robbery, grand larceny, the use of a firearm in commission of a felony and possession of a firearm by a convicted felon. The stolen vehicle was recovered and the robbery victim was not injured. (*Daily Press*, Newport News, VA, 12/22/12)

**H**omeowner Andrew Wharmby, 27, became suspicious when he heard loud banging on his front door at almost 5 a.m. Before answering the door, he took precautions and

grabbed his shotgun. He discovered two men in his home when he followed the continued noise into the garage. Wharmby fired shots at the men and at least one of the two intruders returned fire striking Wharmby in the face. One suspect suffered fatal injuries while the second suspect was taken to the hospital in critical condition with a gunshot wound to the chest. He was then arrested and charged with aggravated robbery. Wharmby was also taken to the hospital and listed in stable condition. (*San Antonio Express-News*, San Antonio, TX, 1/12/12)

**A** husband and wife were awakened when suddenly attacked by a man with an unlit tiki torch he had found in their backyard. Seemingly under the influence of narcotics and wearing only underwear, socks and a bandana around his neck, 28-year-old Matthew Zamora had broken into the home through the back door and used the torch to hit the male resident. The husband grabbed a handgun, but the intruder swung the torch again knocking it from the homeowner's hand. The homeowner's wife retrieved a shotgun and ordered the intruder to leave their home. Without hesitation, Zamora ran into the bathroom, climbed out the window and fled. He was later arrested

and charged with first-degree robbery, first-degree burglary, unlawful use of a weapon, providing false information to police, menacing, criminal mischief as well as an unrelated felony warrant. (*KPTV*, Aloha, OR, 12/26/12)

**T**he owner of the Quick Time Liquor Market fought back when Armand Isaac, 21, and Leonard Higgins Jr., 20, entered the store and attempted an armed robbery. As the store owner and Higgins struggled, Isaac fired a shot at the owner barely missing his head. The owner then grabbed a pistol and shot Higgins twice, causing the men to quickly flee. Both men were later arrested at a local hospital as they sought medical treatment for Higgins' gunshot wounds. (*The Telegraph*, Alton, IL, 1/07/12)

**A** resident awoke to a man banging on the door demanding entry at 1 a.m. Home alone at the time, the 71-year-old homeowner refused to open the door and called police. When the stranger, 23-year-old Shane Blackburn, began to kick down the door, the resident retrieved his handgun. Blackburn was shot once in the shoulder and fled. He was later located at a local hospital and arrested after being treated for his injuries. (*The Ranger*, Fremont County, WY, 1/05/12)

**If you have a firsthand "Armed Citizen" experience, call NRA-ILA PR/Communications at (703) 267-1193.**

Studies indicate that firearms are used more than 2 million times a year for personal protection, and that the presence of a firearm, without a shot being fired, prevents crime in many instances. Shooting usually can be justified only where crime constitutes an immediate, imminent threat to life, limb, or, in some cases, property. Anyone is free to quote or reproduce these accounts. Send clippings via e-mail to [armedcitizen@nrahq.org](mailto:armedcitizen@nrahq.org), or by mail to "The Armed Citizen," 11250 Waples Mill Road, Fairfax, VA 22030-9400. For bonus features, visit "The Armed Citizen Blog" at [www.americanrifleman.org](http://www.americanrifleman.org).

OFFICE OF THE GOVERNOR

12 MAY -8 PM 1:59

Gov. Rick Scott,

stand your  
ground  
CAS-~~Warren~~  
NRN  
(SUPPORT).

Thank you for standing  
your ground in the defense  
of the United States  
Constitution!

Barbara Wexler

05/01/12

Governor ~~PAUL~~

I'm a 77 year old  
ALWAYS VOTING NEP  
WIFE OF COURSE  
VOTED FOR YOU,  
AND LIKE YOU.

PLEASE UP HOLD  
AND ALWAYS KEEP  
OUR CONCEALED  
PISTOL PERMIT  
LAW & STAND YOUR  
GROUND LAWS.

RESPECTFULLY

Your Constatuant

BILL STEAK ~~PAUL~~

PRINTER BEVERAGE CO.  
OF OKEECHOBEE, FL  
P.O. BOX 1074  
OKEECHOBEE, FL 34976



ALABAMA

Gov. SCOTT  
THE CAPITOL  
MALL, FZ

APR 25

12 MAY - 7 AM 10:43

OFFICE OF THE  
SNOPT



Stand Your Ground  
CAs Warren Support

To: Jennifer Carroll

From: james m jenkins jr

4-26-12 3:26pm p. 1 of 1

Stand Your Ground  
CAS Warren  
Support

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

james m jenkins jr  
136 ocean blvd

satellite beach, FL 32937

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:35

RECEIVED  
APR 27 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: J Pat Corrigan

4-23-12 7:26pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

J Pat Corrigan  
PO Box 690068

Vero Beach, , FL 32969

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:35

RECEIVED  
APR 24 2012  
BY: \_\_\_\_\_

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Paul E Jackson  
917 Marina Dr

Panama City, FL 32407

12 MAY 10 PM 3:35

OFFICE OF THE ATTORNEY GENERAL

RECEIVED  
APR 21 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: Charles W. Huebner

4-22-12 8:16am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Charles W. Huebner  
2780 NE 8th. St.

Pompano Beach, FL 33062

12 MAY 10 PM 3:35

OFFICE OF THE ATTORNEY GENERAL  
STATE OF FLORIDA

RECEIVED  
APR 21 2012  
BY:

Stand your ground  
CAS-warren  
(support)

David Garcia  
13960 SW 34th ST  
Miami, FL 33175-6702

April 19, 2012

The Honorable Jennifer Carroll  
Lt. Governor of Florida  
The Capitol, 400 South Monroe Street  
Tallahassee, FL 32399

Lt. Governor Carroll:

Hello,

I have read in the media that a task force has been set to address the Florida Stand Your Ground Law. I feel that this law is essential to the self defense of private citizens and should not be repealed or modified in any way that will limit the protection this law provides a citizen to defend himself.

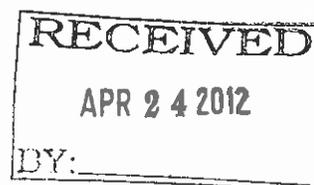
The death of an individual is always tragic, but I have faith that our justice department will investigate thoroughly and if any wrong doing did take place then the perpetrator will sentenced accordingly.

I feel that this task force is premature and being subjected to pressure caused by media hype and inconsistent reporting and we should not be considering any changes until all of the facts are brought to light. I also feel that this task force is focusing on one incident yet we are talking about a law that has been on the books for seven years and I am sure has served citizens well during this time.

As one of your constituents, I urge you to support the Stand Your Ground Law. If this law is repealed, removed or limited in any way I will take this into account on election day and will rally my family and friends to vote against you and your administration.

Thank you for your time.

Sincerely, David Garcia



OFFICE OF THE GOVERNOR

12 APR 25 PM 4: 25

Phillip Van Zant

065682 / B-2108

Taylor C. I.

8515 Hampton Springs Rd

Perry, FL. 32348

April 21, 2012

Governor Rick Scott  
Office of the Governor  
The Capitol  
Tallahassee, FL. 32399-0001

Stand your ground  
CAS-Warren  
(support)  
(enact new law for  
neighborhood crime  
watch)

RE: Solution To Traven Martin / Stand your Ground Delima

Dear Governor Scott:

I regards to the Traven Martin tragedy, I heard you say on T.V. last week that you want fair consideration to be given to the stand your ground law.

On one hand, something needs to be done to reduce the chances of such a tragedy from recurring, yet, on the other hand, the stand your ground law is needed so that law abiding citizens who find themselves in imminent danger can defend themselves.

Since this tragedy occurred on a neighborhood crime watch, it is not the stand your ground law that needs changing, rather, a neighborhood crime watch law needs to be enacted.

A neighborhood crime watch law should require the following: 1) Local police departments should be required to hold an instruction class for neighborhood crime watch volunteers, setting forth rules for them to operate under to ensure their safety, and public safety. 2) Volunteers should be prohibited from carrying a firearm while serving as a neighborhood

crime watch volunteer. After all, a neighborhood crime watch is a watch as the name implies, and any confrontation and possible need for use of deadly force should be handled strictly by the police.

If such a neighborhood crime watch law had been in effect Traron Martin would be alive today because the law would have required George Zimmerman to take a instruction class from the local police department in order to be a neighborhood crime watch volunteer and, he would not have been allowed to carry a firearm while patrolling the neighborhood.

Since a neighborhood crime watch law could have prevented the Traron Martin tragedy, enacting such a law to prevent something like this from happening again would be a good idea, which should appease the public outcry.

Governor Scott, I hope this idea will be helpful. Thank you for your time and consideration in this matter.

Sincerely,

Phillip VanZant

Stand Your Ground Support  
Chris Warren

Daniel Brunger  
400 6th Ave  
Melbourne Beach, FL 32951-2608

April 24, 2012

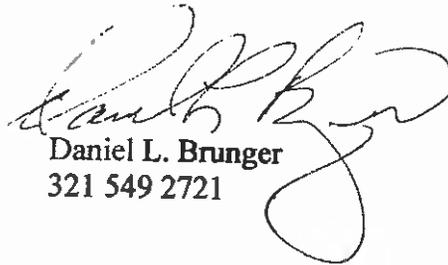
The Honorable Jennifer Carroll  
Lt. Governor of Florida  
The Capitol, 400 South Monroe Street  
Tallahassee, FL 32399

Re: Stand your Ground Law

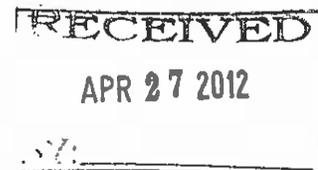
Lt. Governor Carroll:

"Stand Your Ground" was discussed at length in the Legislature before passage. It's a good law. The fact that it has been used successfully and limited harassment from overzealous prosecutors has been proved. Perpetuators need to be prosecuted and sentenced, not the innocent targets who protect themselves, loved ones or fellow Floridians.

Sincerely,



Daniel L. Brunger  
321 549 2721



Received Via Postal Mail  
Postal Number: P12-253309

Category: Stand Your Ground Law

Status: Assigned  
Public Record

Summary: support  
Agency Referenced:  
Forwarded By:

Assigned To

Section: Citizen Services (CAS)  
Coordinator: Barbara White  
Author: Warren Davis

Assignment Comments:

<u>Letter Date</u>	<u>Assigned</u>	<u>Due</u>	<u>Reply</u>	<u>Filed</u>
05/01/2012	05/04/2012	05/18/2012		

From Mr. and Mrs. Brien R. Smith

Title:  
Business:  
Phone Number:  
Address: 160 Southeast 21 Terrace  
Cape Coral, Florida 33990-4318  
Email Address:

General comments and related documents

Modification History

Created: 05/04/2012 04:55:09 PM .. Charnis Irvine  
Last Edited: 05/04/2012 04:56:07 PM .. Charnis Irvine

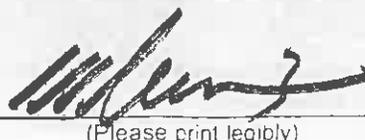
When response is completed and issues resolved, please return tracking document to EOG Citizen Services with "Action Taken" section completed. If a unit or agency is incorrectly assigned correspondence, it should be returned to the Governor's Office of Citizen Services to be reassigned.

ACTION TAKEN			
<input checked="" type="checkbox"/> Response by letter	<input type="checkbox"/> Response by e-mail	<input type="checkbox"/> Response by phone	<input type="checkbox"/> No Reply Necessary
<input type="checkbox"/> Date of Response	<u>5/11/2012</u>	<input type="checkbox"/> Name of Responder	<u>Warren Davis</u>
<input type="checkbox"/> Relog to:	_____		
Comments:	_____		
_____			

Rev. \_\_\_\_\_

Rev. \_\_\_\_\_

Submitted by: \_\_\_\_\_

  
(Please print legibly)

Stand Your Ground Support  
CDS Warran

**Brien & Karen Smith**  
160 SE 21<sup>st</sup> Ter  
Cape Coral, FL 33990-4318  
239-573-6663

01 May 2012

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

12 MAY -4 PM 12: 26

OFFICE OF THE GOVERNOR

Subject: Castle Doctrine; Stand-Your-Ground; Concealed Carry;

Dear Sir:

In the aftermath of the Martin/Zimmerman case there is an effort afoot to attack the items mentioned in the subject line.

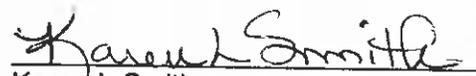
We, my wife and I, entreat you to fight unwaveringly against any attempt to change or dilute the statutes and laws that define and codify these items. Florida is a national leader in rights to self-defense, the right to protect others and not be cowed by criminals, and the protection of victims against law-enforcement, criminal charges and civil suits. We believe that the right to self-defense is paramount. And, it is an abomination to be victimized and traumatized by a violent crime and be further victimized defending oneself from the criminal justice system and then the villain or the villain's family.

My wife and I both have Concealed Carry Permits. I pray that I will never have to use my weapon. I have decided that I will not use it until I have made every effort to evade, retreat or diffuse a potentially dangerous situation. I know that I am "safe" protecting the interior of my home or my vehicle. But I often think whether or not I would act to defend a 7/11 clerk who was in mortal danger for fear of having to defend myself at my own expense and possibly face prison as a result. I see so many young ladies who could very well be my daughter working the night shift in convenience stores. Every one of them makes me think: would I let her die if I could defend her or would I do the right thing and stop a murder -- all the while thinking that the state could turn against me and put me and my family through hell. You should consider such scenarios and put yourself in that situation. What would you do?

We urge you to not be swayed by the momentum of a single event, which may be an anomaly, to do away with good hard-earned laws that should have been passed decades ago as a matter of common sense. Please continue to protect the brave, good-hearted, and law-abiding citizens of Florida and those that are willing to risk themselves for others.

Respectfully,

  
Brien R Smith

  
Karen L Smith

May 1, 2012

Stand your Ground  
CAS-Warren  
~~Warren~~ (supporter  
of  
Stand your  
Ground)  
OFFICE OF THE ATTORNEY GENERAL  
12 MAY 2012 1:00 PM

The Honorable Rick Scott  
Governor of the State of Florida  
The Capital  
400 South Monroe Street  
Tallahassee, FL 32399-001

Dear Sir:

It is my understanding that you and others will be reviewing Florida's  
STAND YOUR GROUND LAW. Please retain it as it stands.

At age 69 and living alone in a somewhat remote agricultural area, I feel  
safer knowing that I can protect myself in a life threatening assault.

Please retain the STAND YOUR GROUND LAW.

Sincerely,



Diana Wilcox Silsby  
Voter registration # 107138214  
1480 S.W. 80<sup>th</sup> Avenue  
Bell, Florida 32619

**RECEIVED**  
**OFFICE OF THE GOVERNOR**

**12 MAY -3 AM 8:56**

Norman Pick Scott  
400 South Monroe St.  
Tallahassee, Fl 32399

Stand your 4-30-12  
ground  
Cass Warren  
(support  
Law)

Dear Sir:

In response to the "Stand Your Ground" law, may I make a suggestion?

That being you consider the words of Almighty God himself.

In Luke 11:21-22 the controversy is resolved.

When a strong man ARMED keepeth his palace, his goods are in PEACE:

"LUK" when a stronger than he shall come upon him, and overcome him, he taketh from him all his armour wherin he trusted, and

SEIZETH HIS SPOILS.

BEING THE GOVERNOR YOU HAVE TO ASK YOURSELF THIS QUESTION.... WHO DO I FOLLOW?

jim carpenter 1424 ,34270.

*stand your ground  
cas-women  
(support  
Law)*  
OFFICE OF THE  
12 MAR 2013 PM 1:41  
STATE OF FLORIDA  
TALLAHASSEE

April 29, 2012

John Protzo  
7 Forest Hills Lane  
Boca Raton, FL 33431

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

RE: Support the Stand Your Ground Law

Dear Governor Scott:

I'm writing this letter for your continued support for Florida's Stand Your Ground Law.

We know the mainstream media and anti-gun lobbyists are trying to portray a negative image of the law, but they could not be further from the truth.

This law was constructed to protect Floridian's against criminals and has done nothing short of that. We must stand our ground against this wave of negative propaganda from the mainstream media to show the country how important this law is to us.

Many lives have been saved on behalf of the Stand Your Ground Law. In fact despite the negative propaganda from the anti-gun establishment, homicides have dropped in Florida by 16.1% since the stand your ground law was introduced. I would like your support on this issue, not only to keep this great law, but to send a message to those who wish to demonize our 2nd Amendment Constitutional right. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,



John Protzo

*Stand your ground  
CAS-Warren*

*(Support  
Law)*  
OFFICE OF THE  
12 MAY -3 PM 1:27

April 29, 2012

Jason M. Ceglia  
3191 Leewood Terrace  
Apt. L137  
Boca Raton, FL 33431

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

RE: Support the Stand Your Ground Law

Dear Governor Scott:

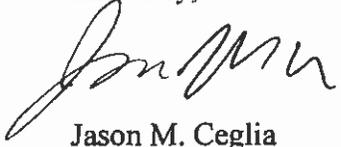
I want to extend my appreciation for the hard work you have put into representing Floridian's during your current tenure in office and I want your continued support for Florida's Stand Your Ground Law.

We know the mainstream media and anti-gun lobbyists are trying to portray a negative image of the law, but they could not be further from the truth.

This law was constructed to protect Floridian's against criminals and has done nothing short of that. We must stand our ground against this wave of negative propaganda from the mainstream media to show the country how important this law is to us.

Many lives have been saved on behalf of the Stand Your Ground Law. In fact despite the negative propaganda from the anti-gun establishment, homicides have dropped in Florida by 16.1% since the stand your ground law was introduced. I would like your support on this issue, not only to keep this great law, but to send a message to those who wish to demonize our 2nd Amendment Constitutional right. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,



Jason M. Ceglia

OFFICE OF THE  
12 MAY -3 PM 1:27

Stand Your Ground  
CAS Warren Support

OFFICE OF THE ATTORNEY GENERAL  
12 APR 26 11:07

21 April 2012

Michael D. Menietti  
Lt. Col. USAF, Retired  
3722 Murray Dale Drive  
Valrico, FL. 33596

Governor Scott  
The Capital  
400 So. Monroe St.  
Tallahassee, FL. 32399

**Dear Governor Scott,**

This voter requests that you **DO NOT REPEAL** the "Stand your Ground" law. I understand that the state is investigating possible repeal of this law because of the Martin / Zimmerman case. It is wrong for a state to prevent a person from defending his life or property on the basis of an incident that the news media publicized in a biased manner.

The first report I heard on the TV stated that Martin was crossing grass yards (not on the sidewalk) and not responding to Zimmerman's challenges and that Martin attacked Zimmerman. After that first report the news media was "making news" reporting that Zimmerman was not injured and implying that this was a race related crime. Martin was shown as a young man, maybe twelve years old; when in fact I read that Martin was seventeen and over six feet tall. Why did Martin attack Zimmerman? Why did Martin not respond to verbal challenges? Those questions are not asked by the media.

A law should be passed that stops the media from distorting the facts or conjecture. I attached the internet reference for the Orlando Sentinel article describing two black men that attacked a white man with a hammer. No comments are made as to race or suggestions of intent. I have not heard Jessie Jackson demanding justice or the President directing an investigation in that incident. Those men were not labeled as committing a hate crime. The news media and politicians are "ho-hum" about this incident, no race questions, no shouting, and no crowds yelling for arrest.

I researched and attached a copy of some Florida crime statistics from the Florida Department of Law Enforcement. The Florida "Stand Your Ground Law" was passed in 2005. The Violent Crime rate is down from one every 4 min 16 sec. in 2004 to one every 5 min 9 sec in 2010. I remember when people were being attacked at Florida highway rest stops. When armed security was stationed at the rest stops, the attacks stopped. **The threat of defensive action apparently discouraged potential attackers.**

I also researched the FBI murder stats for 2010 with some of the data as follows:

-2459 Black offenders killed black victims

- 218 white offenders killed Black Victims

-447 black offenders killed white victims

I don't recall national headlines or protesters in 2010 about any of these cases. If you compare the Zimmerman case and the Orlando hammer beating the conclusion could be drawn that it is less offensive for a person to absorb an attack than defend himself. If the hammer victim had tried to defend himself would he be the subject of media and politician demands for investigations. I have attached a reference page with Internet addresses of the referenced information.

Please allow the "Stand Your Ground" law to remain. Few people solicit confrontation; they want to conduct their own business with no interference. A person should not be prosecuted when he tries to defend himself.

Thank you;



Michael D. Menetti  
Lt. Col. USAF, Retired

CY to: Senator Storms  
Representative Glorioso

FBI CRIME STATISTICS: <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/10tbl01.xls>

FLORIDA CRIME CLOCK: <http://www.fdle.state.fl.us/content/getdoc/6728cc3e-438c-40e4-8161-b72b3e31e813/FSAC-Home.aspx>

ORLANDO SENTINEL, Two Arrested in Brutal hammer Beating in Seminole:

[http://articles.orlandosentinel.com/2012-04-02/news/os-two-arrested-seminole-beating-20120402\\_1\\_victim-arrest-affidavits-crimeline](http://articles.orlandosentinel.com/2012-04-02/news/os-two-arrested-seminole-beating-20120402_1_victim-arrest-affidavits-crimeline)

---

**ROBERT 'BOB' DOVEY**

April 11, 2012

Honorable Rick Scott  
Governor of the State of Florida  
400 South Monroe Street  
Tallahassee, Florida 32399

Re: Stand Your Ground Law

Dear Governor Scott:

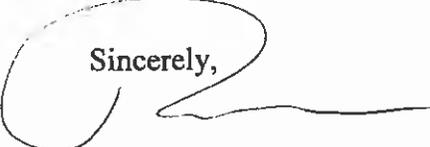
My family and I supported you in your election to the Governor's office because we believed that you stand for conservative American principles and the Constitution of the United States of America, as well as the Judeo-Christian values of life and liberty. Further, we continue to support you in your (occasionally controversial) decisions, which I trust is for the peace, prosperity and provision for the State of Florida.

I know that the Tryvon Martin/George Zimmerman case has drawn you into a debate on whether the 'Stand Your Ground' law should be repealed or greatly restricted. Without knowing the details of this case, I appeal to you to abandon any thought or action toward the repeal or restrictive modification to same, even if the law was mis-applied in this case.

Not only is it our right to 'bear arms' in accordance with the Constitution of the United States of America, it is an absolutely critical part of a free society in which individuals and families need to be able to provide for their own protection and piece of mind. The fact that some may/have perverted its intent and use, and in spite of public emotional response for any given incident, a repeal or restriction of this law cannot be allowed to become an instrument of lawlessness and an danger to our citizens.

As such, I implore you to refrain from repealing or restricting the 'Stand Your Ground' law in the State of Florida. Thank you.

Sincerely,



Robert 'Bob' Dovey

1711 High Ridge Road  
Lake Worth, FL 33461

PHONE (561) 601-8535  
E-MAIL [Bobdovey@bellsouth.net](mailto:Bobdovey@bellsouth.net)

12 APR 27 AM 11:57

OFFICE OF THE GOVERNOR  
STATE OF FLORIDA

Stand Your Ground. Supp  
CA's Warren

**GERARD M. DELANEY**

19 May 2012

Honorable Rick Scott  
Governor, State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Governor Scott,

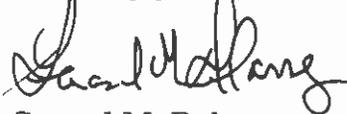
I write to encourage you to support the Florida Self Defense laws known as "Stand Your Ground" and the "Castle Doctrine" against the efforts of anti-gun activists to weaken or repeal them.

The death of Trayvon Martin is a tragedy, but one that the publicly available evidence shows he brought upon himself. George Zimmerman's defense does not rely upon the immunities provided by the Stand Your Ground law, but upon centuries of Common Law Self Defense doctrine. One cannot "stand his ground" while he is flat on his back as his assailant straddles him and rains blows upon his face, in the words attributed in media reports to one eyewitness, like an MMA fighter.

The Coalition to Stop Gun Violence, the Brady Campaign to Prevent Gun Violence, and other groups opposed to the pre-existing rights guaranteed by the Second Amendment to the US Constitution, are attempting to exploit this death to limit the right to self-defense, including the right to keep and bear arms. If they succeed in doing this in Florida, they will attempt to extend this campaign to diminish the Rights of the People to other states.

This must not be allowed, for the health and safety of our State and of our Nation.

Sincerely yours,



Gerard M. Delaney

3788 Turtle Mound Rd, Melbourne, FL 32934  
cell (321)-427-1135  
gerardmdelaney@mac.com

Stand your Ground Supp  
CAs Warren

May 18, 2012

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Governor Scott:

## **Stand Your Ground Self-Defense Law**

- Whereas: The Second Amendment to the United States clearly states that the right to keep and bear arms shall not be infringed, and;
- Whereas: Florida's Stand Your Ground Self-Defense Law protects victims who wish to fight back against their attacker, and;
- Whereas: Rick Scott's Stand Your Ground "task force" may recommend gutting Florida's Stand Your Ground Self-Defense law, and;
- Whereas: If Florida's Stand Your Ground Self-Defense Law is gutted, the anti-gun lobby will use the same tactics to gut pro-gun laws in other states;
- Therefore: I urge you to publicly oppose weakening of Stand Your Ground Self-Defense in Florida -- and vow to fight it -- at every opportunity.

Thank You,



Jackson L. Gray

Major, USAF/Ret

925 West Roberts Road

Cantonment FL 32533-8314

To: Jennifer Carroll]

From: Russell C Nissen

4-23-12 2:41pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

*Stand Your Ground  
CAS Warren NEW  
Support*

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Russell C Nissen  
9030 Whitaker Avenue

Northridge, CA 91343

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:36

*Log each  
the same*

RECEIVED  
APR 24 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: Raynold I. Kablanow II

4-10-12 4:06pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us.

Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Raynold I. Kablanow II  
1172 Kansas Ave.

Modesto, CA 95351

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 Fri 3:39

RECEIVED  
APR 11 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: michael a frisbie

4-16-12 11:02am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

michael a frisbie  
7793 east hiway 4

gypsum, KS 67448

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:39

RECEIVED  
APR 17 2012  
BY \_\_\_\_\_

To: Jennifer Carroll

From: Randy Hendershot

4-24-12 12:58pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

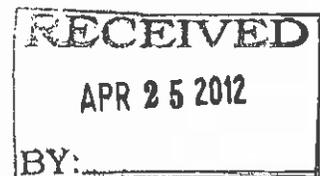
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Sincerely,

Randy Hendershot  
4961 Palistine Cemetery Rd

Poland, IN 47868

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:39



To: Jennifer Carroll

From: Ronald Trujillo

4-20-12 9:46am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Ronald Trujillo  
9140 E ave. S4

Littlerock, CA 93543

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:39

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

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Sincerely,

Donna Steenbarger  
8230 Bishops Lane

Indianapolis, IN 46217

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:38

RECEIVED  
APR 2 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: Robin Wagner

4-19-12 7:31am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Robin Wagner  
117 Highgate Drive

Crossville, TN 38558

12 MAY 10 PM 3:38

OFFICE OF THE ATTORNEY GENERAL

RECEIVED  
APR 21 2012  
BY

To: Jennifer Carroll

From: Phillip A. Ragio

4-23-12 3:51am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Phillip A. Ragio  
2053 Trevino Ter

Vernon Hills, IL 60061

12 MAY 10 PM 3:38

OFFICE OF THE ATTORNEY GENERAL

RECEIVED  
APR 21 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: james d young

4-21-12 4:46pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

james d young  
1969 burgundy lane

lake havasu city, AZ 86404

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:38

RECEIVED  
APR 21 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: Kevin J. Smith

4-21-12 2:02pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Kevin J. Smith  
23480 T Drive South

Homer, MI 49245

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:38

RECEIVED  
APR 21 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: Charles W. Fletcher

4-21-12 12:32pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Charles W. Fletcher  
1231 Woodland Dr.

New JOHNSONVILLE, TN 37134

12 MAY 10 PM 3:38

OFFICE OF THE ATTORNEY GENERAL

RECEIVED  
APR 21 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: E DELAUN ROMIG

4-21-12 11:31am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

E DELAUN ROMIG  
13789 HOLYOKE LANE

APPLE VALLEY, MN 55124

12 MAY 10 PM 3:38

OFFICE OF THE ATTORNEY GENERAL

<b>RECEIVED</b>
APR 21 2012
BY: _____

To: Jennifer Carroll

From: Barbara B Pickren

4-23-12 3:56pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Barbara B Pickren  
6765 Osage Drive

Mount Dora, FL 32757

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:37

RECEIVED  
APR 24 2012  
BY:

To: Jennifer Carroll

From: Lonnie K. Woods

4-23-12 12:01pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Lonnie K. Woods  
44542 Brawley Ave.

Jacumba, CA 91934

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:36

RECEIVED  
APR 24 2012  
BY:

To: Jennifer Carroll

From: Jack L. Dalmaso

4-23-12 12:17pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

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Sincerely,

Jack L. Dalmaso  
6261 US 62

Tionesta, PA 16353

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:36

RECEIVED  
APR 24 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: Jo Ann Baughman

4-23-12 12:41pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

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Sincerely,

Jo Ann Baughman  
PO Box 1269

Philomath, OR 97370

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:36

RECEIVED  
APR 24 2012  
BY: \_\_\_\_\_

To: Jennifer Carroll

From: Thomas M. Schultz

4-23-12 1:31pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

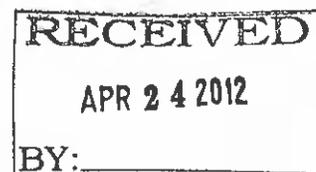
This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Thomas M. Schultz  
726 Frans Drive

Abingdon, MD 21009

OFFICE OF THE ATTORNEY GENERAL  
12 MAY 10 PM 3:36



To: Jennifer Carroll

From: jeffrey wolk

4-11-12 8:26am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us.

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Sincerely,

jeffrey wolk  
49 la cresta road

orinda, CA 94563

12 MAY 10 PM 3:39

OFFICE OF THE ATTORNEY GENERAL  
STATE OF CALIFORNIA

RECEIVED  
APR 11 2012  
BY:

To: Jennifer Carroll

From: CAROL JAKAB

4-11-12 2:05pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us.

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Sincerely,

CAROL JAKAB  
30 Rosedale Circle

Shelton, CT 06484



To: Jennifer Carroll

From: Dr. Cary B. Simonds

4-11-12 10:30am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

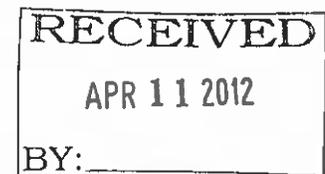
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Sincerely,

Dr. Cary B. Simonds  
8605 E. So. Riverway

Spokane, WA 99212



To: Jennifer Carroll

From: Terry Thompson

4-10-12 1:05pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

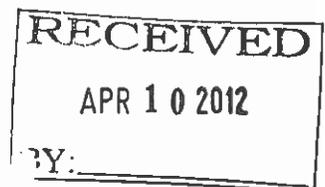
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Sincerely,

Terry Thompson  
1633 Rosebud Lane

Greenwood, IN 46143



To: Jennifer Carroll

From: Brian Babin

4-10-12 11:23am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

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Sincerely,

Brian Babin  
1203 W. Dogwood St.

Woodville, TX 75979



To: Jennifer Carroll

From: W. D. Cochran

4-10-12 9:21am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

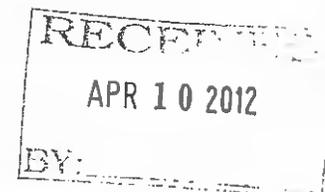
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Sincerely,

W. D. Cochran  
194 Park Way

Montgomery, TX 77356



To: Jennifer Carroll

From: Gilbert Calhoun

4-10-12 10:36am p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

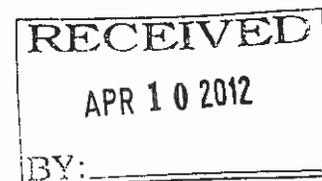
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Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Gilbert Calhoun  
1455 Holbrook St.

Eagle Rock, CA 90041



Stand Your Ground - Supra  
CIA S Warren  
(S)

Office of Lieutenant Governor Jennifer Carroll  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Fred P. Walker  
5319 Denver St. N.E.  
St. Petersburg, FL 33703  
727-525-8090

April 25, 2012

Dear Lieutenant Governor Carroll,

As one of your constituents I am writing this letter to ask that the State of Florida **NOT** repeal or modify the "Stand Your Ground" law in any way.

I realize the Trayvon Martin case is a high profile, politically involved situation but one incident, whether Mr. Zimmerman is guilty of a transgression or not, should not change the balance of ability to defend oneself for millions of others.

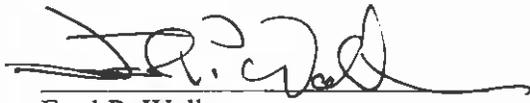
There are millions of law abiding citizens in the State of Florida. They revere our laws and would do anything within their power to avoid physical conflict. We do, however, want to be able to at least defend ourselves if something drastic should occur. I am an ex-Police Officer and I have a concealed weapons permit. I am trained in the use of firearms and I pray I never have to use one again. I don't even like guns very much but I don't want to be a victim. Nor do I want my wife or anyone around me to be victims.

Much of what we see and hear in the media are stories of robberies, drive-by shootings, muggings, senseless murders, drug related killings, home invasions and it goes on and on. Almost all of these incidents involve innocent people. A six year old girl playing in her front yard is shot to death during a drive-by. A 70 year old woman is beaten to death during a home invasion. These are the stories which sell for the media but the point remains, "Are we to sit there and just take it?" I think not.

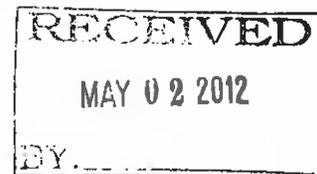
It is my hope that you will overcome the political and racial pressures and do what is right for the people of the State of Florida. Please leave the "Stand Your Ground" laws as they are.

If you have questions or would like further information, contact me any time.  
Thank you for your time and consideration.

Sincerest Regards,



Fred P. Walker



Stand your ground  
CAS-warren  
(support)

**Richard E. Mead**  
**1609 Lund Avenue**  
**Kissimmee, FL 34744**

May 14, 2012

Governor Rick Scott  
The Capitol  
400 S. Monroe Street  
Tallahassee, FL 32399

Dear Governor Scott:

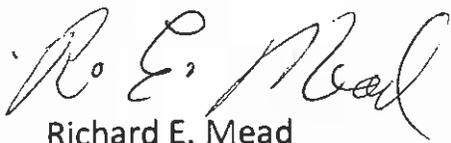
Subject: Florida's Stand Your Ground and Castle Doctrine Laws

I firmly believe the above are good laws for citizens of the State of Florida! Statistics have proven that states who adopted similar laws had reductions in violent crimes. Calls by various groups to review both laws are racially motivated and driven by the liberal news media.

Prior to the Castle Doctrine and Stand Your Ground legislation, victims had a duty to keep retreating even in the face of bodily harm from attackers. The law abiding citizen was left defenseless in their own homes.

When you receive recommendations from the Stand Your Ground Commission, please keep in mind the honest citizen (especially our elderly) and ignore the liberal biased news media influence that see this as a back door approach to gun control.

Respectively submitted,

  
Richard E. Mead

Stand your  
ground  
(AS-Weapon  
(Support  
Bill))

5/4/12  
Gordon Nicholson  
2806 Tarranaga Dr  
The Villages FL  
32162

Governor Rick Scott  
State of Florida  
The Capitol  
400 S Monroe St  
Tallahassee, FL  
32399

OFFICE OF THE ATTORNEY GENERAL  
11:12 AM EST 04/13/12

Dear Governor Rick Scott

I am writing to you concerning one of the recommendations of the "Stand your ground Task Force"

It has been reported that the task force has recommended deadly force only be used when the assailant is armed

Governor I am 73 years old and if I am attacked by a young large person I cannot use deadly force to protect myself.

I am sure you can see that is not reasonable. I did not purchase a firearm to carry and obtain a concealed weapons permit until I was 60 years old.

I hope you will reject this recommendation and allow us seniors to defend ourselves against unarmed young large assailants.  
Sincerely,

Gordon Nicholson



RICK SCOTT  
GOVERNOR

STATE OF FLORIDA

# Office of the Governor

THE CAPITOL  
TALLAHASSEE, FLORIDA 32399-0001

[www.flgov.com](http://www.flgov.com)  
850-488-7146  
850-487-0801 fax

June 4, 2012

*me*  
Mrs. Gordon Nicholson  
2806 Larranaga Drive  
The Villages, Florida 32162

*me*  
Dear Mrs. Nicholson:

Thank you for contacting my office and sharing your opinions about Florida weapons laws.

Serving the people of Florida is a great honor and I want to know how people feel about the many issues we face. Please do not hesitate to write again to share your concerns and ideas about issues that are important to you.

Thank you again for taking the time to contact my office.

Sincerely,

Rick Scott  
Governor

RS/cas/wd

Reviews P12-252981  
Stand Your Ground - Support  
CH. Warden NPK

CS

**CDP STUCCO OF NW FLORIDA, INC**

130 Perry Avenue SE, Suite E  
Fort Walton Beach, Florida 32548  
Phone: 850-259-2283  
Fax: 850-243-2579  
Website: <http://www.cdpstucco.com/>



April 25, 2012

OFFICE OF THE  
12 MAY -9 P11:49

Honorable Sheriff Larry R. Ashley  
Okaloosa County Sheriff's Department  
50 2<sup>nd</sup> Street  
Shalimar, FL 32579

Dear Sheriff Ashley:

I am writing as an advocate for the "stand your ground" law in the state of Florida. The law states that a person may use force in self-defense when there is reasonable belief of a threat, without an obligation to retreat first, that a person may use deadly force in public areas without a duty to retreat.

A person has a right to protect himself, his family and possessions and is justified in using deadly force in certain situations. The "stand your ground" law defends typical average citizens from a situation that could turn ugly quickly. If someone approached my family and imposed physical harm against my family, I would apply the "stand your ground" law to defend my family. By the time law enforcement could be notified and be on site, someone could be injured or kidnapped or worse. "Stand your ground" is an asset to the citizens of the State of Florida. "Stand your ground" gives regular citizens the right to be in a particular place at a particular time and should not be bullied into leaving or be threatened or harmed

As stated I am an advocate for the "Stand Your Ground" law and believe it would be an injustice to repeal this law that protects the average Joe.

Thank you for your tireless work on behalf of the citizens of Okaloosa County.

Sincerely,

Christian D. Perry

Cc: Honorable Governor Rick Scott  
Honorable Lt. Governor Jennifer Carroll

REC'D  
MAY 02 2012  
BY:

Stand Your Ground. Support  
CAS Warner

**J & J Terlizzi**  
**3810 N.E. 27<sup>th</sup> Avenue, Lighthouse Point, Florida 33064**

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 MAY 31 AM 11:46

May 24, 2012

**Governor Rick Scott**  
**The Capitol**  
**400 S. Monroe Street**  
**Tallahassee, Florida 32399-0001**

**Dear Sir:**

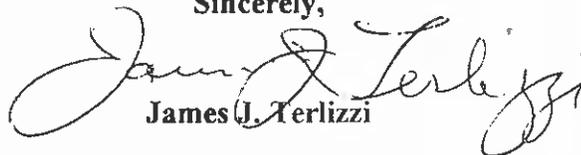
**The "Stand Your Ground" law has saved many lives and is responsible for a decline in violent crimes.**

**The anti-gun zealots would use the Trayvon Martin case to weaken the law and further trample on the Second Amendment. Please do not be stampeded into weakening this statute.**

**The enclosed article makes the case better than I can. Please use it in the best interests of the law-abiding citizens of Florida.**

**Thank you.**

Sincerely,

  
James J. Terlizzi

by DAVE KOPEL

## The Truth Behind Florida's Stand Your Ground Law

The controversy surrounding George Zimmerman's shooting of Trayvon Martin has brought out the very worst of the gun prohibition movement and its media allies. Simply put, the gun prohibitionists have been lying about Florida's self-defense laws, and the willfully gullible mainstream media have disseminated those lies.

Let's take a look at what Florida's self-defense laws really say.

In public places, deadly force is allowed only if the crime victim "reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or herself or another, or to prevent the imminent commission of a forcible felony." (Florida Statutes § 776.012)

In other words, deadly force can be used only to address "imminent death or great bodily harm" or "the imminent commission of a forcible felony." A person may only use deadly force if he "reasonably believes" that the aforesaid factual conditions exist. These standards are the norm throughout the United States.

Like many states, Florida has broader self-defense rules for victims who are attacked by violent intruders in their home or automobile. Because the home-defense rules originated in English laws from over 600 years ago, they are known as "Castle Doctrine," based on the principle that a man's home is his castle, where he has an absolute right to safety.

However, Castle Doctrine is not relevant to the Zimmerman case since the events occurred in a public place.

Florida's self-defense law also includes a long-established principle known as Stand Your Ground. This principle acknowledges that victims of violent, criminal attacks have the right to use self-defense immediately rather than being required to retreat.

For a crime victim in a public place, Florida law states that, "A person who is not engaged in an unlawful activity and who is attacked in any other place where he or she has a right to be has no duty to retreat and has the right to stand his or her ground and meet force with force."

Despite what the gun banners and the media repeat incessantly, Stand Your Ground has nothing to do with the Martin/Zimmerman case. According to the story put out by the Martin family's public relations firm, Zimmerman stalked Martin and killed him. If so, then Zimmerman would be the criminal aggressor, and he would have no self-defense rights under the laws of Florida or of any other state.

On the other hand, Zimmerman has said that he was attacked by Martin and knocked to the ground, where Martin got on top of him and started slamming his head into the sidewalk. If this version is true, then Zimmerman obviously had no ability to retreat. Thus, the retreat law would be irrelevant.

Stand Your Ground and Castle Doctrine were not invented by the National Rifle Association, nor was the Second Amendment. The right to arms and the right to self-defense are far older than the NRA, which was founded in 1871.

William Blackstone's famous four-volume *Commentaries on the Laws of England*, published between 1766 and 1770, set forth the mainstream common law: There is absolutely no duty to retreat in the home, and no duty to retreat in public, when the use of force was necessary to prevent a forcible felony, such as arson, robbery or murder.

In 1895, the U.S. Supreme Court followed the trend of state courts and endorsed

**America's 1st Freedom contributor Dave Kopel is an adjunct professor of advanced constitutional law at University of Denver Sturm College of Law and research director of the Independence Institute who has testified on Second Amendment issues before the U.S. Congress.**

Stand Your Ground. In an opinion by Justice John Marshall Harlan, the Court ruled that a man who had defended himself "was not obliged to retreat, nor to consider whether he could safely retreat, but was entitled to stand his ground, and meet any attack upon him with a deadly weapon, in such a way and with such force as, under all the circumstances, he, at the moment, honestly believed, and had reasonable grounds to believe, were necessary to save his own life, or to protect himself from great bodily injury" (*Beard v. United States*).

The Court reaffirmed Stand Your Ground twice the next year, in *Alberty v. U.S.* and *Allen v. U.S.*

The most famous Supreme Court opinion on the issue was written by Justice Oliver Wendell Holmes in the 1921 case *Brown v. United States*. On behalf of a unanimous Court that included Louis Brandeis (the greatest Progressive jurist), Holmes explained that the crime victim who was attacked had no duty to consider retreat before defending himself. Instead, "he may stand his ground" because, "Detached reflection cannot be demanded in the presence of an uplifted knife."

After Florida enacted its Stand Your Ground statute in 2004, homicides and other violent crimes declined while lawful exercise of the right of self-defense increased. That's an intolerable result for the gun prohibitionists, who loathe armed self-defense.

Once again, the media are complicit in repeating the lies that advance the prohibitionists' agenda to exterminate fundamental human rights. ☹

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Stand Your Ground - Sup  
CATS Warren NPA

# To Florida Governor Rick Scott: Oppose the Weakening of Florida's Stand Your Ground Self-Defense Law

MAY 24 11:35 AM

- Whereas: The Second Amendment to the United States clearly states that the right to keep and bear arms shall not be infringed, and;
- Whereas: Florida's Stand Your Ground Self-Defense Law protects victims who wish to fight back against their attacker, and;
- Whereas: Rick Scott's Stand Your Ground "task force" may recommend gutting Florida's Stand Your Ground Self-Defense law, and;
- Whereas: If Florida's Stand Your Ground Self-Defense Law is gutted, the anti-gun lobby will use the same tactics to gut pro-gun laws in other states;
- Therefore: I urge you to publicly oppose weakening of Stand Your Ground Self-Defense in Florida -- and vow to fight it -- at every opportunity.

First Name: Gail

Last Name: Witmer

Address: 520 Rutland Drive, Swatara PA 17111

Signature: Gail N. Witmer

To: Jennifer Carroll

From: Noel L Shaw

5-23-12 8:00pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

Stand Your Ground Support  
CITIZEN WARREN JRN

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Noel L Shaw  
1101 N Wilmot Rd #229

Tucson, AZ 85712

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 MAY 29 AM 10: 25

To: Jennifer Carroll

From: Richard F Jungels

5-23-12 5:01pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Richard F Jungels  
1160 Trask St

Aurora, IL 60505

**OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 MAY 29 AM 10: 25**

To: Jennifer Carroll

From: Devra L Waterman

5-23-12 3:46pm p. 1 of 1

To: Lieutenant Governor Jennifer Carroll  
Washington, DC

RE: Support the Stand Your Ground Law

Dear Lieutenant Governor Carroll:

I am writing to demand that you support the Stand Your Ground Law.

We know the liberal media and anti-gun lobbyists are trying to portray a negative image of the law but they could not be further from the truth.

This law was constructed to protect its nation's citizens against criminals and has done nothing short of that. We must stand our ground against this wave of liberal media to show the country how important this law is to us. Many lives have been saved on behalf of the Stand Your Ground Law. We want your support on this issue, not only to keep this great law but to push the law into every state in our great country. We deserve the right to protect our loved ones if the situation requires it.

Sincerely,

Devra L Waterman  
300 E Park St

Tecumseh, OK 74873

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 MAY 29 AM 10: 25

Stand Your Ground - Supp  
CAS Warren WDW

James Pogue  
205 East Main Street  
Idabel, OK 74745-4631

May 19, 2012

The Honorable Rick Scott  
Governor of Florida  
The Capitol, 400 S. Monroe Street  
Tallahassee, FL 32399-0001

Re: Anti-gun fanatics and Trayvon Martin shooting

Governor Scott:

The Trayvon Martin incident is being used by anti-gun fanatics to attack our right to defend ourselves, our loved ones and our homes against attack and the New York Times demanded that Florida's stand your ground law be put on trial and states the law invites gun owners to flirt with vigilantism.

In the four years after the stand, your ground was passed in Florida, homicides dropped by 16.1%, saving hundreds of innocent lives in Florida alone.

Gun haters and race baiters in Congress are crawling out of the woodwork to milk this tragedy to attack our gun rights and advance their own selfish political agendas.

It is clear that Florida will be the test case to see whether anti-gunners can use threats of riots and lynching<sup>TM</sup>s to force the repeal of stand your ground gun laws.

If Florida surrenders to mob rule and repeals the stand your ground gun laws, violence and vigilante justice, will come to other states and communities next.

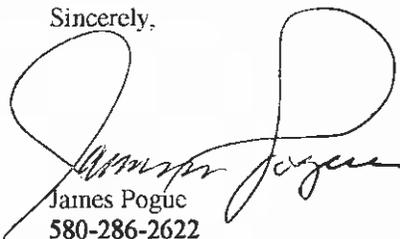
Without stand your ground laws, anti-gun prosecutors, judges, and attorneys will soon begin to go after law-abiding citizens for the crime of defending themselves with a firearm.

To restore the rule of law, to preserve our constitutional right to keep and bear arms, and, to ensure our right to defend ourselves, our loved ones and our homes, we call upon you Honorable Sir, to reject efforts to repeal or waterdown Florida's stand your ground law.

Whatever happened to "innocent until proven guilty?"

As the facts, slowly emerge, it begins to appear that George Zimmerman was rushed to judgment, by the liberal media, the race baiters, and the gun haters.

Sincerely,



James Pogue  
580-286-2622

John P. (Pat) Ennes  
69944 Meadow View Road  
Sisters, Oregon 97759

*Stand yr. ground  
NRA  
Warner*

May 19, 2012  
Re: c:\tr\FlaGovScott1

Florida Governor Rick Scott  
Florida State Capitol  
400 S. Monroe Street  
Tallahassee, Florida 32399

Dear Governor Scott,

I am writing concerning the disgusting outrage and attacks on our Constitutional 2<sup>nd</sup> Amendment as a result of the Travon Martin debacle!

The authorities in the State of Florida have totally caved in to pressures from the likes of Al Sharpton, Jesse Jackson, Representative Frederica Wilson among other who have reacted with disgusting rhetoric, convicting George Zimmerman without waiting to see ANY EVIDENCE whatsoever!

It appears that the police acted properly in releasing Mr. Zimmerman as the evidence had indicated that Mr. Zimmerman was simply standing his ground in the face of an attack that was LUCKILY witnessed by a number of credible witnesses!

NOW, I understand that YOU are not supporting our 2<sup>nd</sup> amendment rights to the FULLEST! You were supported in your run for your office by the NRA for your supposed support of the 2<sup>nd</sup> amendment to our constitution AND our GUN RIGHTS that go along with it!

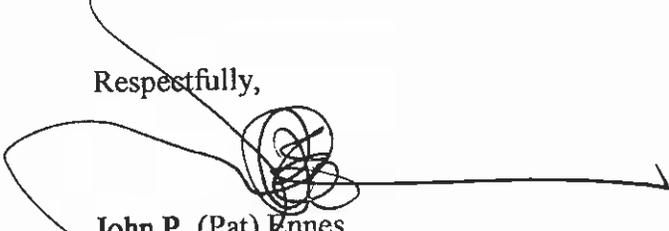
I can tell YOU that I will be VOCAL against you with the NRA in your future elections TO ANY OFFICE that you may seek if you FAIL TO PROTECT Florida's "Stand Your Ground"!

I am a resident of The State of Oregon and am Licensed for "Concealed Carry" and believe that you are endangering my 2<sup>nd</sup> amendment rights with your Milk Toast attitude allowing an unelected committee to review Florida's Stand Your Ground Law! I understand that this committee will likely come out AGAINST "Stand Your Ground"! I find that disgusting!

Witnesses have stated that George Zimmerman had retreated to his vehicle and that Travon Martin had approached him and asked him if "he had a problem." George Zimmerman then responded: "NO" Then Travon Martin said: "Now you do" and proceeded to pounce on George Zimmerman, beating him, breaking his nose and pounding his head on the pavement! Had that happened to me, I would have responded EXACTLY as George Zimmerman did and EXACTLY as ANYBODY in the same position would have responded! EXACTLY as the law said that he had the right to respond! EXACTLY as the LAW did and should have allowed! I believe that YOU in your RHINOesque Milk Toast Cave Job is putting that right in jeopardy!! WOULD you have responded differently? Would YOU have allowed Travon Martin to continue to beat you heat against the pavement AFTER he had broken your NOSE?? I believe George Zimmerman thought he was going to be KILLED if he had not shot Travon Martin! AND he was probably RIGHT!

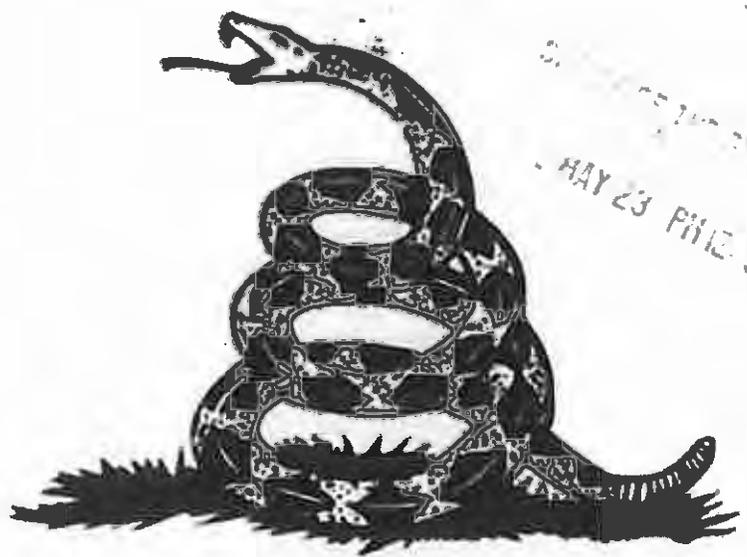
TRAVON MARTIN was not the 12 year old picture that was shown by the MEDIA! He was in fact a THUG that was over 6 Feet Tall and not a Choir Boy as NBC would have Americans believe!! If I had seen Travon Martin dressed as he was walking thru my neighborhood, I would have asked him if I could help him find what he was looking for. If he didn't give me a reasonable answer, I would have then called the Sheriff. However, I would ALSO have been armed and maintained a distance from him AND if I was attacked I would have responded exactly as George Zimmerman did AND I demand that right whether the assailant is white, black, brown, yellow or red! AND I despise POLITICIANS who allow the likes of Jackson, Wilson & Sharpton who thrive and profit on this type of Racial Thing! It displays them for the BIGOTS that they are and brings out by their response what our leaders are really made of! We are watching to see WHAT YOU ARE MADE OF!

Respectfully,



John P. (Pat) Ennes  
Sisters, Oregon

Stand on your ground - Sweep  
CATS WARREN VIEW

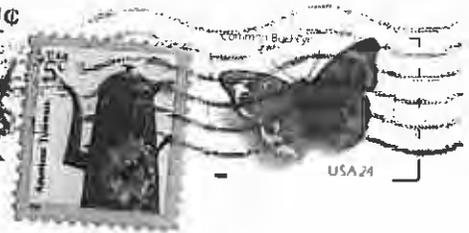


MAY 23 1912

**DONT TREAD ON ME**

GOV SCOTT

DO NOT WEAKEN  
OUR "STAND YOUR GROUND"  
LAW! PUBLICLY OPPOSE  
WEAKENING NOW



GOV PAUL SCOTT  
400 S MONROE ST  
TALLAHASSEE  
FLA 32399

Dave Coker

PLEASE DO NOT WRITE BELOW THIS LINE. RESERVED FOR U. S. POSTAL SERVICE

My AUSA City  
Fla

Florida Governor's Office  
400 S. Monroe St.  
Tallahassee, FL. 32399

Log Anonymous  
writing from AZ

Stand Your Ground Suppt  
CAS Warren WRN

May 16, 2012

Dear Governor Scott,

Do you really want to change a law that's been on the records for years to appease a black woman's hunt for wealth & fame, which her UNcontrollable teen-age kid is now affording her. Good Lord the woman even drove over 150 miles just to drop him off, far away from home because she could NOT control him. Sylvia Fulton should be jailed for child abandonment, child endangerment, child neglect AND abuse. Instead she is getting rich from all the media hype over her dead trouble making son. Please "NO" royalties for this person (I have a hard time referring to her as a woman and especially a parent). If she had done some parenting her kid might not be dead.

George Zimmerman was only doing his job (protecting his neighborhood) from thugs just like trayvon (sorry he doesn't deserve capitalization), and he gets attacked & is then referred to as a murderer, when it's QUITE obvious it was total self defense. I know I'm not from the beautiful state of Florida, but I have family and friends there & I do come for visits, and have been there several times, and I would hate to see you take a law off the books such as "STAND YOUR GROUND" just because of one person. If you do, you can expect a lot more guns in the hands of thugs and 1000's of people will die because of it (on your watch). THINK about it, before you make any decisions based on one woman's pursuit of richness and fame, because she knows she has Jackson, Wright, Black Panthers & NAACP on her side, besides working on any parent of a black kid who has lost his/her life because of their way of life. Think about your constituents, all the retirees in your most fabulous state before you do something like changing a law that could change things and not in a good way. The wealthy and retirees in Florida are the ones that voted you in office and can either take you out or keep you in.

I live in a state where my Governor isn't afraid to go up against the bad guys, and I stand behind her 100% for her morals, integrity and support of her state & its citizens. I truly hope and pray you don't make the wrong decision. God be with.

Sincerely,  
A very concerned citizen  
from Arizona who's tired  
of watching all the hoopla

Stand Your Ground - support  
OAS Warren

David Garcia  
13960 SW 34th ST  
Miami, FL 33175-6702

June 12, 2012

The Honorable Rick Scott  
Governor of Florida  
The Capitol, 400 S. Monroe Street  
Tallahassee, FL 32399-0001

Re: Support Florida Stand Your Ground Law

Governor Scott:

Hello,

I have read in the media that a task force has been set up to address the Florida Stand Your Ground Law. I feel that this law is essential to the self-defense of private citizens and should not be repealed or modified in any way that will limit the protection this law provides a citizen to defend himself.

The death of an individual is always tragic, but I have faith that our justice department will investigate thoroughly and if any wrong doing did take place then the perpetrator will be sentenced accordingly.

I feel that this task force is premature and being subjected to pressure caused by media hype and inconsistent reporting and we should not be considering any changes until all of the facts are brought to light. I also feel that this task force is focusing on one incident yet we are talking about a law that has been on the books for seven years and I am sure has served the citizens of Florida well during this time.

I feel that this task force should take the opportunity to educate the public regarding this law and how it applies. The media has been portraying the Florida Stand Your Ground Law as a license to kill. I am surprised that anyone would consider such a statement to be true, let alone repeat such misleading information.

I urge you to support the Stand Your Ground Law. If this law is repealed, removed or limited in any way I will take this into account on Election Day and will rally my family and friends to vote against this administration.

Please protect our second amendment rights.

Thank you.

Sincerely, David Garcia

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUN 15 PM 2:56  
ST

SYG - Support  
CAS Warren

David Garcia  
13960 SW 34th ST  
Miami, FL 33175-6702

d/s

June 12, 2012

The Honorable Jennifer Carroll  
Lt. Governor of Florida  
The Capitol, 400 South Monroe Street  
Tallahassee, FL 32399

Re: Support Florida Stand Your Ground Law

Lt. Governor Carroll:

Hello,

I have read in the media that a task force has been set up to address the Florida Stand Your Ground Law. I feel that this law is essential to the self-defense of private citizens and should not be repealed or modified in any way that will limit the protection this law provides a citizen to defend himself.

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Please protect our second amendment rights.

Thank you.

Sincerely, David Garcia

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

12 JUN 18 PM 4:08



SYG Support  
CAS WARRIOR

June 13, 2012

The Honorable Jennifer Carroll  
Lt. Governor of Florida  
The Capitol, 400 South Monroe Street  
Tallahassee, FL 32399

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUN 18 PM 4:00

***Re: Stand Your Ground***

Lt. Governor Carroll:

I will not be able to attend the meeting scheduled for public input on the Stand Your Ground legislation. I would, however, like to offer my view as a responsible and law abiding citizen of the State of Florida.

I'm a gun owner and I believe that the right to bear arms lies at the very foundation of our civil liberties.

The Trayvon Martin case is very tragic. However, a jury must decide whether or not Zimmerman acted properly. While at this point, no one really knows for certain what happened in the Martin case, there are plenty of documented cases where the law was applied and justified. In these instances individuals, law-abiding individuals, were able to protect themselves because of the legislation that has been enacted.

When I moved to Florida 17 years ago I traveled freely throughout the state without fear for my safety. That is no longer the case. A law-abiding citizen must have the right to protect himself and his family when necessary.

**Leave the Stand Your Ground Law in place!**

Sincerely,



S. John DeLutrie Jr.  
12922 Vicksburg drive  
Tampa, FL 33625

RECEIVED  
JUN 13 2012  
BY:

Stand Your Ground - Support  
CAS Warren

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

12 JUN 15 PM 1:59

June 13, 2012

The Honorable Rick Scott  
Governor of Florida  
The Capitol, 400 S. Monroe Street  
Tallahassee, FL 32399-0001

***Re: Stand Your Ground***

Governor Scott:

I will not be able to attend the meeting scheduled for public input on the Stand Your Ground legislation. I would, however, like to offer my view as a responsible and law abiding citizen of the State of Florida.

I'm a gun owner and I believe that the right to bear arms lies at the very foundation of our civil liberties.

The Trayvon Martin case is very tragic. However, a jury must decide whether or not Zimmerman acted properly. While at this point, no one really knows for certain what happened in the Martin case, there are plenty of documented cases where the law was applied and justified. In these instances individuals, law-abiding individuals, were able to protect themselves because of the legislation that has been enacted.

When I moved to Florida 17 years ago I traveled freely throughout the state without fear for my safety. That is no longer the case. A law-abiding citizen must have the right to protect himself and his family when necessary.

**Leave the Stand Your Ground Law in place!**

Sincerely,



S. John DeLutrie Jr.  
12922 Vicksburg drive  
Tampa, FL 33625

rew. 246 - Support  
CAS Warren

Lloyd E. Amburgey

2009 S. Osceola Avenue  
Orlando, FL 32806-4036  
Phone (407) 246-1133  
Lloydamburgey@aol.com

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

12 JUN 19 AM 10:19

June 14, 2012

Governor of State of Florida.  
The Honorable Rick Scott.

Dear Governor Scott,

*I am writing to your office regarding your review of the "Stand Your Ground Law". Why is it necessary to review, change or eliminate a law which was voted into Florida law by the voters of Florida. As this law is written it provides a means of legal protection against the lawless people who would rob, rape, burglarize, car jack your vehicle or other wise do you harm. Why change this law just to satisfy a few people who do not have the facts to back up there claim of some unjust action against a person of color.*

*The news medium, Al Sharpton, Rev. Jesse Jackson and the NAACP will keep this story alive for months to come. The Florida States Attorney's office should complete there official investigation prior to any law review or changes. One example is Orlando Mayor Buddy Dyer joining the Mayors Against Gun Violence who would like to see the Second Amendment eliminated. Your office is the only defense that stands between the honest law abiding citizen and the bad guys. This includes any radical group who would do us harm. Some elected officials will abandon the voting public to satisfy one group in order to gain a few votes. As a 75 year old senior citizen I will find it very difficult to run away from a home invader or car jacker.*

*The Stand Your Ground Law "as written" is as close to perfection as a law will ever achieve. PLEASE do not take away the protective law that allows the citizens and voters to protect there property and lives. Law enforcement can not prevent crime, only investigate after a crime has been committed.*

*I look forward to your office for protection.*

*Lloyd E. Amburgey*

SYG - Support  
CAS Warren Wren

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUN 19 AM 11:11

2850 E. Sandrel Ct.  
Grand Rapids, MI 49505  
616-401-1353

12 May 2012

Governor Richard L. Scott  
State Governor of Florida  
Executive Office of Governor Rick Scott  
400 S Monroe St  
Tallahassee, FL 32399

Dear Governor Scott:

Thank you for your swift establishment of the review panel in the aftermath of the Trayvon Martin shooting. While most government action remains marginally sluggish, swift action like yours reassures me that government leaders can move quickly when necessary; however, a line must be drawn between appeasing an emotionally frenzied group of citizens' cries, and actually subjecting to such a group's demands, leading to the premature repealing of successful legislature. The legislature I am referring to is Florida's "Stand-Your-Ground" law, which has received national scrutiny due to Zimmerman's claim of self-defense in the tragic shooting. In the wake of this dissenting outcry against the law, I request that you, Governor Scott, along with your appointed review panel, stand your ground in its defense.

The "Stand-Your-Ground" law grants the right to defend oneself, thus alleviating citizens' past duty to retreat. Without this law, victims' fates lie in their aggressor's hands. Without this law, "you can't defend yourself...against a carjacker who's trying to drag you out of your car."<sup>1</sup> Without this law, the common citizen like Charles Podany, a man who tried to report a car that had sped through his neighborhood, would have been injured or killed. But with the "Stand-Your-Ground" law in place, Podany was able to defend himself from his drunk, violent attacker and not be prosecuted for it.<sup>2</sup> With this law, people hold control over their own lives, not the

---

<sup>1</sup> Hinkle, A. Barton. "Using Guns Preemptively in Self-Defense Helps Defeat Criminals." *Gun Control*. Ed. Tamara L. Roleff. San Diego: Greenhaven Press, 1997. *Opposing Viewpoints*. Rpt. from "To Some, It's No Fair Fighting Back." *Richmond-Times Dispatch* 29 Apr. 2005. *Gale Opposing Viewpoints In Context*. Web. 22 Apr. 2012.

<sup>2</sup> "Trayvon Martin and the Florida stand your ground law database Defendant Charles Podany and victim Casey Landes | Tampa Bay Times." Tampa Bay, Florida news | Tampa Bay Times/St. Pete Times . N.p., n.d. Web. 14 May 2012. <[http://tampabay.com/stand-your-ground-law/cases/case\\_120](http://tampabay.com/stand-your-ground-law/cases/case_120)>.

aggressor's, a fact proponents of this law, such as the expert on firearms policy, David Kopel, call common sense.<sup>3</sup> With this law, the citizens of Florida are granted a chance to live, thanks to their right to defend.

Though Florida's "Stand-Your-Ground" law saves lives by allowing victims the right to defend themselves, though common sense says that someone being attacked should be able to defend himself/herself without later being prosecuted for such defense, opponents have criticized this law since its passing in 2005. Opponents like Arthur Hayhoe believe the law grants a "right to commit murder." They think that it would be "very difficult, if not impossible, to prosecute [the shooter] regardless of the outcome."<sup>4</sup> Yet only now, in the aftermath of the Trayvon Martin shooting, a full seven years since its passing, the law is called into question. Why is this review occurring now? By utilizing the national, emotional uproar, opponents of this law finally can establish a reason to review this law. No actual evidence points to this need to review; George Zimmerman only claimed self-defense; he was not granted self-defense or any of the rights that come along with it. Thus, this need for review is baseless, without evidence.

In the face of an emotional frenzy, an appointment of a panel to review was the best course of action to soothe the people of Florida and the country. But now, as the panel proceeds through its examination, you Governor Scott must refrain your panel from altering the law. Evidence dictates that the "Stand-Your-Ground" law has no real reason to be reviewed; the rights granted allow victims the sensible ability to defend themselves. The reason for the review in general is only based off an emotional reaction to the recent tragedy of Trayvon Martin, which may not even apply to the law, depending on the courts ruling later this year. You, as the creator of the panel, and Governor of Florida, for the protection of the state's citizens, must stand your ground in defense of this just law.

Cordially,



William McGee

---

<sup>3</sup> Kopel, David. "Stand Your Ground' Laws Will Protect Crime Victims." *Gun Control*. Ed. Tami Roleff. Detroit: Greenhaven Press, 2007. Opposing Viewpoints. Rpt. from "Florida's New Self-Defense Law." [http://volokh.com/archives/archive\\_2005\\_05\\_15-2005\\_05\\_21.shtml](http://volokh.com/archives/archive_2005_05_15-2005_05_21.shtml). 2005. *Gale Opposing Viewpoints In Context*. Web. 15 Apr. 2012.

<sup>4</sup> Hayhoe, Arthur. "New "Castle Doctrine" is deadly and wrong." *Star-Banner* 2 Oct. 2005: 1. [ocala.com](http://ocala.com). Web. 29 Apr. 2012.

6/29/12

Print

Stand Your Ground  
CAS Warren

Subject: Recommendations for the Florida Task Force on Citizen Safety and Protection

Support

From: Robert Crandall (qualprint2@yahoo.com)

To: Rick.Scott@eog.myflorida.com;

Date: Friday, June 29, 2012 11:57 AM

To:

**The Honorable Rick Scott  
Office of the Governor  
The Florida Capitol  
Tallahassee, Florida 32399-0001**

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUL -3 PM 12:52

Upon request from the **Florida Task Force on Citizen Safety and Protection**, I have submitted some comments and recommendations that I believe will help to improve the Florida Castle Doctrine/Stand Your Ground Laws.

See attached file.

Please acknowledge that you received this e-mail and forwarded the attached file to the **Florida Task Force on Citizen Safety and Protection**.

Respectfully submitted,  
Robert C. Crandall  
2894 Lakeshore Drive  
Chester, South Carolina 29706-8641  
Cell Phone 321-297-6476  
E-mail qualprint2@yahoo.com

**Date:** June 28, 2012

**To:** The Florida Taskforce on Citizen Safety and Protection

**From:** Robert C. Crandall

**Subject:** Florida's Castle Doctrine/Stand Your Ground Laws

I took the opportunity to watch (via the [floridachannel.org](http://floridachannel.org)) the meeting of the *Florida Taskforce on Citizen Safety and Protection* held in Longwood on June 12, 2012.

After listening with great interest, I decided as a responsible member of the concealed carry community for the past several years to pass on my observations and recommendations regarding Florida's Castle Doctrine/Stand Your Ground Laws.

First a little background about me. I lived in Orange County, Florida from 1971 – 2008. I now live in Chester, South Carolina. I presently have concealed carry permits from **Florida and South Carolina**. I am also a member of the *NRA, Gun Owners of America* and the *United States Concealed Carry Association*. The purpose of have memberships in these various associations is to continue my learning to be a knowledgeable/skilled armed citizen who **believes in the right of self-defense**.

I also have taken additional training courses from certified self-defense trainers over the years to raise my level of knowledge and skill required to carry a gun.

I make time to read and understand the (and in some cases conflicting) gun laws in the states that I travel through or visit. I believe my years of training and experience qualify me to provide some observations and recommendations to the *Florida Taskforce on Citizen Safety and Protection*.

First, a few helpful facts.....**Every year, people in the United States use guns to defend themselves against criminals an estimated 2,500,000 times – more than 6,500 people a day, or once every 13 seconds.**

*Journal of Criminal Law and Criminology, Fall 1995*

**Every day 550 rapes, 1,100 murders and 5,200 other violent crimes are prevented by just *showing* a gun. In less than 0.9% of these instances is the gun *actually* discharged.**

*IBID*

**77% of crimes occurred in public places.**

*Criminal Victimization in the United States, U.S. Bureau of Justice Statistics*

**95% of the time, police arrive too late to prevent a crime or arrest a suspect.**

*This is 911....please hold, Witkin, Gordin, Guttman, Monika and Lency, Tracy.US  
News & World Report*

After reading these facts provided by [www.GunFacts.info](http://www.GunFacts.info), and the book, **More Guns, Less Crime** (Understanding Crime and Gun Control Laws) by *John R. Lott*, I decided to take the responsibility to legally and properly prepare to defend myself and my family should it become necessary.

Without stand your ground laws, the law abiding citizen cannot defend themselves against murderers, rapist and robbers. As Governor Rick Scott stated..... **“We are a nation of laws and I committed to letting our legal system work to ensure the people of our state are safe and protected.”** In that same spirit, I am writing to the Taskforce with the hope that the Florida legislature will not repeal the Castle Doctrine /Stand your Ground Laws.

Because Florida has been one of the pioneers in the legal arena concerning the Castle Doctrine/Stand Your Ground Laws, the Taskforce, in its wisdom, has encouraged citizens who will be impacted by changes to the existing laws to submit their observations and recommendations. Please consider my following observations and recommendations that I believe will contribute to improving self-defense laws and concealed carry permit requirements not only in Florida, but in all the other states.

My Observations/recommendations:

- The training required to receive a concealed carry permit varies from state to state. I would recommend a “standardized” written test to include justified use of force and other pertinent laws. Scenarios such a *shoot, no shoot* should be part of the training when applying for a concealed carry permit. The written tests, including shooting accuracy, need to be the same for all states. A passing grade must be achieved to receive a concealed carry permit.
- A mandatory class including a written test every 2 years for all concealed carry permit holders for the purpose of reviewing self-defense laws and/or changes to existing laws. (This will ensure that concealed carry permit holders will read the Castle Doctrine/Stand Your Ground laws.) The class would be conducted by state certified trainers and the cost would be paid by the concealed carry permit holders. **All permit holders must be required to read, review and understand self-defense laws.**
- I have read Florida, Georgia, South Carolina, North Carolina, Virginia, Indiana state statutes. In some instances, the statutory language needs proper definitions so that the laws can be clearly understood by the average citizen. As with most legal statutes, it is written in “legal speak” or vagueness which results in the possible misinterpretation or application of the laws. Some examples that need better definitions are: *Probable Cause, Unlawful Activity, Degree of Unlawful Activity, Disparity of Force.* \*  
*\*(I do understand that every shooting incident must be evaluated and ultimately judged based on the totality of the circumstances that existed at the time lethal force was used.)*

- Jury instructions vary from state to state. This causes great confusion for the jurors and has produced an injustice for the defendant in a self-defense trial.
- In my opinion, there are no problems with the Castle Doctrine/Stand Your Ground laws. The problem(s) is that many concealed carry permit holders have **not** read the laws. Too many shooting cases are going to trial that were **clearly** a case of self-defense. In some instances, Stand Your Ground laws clearly did **not** apply, but the lawyer used the defense anyway. A process must be put in place to decide what Stand Your Ground defense cases apply and those which don't.
- Finally, from a law abiding citizen's perspective, what is **most frustrating** regarding Castle Doctrine/Stand Your Ground laws, and Concealed Carry is that what is lawful in one state is a crime in another state. A **national** standardization for concealed carry permits and self-defense laws will go a long way to ensure justice is achieved when citizens must defend themselves. It is my hope that the **Florida Taskforce on Citizen Safety and Protection** will takes these observations and suggestions under advisement.

\*\*\*\*\*

Respectfully submitted by:  
Robert C. Crandall  
2894 Lakeshore Drive  
Chester, South Carolina 29706- 8641  
Cell Phone 321-297-6476  
E-mail qualprint2@yahoo.com

Chs Warren  
TFCS

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUL -2 AM 10:48

June 5, 2012

Lt. Governor Jennifer Carroll  
400 S. Monroe St.  
Tallahassee, Florida 32399

Dear Lt. Governor Carroll:

I am writing to you regarding the Stand Your Ground Law to address the committee you chair . I am 57 yrs. Old and have a situation with a neighbor , as does much of our neighborhood. We have a neighbor who the City of Tarpon Springs Police Department has designated as being a SIG 20 (probable mentally ill). As a result he is not confronted as other people would be for his actions. Some of which include a hangman's noose in his yard and a plastic lawn chair made up to look like an electric chair, with signs around them saying our City Manager's name and FBI and DEA and other organizations. He alleged to one neighbor that he believes there is a conspiracy by them and the Mayor to do something, but does not know what.

He cut the verizon box out of his back yard and threw it away because he just did not like it there, leaving four neighbors including myself with no phone for 2 weeks and no central alarm that runs through the phone line. ( we have since switched to satellite for better service but additional expense), He has confronted me as I walk my dog nearly hitting me in the face while I had a pressurized nose plug in my nose that was inserted by the Emergency Room to prevent nose bleeds I have had as a result of all this. (five visits to the E.R. 2 surgeries and a couple ambulance trips as a result of the stress he puts me through. He walks through yards and bothers other neighbors and drives a car much like a police car and has pulled up at various neighbor's homes and acted like he was the police. They won't call the police because they won't act on the problem.

Two weeks ago he parked his car in a new neighbor's yard and when the neighbor approached his he sped out of the middle of the yard. With the neighbor in pursuit behind. He was not caught but when he returned the neighbor confronted him and the person I am writing about pulled an axe on him, this was documented by Tarpon Springs in a Police report, but the man told the officer the helicopters from Mcdill told him to do it.

So along the way I went to a gun shop seeking to discuss getting a concealed weapon's permit, when I told the shop owner the situation he advised me against it because the neighbor is known to be crazy so the law will not look favorably on me if I shoot him. Then I was reminded about a case in Pasco County where a man was confronted by someone in a bar and was assaulted by the man and told him to go away that he was armed and had a bad heart. The man beating up the other man continued so the man getting beaten up shot and killed him. He was in jail for 2 years before being found innocent . Either way that man's life was ruined.

Yes there needs to be some changes to the law, but the law has become so in favor of the criminals that I have neighbors who are stating to me they have concealed weapons

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JUN 20 2012  
BY:

permits just in case. Had the law not gotten so skewed against people trying to live peacefully we would not need a law like this. In my situation I cannot physically compete with him due to my problem with nose bleeds and he knows it. I cannot nor can my neighbors get anything done with him, even though a police report states and he admits he pulled an axe on his neighbor. If you make it more difficult for those of us without a police detail to follow us anywhere we go then you will see good people getting caught up in a bad situation that may ruin their lives.

This has begun to look like those who are standing their ground are the criminals instead of what brought us all to this situation.

Criminals whether sane or crazy whether they put hangman's nooses in yards or other creative things, are also intelligent people and can take their craziness to a level they have determined will not get them into trouble but brings attention and excitement to them. In my situation my neighbor has now been given a right to pull an axe on his neighbors, what signal does that send?

Tim Keffalas  
205 Leafwood Rd.  
Tarpon Springs, Fl. 34689

A handwritten signature in black ink, appearing to read 'Tim Keffalas', written in a cursive style.

This file is used to establish the first record in the (counter) view with the arrival of a new year. This field is updated via agent at 1am on January 1st of each year. This removes the need to place error detection and diversion code in the number-assignment routine in the form to address when these views would otherwise be empty. (The last four digits of this number should be: 100000.)

Stand Your Ground  
CAS Warren  
TF CS

ANTONIO R. LONGORIA JR.  
POB 660234  
Miami Florida, 33266  
(786) 514-2908  
email: arlongoriajr@gmail.com

June 16, 2012

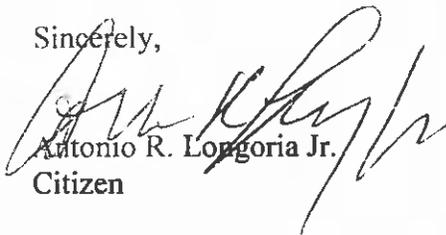
TASK FORCE ON CITIZENS SAFETY & PROTECTION

Attn.: Lt. Governor Jennifer Carroll  
400 S Monroe St  
Tallahassee, FL 32399

Madam Chair,

I am attaching a position paper regarding your quest to review the "stand your ground" law. I appreciate the opportunity to submit my analysis and recommendations. I am available to testify should any hearings be scheduled closer to Miami, Florida. However, this packet should contain the sum of my input.

Sincerely,

  
Antonio R. Longoria Jr.  
Citizen

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

12 JUL -2 AM 10:49

RECEIVED  
JUN 26 2012  
BY: \_\_\_\_\_

**HEARING TESTIMONY**

Submitted to

THE FLORIDA GOVERNOR'S "CITIZEN'S SAFETY AND PROTECTION" TASK FORCE  
ON FLORIDA STATUTES TITLE 46, CHAPTER 776

AN ANOMALY IN THE FLORIDA CONCEALED HANDGUN AND USE OF  
FORCE LAWS: DEFENDING THE FEDERAL AND STATE'S BILLS OF RIGHTS

*AN ANOMALY IN THE FLORIDA "USE OF FORCE" STATUTES AND CAUTIONS FOR  
FUTURE MODIFICATION OF STATUTORY REGULATIONS: A JURISPRUDENT APPROACH  
TO PROTECTING THE CITIZEN'S RIGHT OF SELF-DEFENSE IN THE WORST CASE  
SCENARIO AS ILLUSTRATED IN "A REAL MIAMI DADE COUNTY CASE STUDY"*

By

Antonio R. Longoria Jr.  
P.O. Box 660234  
Miami Florida 33266

On

June 10, 2012

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<b>A Real Miami Dade County Case Study</b>	<b>pg. 10</b>
<b>(Includes: Investigative Summary, Forensic Polygraph Results, Perpetrator Criminal History)</b>	

## EXECUTIVE SUMMARY

On Sunday May 6, 2012, Miami Dade State Attorney Katherine Fernandez-Rundle publicly reported on the preliminary hearing regarding Governor Rick Scott's "Citizen's Safety and Protection" task force" to review the Florida "stand your ground law". This task force's review comes amidst the backlash of the Trayvon Martin, Sanford Florida case. "The task force will review Florida Statutes Title 46, Chapter 776, which deals with justifiable use of force -- including the "stand your ground" provision, which allows people to use deadly force when they feel a reasonable threat of death or serious injury". At issue is the intent of the law, attempts to repeal portions of the law and re-assessment of the "stand your ground" concept. Ms. Fernandez-Rundle called the Florida "stand your ground law" an anomaly! She then stated the "task force" would be asking law enforcement for input and hold meetings throughout the state for public response. The common definitions of "a·nom·a·ly (n.)" are:

1. a deviation from the common rule, type, arrangement, or form.
2. someone or something anomalous
3. an odd, peculiar, or strange condition, situation, quality, etc.
4. an incongruity or inconsistency.

I agree with the Miami Dade State Attorney and her "anomaly" assessment but for different reasons. Since the format for public presentations will provide limited time for open testimony, heavy input from "law enforcement"—most of which is anti-CHL, the lack of "citizen's arrest" provisions in Florida, no "common law" references for self defense in Florida statutes, the impact of political liability on prosecuting "use of force" cases and the devastating potential for "social media" to destroy equitable "due process" for all persons accused of a crime, and the increasing misapplication of justice regarding persons who defend themselves, I submit a "real case" application of the "**worst case scenario**", in the anomaly of the current "stand your ground" legislation.

I make my recommendations regarding the anomaly in the law from the stand point of a "Police Field Training Officer, Police Firearms Instructor, former CHL use of force instructor and a court certified expert on organized criminal street gangs. The packet includes: Executive Summary, Affidavit of Fact, Qualifications of Affiant, Recommendations for Consideration, and A Real Miami Dade County Case Study. This presentation should be construed as a "civilian response" to "anti-gun" advocates and their attempts to disarm U.S. citizens by offering skewed statistical analysis of "use of force" cases by concealed handgun license holders. It is a response to those that seek to vilify "self-determined" people who want to protect themselves against a growing violent subculture of narcissistic predators. It is a response to sectarian efforts to manage social degeneration with legislation that curbs "civil rights" by staging "case law" and standardizing all "use of force" investigations, proceedings and outcomes.

At stake is the question of "when someone is required to "disengage" or "retreat from" a violent encounter or sequence of events leading to use of force. Inevitably the term "reasonable person" occurs frequently when dealing with use of force cases. As well, the assumptions that "prejudice, racism and bigotry" play no role in and that no one ever lies when presenting a scenario or testimony in "use of force cases". The elusive

“reasonable person” concept has to assume that all humans are equitable, unemotional and tempered. One only need to read about the rise in Nazi recruitment, Black Panther protests or jihad type groups remerging and realization sets in that some of these people could very well become CHL carriers. A “fear factor” stigmatizes all armed citizens as “looking for a fight”. “Reasonable person” assumes that everyone’s timeline for executing “fight or flight” instincts are uniform nation wide. Unfortunately, the speed at which most violent encounters occur and the mental gymnastics required to recall and mentally activate all components of “ever changing” use of force laws, provide an untenable task for providing a definition of the term “reasonable person” during such incidents.

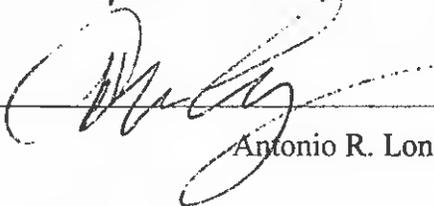
The Miami-Dade case study and the Treyvon Martin case are two of hundreds of similar Florida cases where incompetent or untrained law enforcement, over zealous, inexperienced and/or overworked prosecutors, malicious prosecution by vengeful or highly charged personalities, and loopholes in the laws can decimate the intent of statutory provisions. As well, these two cases demonstrate the delicate balance created for honorable, elected officials when faced with the potential for militant venting and protesting, nefarious media activity, and forced compliance with provisions provided for in the state and federal constitutions. The Treyvon Martin case raises the issue of the future impact of “social media protests” on the Bill of Rights for all cases involving “racially charged” shootings either by sworn personnel or “civilians”. The Miami-Dade case presented parallels the Treyvon Martin case by raising two issues, namely, (1) the need for “sealed grand jury” investigations of all “stand your ground shooting” cases prior to arrest, state wide and (2) the need for clearer definition of terms in the use of force law along with the addition of a “common law” review requirement for all pre-trial investigators, prior to the preparation of “Arrest Affidavit” so that “innocent until proven guilty” is forever protected and the right to make a citizen’s arrest where a felony is committed outside the “sight” of a sworn officer exists.

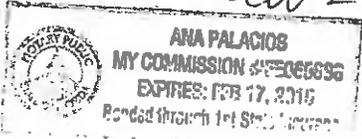
A handwritten signature in black ink, appearing to be 'C. E. Ly', written in a cursive style.

**AFFIDAVIT OF FACT**

I Antonio R. Longoria Jr. (Antonio R. Longoria Jr.)  
having personal knowledge of, without promise of remuneration and being of a sound  
mind do hereby solemnly swear under oath that the document "A REAL MIAMI-DADE  
COUNTY CASE STUDY" is true and based on a criminal case presented before the 11<sup>th</sup>  
Judicial Circuit, Section CF 71, Judge Dava J. Tunis. This case was expunged and sealed  
in accordance with Florida statute and the names, case number and defendant are omitted  
pursuant to court order. It is my testimony, that the material impact of this case on  
similar cases in the future must be considered, in matters before the "task force", since  
both exculpatory and prima facia evidence issues, the Rules of Evidence, defendant rights  
and due process, Arrest Affidavit processing, and the Code of Criminal Procedure are  
impacted by the injustice reflected in this case study, injustice resulting from multiple  
causes, including the anomaly in the current "stand your ground law".

Subscribed and sworn before me, under penalty of perjury, did Antonio R. Longoria Jr.  
sign below, this, the 18 day of June 2012.

Signature:  Date: 6-18-12  
Antonio R. Longoria Jr.

Ana Palacios  
  
ANA PALACIOS  
MY COMMISSION #FE066636  
EXPIRES: FEB 17, 2016  
Bonded through the State Treasurer

## QUALIFICATIONS OF AFFIANT

Antonio R. Longoria Jr. is a former Texas police officer with the credentials of Field Training Officer, Police Firearms Instructor, Expert Witness 413<sup>th</sup> Judicial District, and 155<sup>th</sup> Judicial District, Texas. He is a former recognized expert on criminal street gang behavior by the Texas Juvenile Probation Commission, Texas Youth Commission, Department of Education, University of Tennessee-Knoxville, Morehead State University-Department of Education, Criminal Justice Training Center-Weatherford Jr. College, Texas, United States Justice Department-Office of Juvenile Justice and Delinquency Prevention, The YMCA, The Boys and Girls Club, and numerous other agencies through out the United States. His last sworn office was held at the rank of Chief of Police of a Texas school district. From 1987-2002 he served in numerous sworn and civilian positions including a municipal gang intervention/prevention unit, an adult probation officer, half-way house supervisor for substance abusers and adjunct faculty at numerous colleges and universities. His area of specialization is the socio-pathology of “minority” criminal street gang members. He has conducted research and published numerous professional papers regarding the impact of “criminal street gang behavior and the social phenomenon of profiling”. Accompanying his law enforcement credential, Rev. Longoria has an earned B.A., M.Div., and has studied towards his Ph.D. in adult and higher education. Now retired, he is involved in an athletic scholarship assistance program for inner city “black and Latina” females from Miami Dade County Public School’s. He has been a resident of Miami Dade County for eleven years. He has been married for 34 years. He has served on the “Law Enforcement Advisory Committee (1991-1993)” for Congressman Joe Barton, U.S. HR 6<sup>th</sup> District. He has been involved in or directly responsible for numerous criminal investigations involving violent crimes and participated in “staffing and intervention meetings” for over 300 cases involving drug addicts, substance abusers, pedophiles and violent career criminals. From 1987 to 2000 he provided resources for relocation of witnesses for youth involved in “witness protection programs”, primarily those gang members cooperating with state prosecutors in the prosecution of major crimes.

## RECOMMENDATIONS FOR CONSIDERATION

The impact of an arrest on the “criminal history record”, personal safety, background fitness for working with children, and public record of those using justifiable force but who are still arrested can be devastating. Many persons are arrested without adequate probable cause and as a result of police error face economically crippling injustice even though their case is “nolle prossed”. Media hype, a form of profiling, has created a stereo-type of all self-defense cases as “vigilantism”. Each day new catch phrases are created such as “road-rage, racial profiling, hood-ees, going postal, etc.”. These trigger words and phrases pose catastrophic attacks on “civil rights” when accompanied with poor public relations or inexperienced law enforcement investigations. As this summary relates to the “stand your ground” law we therefore recommend the following:

- 1. Amend “776.031 Use of force in defense of others” and 776.032 Immunity from criminal prosecution and civil action for justifiable use of force-- by adding , (4) *“Where exculpatory evidence exists that a forcible felony has been committed against a person or when initial witness statements dispute allegations that a “forcible felony” has been committed outside the presence of a law enforcement officer, filing of “Arrest Affidavit” against persons holding a valid CHL shall be withheld until a grand jury shall have concluded that probable cause exists to indict, after the review of disputed allegations, witness statements and depositions in any felony case involving use of force.” A “grand jury” inquest shall be provided for all cases involving “use of force” where dangerous persons are identified, where under exigent circumstances, “stand your ground” becomes an evident defense--prior to the filing of “affidavit for arrest” by any police officer--and where there are disputable facts/testimony at the scene of a “felony use of force” incident.***
- 2. Amend 776.041 Use of force by aggressor-- by adding to paragraph 2; (c) *In good faith, (i) the person believes he has had a “forcible felony” committed upon his/her person and the assailant is attempting to flee, (ii) a “hit and run felony” has been committed against the person or any third party and the assailant is attempting to flee and (iii) the person could not disengage, withdraw or retreat because to do so would have immediately exposed an unarmed party to an aggressor believed to be armed and dangerous or (iv) retreat was untenable because of the repeated aggression of the assailant, the physical circumstances of a confrontation, and the sequence of events in a series of episodes leading to the use of deadly force.***
- 3. Amend 776.013 to provide for a more judicial answer to the question, “Did the defendant have the right to be there?” by revising (2) to read “ *...but the agency may not arrest the person for using force until a magistrate or grand jury determines that there is probable cause...*” thus requiring this matter be resolved by a judge at “stand your ground immunity hearing” and not by a police officer alone, prior to making an arrest of a suspect and recording that arrest with NCIC or FBI data base.**

**4. Other Recommendations:** (a) Include “statutory provisions” or modify the continuum of training for all Florida peace officers, laws not obvious to investigating officers, such as application of “common law” and the definition of “citizen’s arrest”, (b) provide judicious due process at all levels of government (loss of professional licenses, work status, seizure of personal property) to those not yet convicted of a crime and provide protection to “those choosing to use force” to defend life, liberty and personal property from “federal forfeiture laws” until final disposition in a case is reached, (c) provide a uniform “statutory rights provision” for “mitigation” of use of force cases which prohibits “social media” influence, requires prosecutors to use “notarized” arrest affidavits, notarized sworn witness statements and expands a citizen’s right to protect themselves against victimization by organized crime and “forcible felonies”, (d) require liability and legal defense insurance from those holding a CHL, (e) require state prosecutors to “nolle prose” a case where “at state request” a defendant passes a polygraph examination and psychological examination, where witness misconduct is evident or less than forthright at deposition and where “disputed facts can readily be articulated as disputed allegations” by a preponderance of available evidence. More so, where reasonable doubt exists because of police failure to properly elicit and record a suspects confession, where Miranda warning is suspect and where prior to arrest a victim or any witness statement(s) are amorphous and simplistic the case should automatically be reviewed for “misconduct and perjury” by a grand jury.

No legislation can “foresee” every possible social confrontation or interpersonal conflict situation that may arise in our society. Likewise, to not provide some level of legal precedent for self-defense would result in a Somalia or Uganda where lawlessness by rogue bands of armed thugs is uncontrolled. The “civil right” to protect oneself must be raised proportionate to the increase in victimization, potential for becoming a victim of “savy criminals” and police misconduct or error. The logarithmic growth of organized crime, the degeneration of the traditional nuclear family, the increase in substance abuse and the impact of substance abuse on normative behavior along with the potential for malicious prosecution must be guarded against. Excited deliriums, drunken ignorance, shaking baby syndrome, and magnifications in socio-pathologies and psychopathologies as a result of “crack baby” cases will continue to leave potentially dangerous people on the streets. Use of force laws must be modified to the benefit of law abiding people. Failure to do so will raise the economy surrounding “the criminal justice system to levels never before experienced and which will make a mockery of the existing judicial process.

As well, “outlawing” profiling is itself a very dangerous concept. Human instinct to “profile” is imbedded in women early in life with “rape prevention” programs. “Stranger danger” is a valuable profiling technique for children and has saved many lives. Police presence alone does not dissuade all crime. Police officers, security guards, neighborhood watch leaders and concerned citizens must have the freedom to execute instinctive responses to situations and be allowed to examine and inquire. The fact is that reading human behavior and environment are intrinsic to remaining “victim free” from some sort of catastrophe. Relying on police presence and response alone, for dealing with forcible felonies” is an unrealistic and foolish theorem that has proven time and again to be “a day late and a dollar short” in proportion to escalated levels of criminal activity.

Granted “quid pro quo” is a concept that everyone wants removed from any “use of force incident”, however, by and large the statistics regarding CHL carriers versus non-CHL carriers is that the ratio of vigilante responses to “forcible felonies” by CHL carriers are well below those of non-CHL carriers. Errors in use of force are much higher among non-CHL defendants than CHL defendants. This argument being mute, suggests therefore, that state law should expand the “rights” of law abiding citizens beyond what is allowed now. Whether they choose to be lawfully armed with “deadly weapons or not”, a law abiding citizen should not be penalized with an implicit assumption of “wrong doing” for using force when force was needed. The stigmatization that an armed citizen or police officer went out looking for an opportunity to use force just because they carry a weapon must be curbed. The Trayvon Martin case posed many problems that were the direct result of media interference in the criminal due process system. This “media trial” phenomenon must be stopped if the “rights and privileges” afforded under the Bill of Rights are to survive as we know them today. The “use of force” in this case was tragic and deadly. Assumptions were made that local law enforcement was not going to properly investigate this case. Outside agitators became involved in the natural venting of a grieving family. Media added unnecessary tabloid fabrications to an already dangerous social crisis. And, the defendant himself made stark, ridiculous and self-incriminating errors in judgment primarily the amorphous statements that riddled his credibility. These are very common to nervous, depressed and traumatized persons. Trained investigators can read these signs. Unscrupulous ones capitalize on the post traumatic stress of innocent defendants. Only a carefully orchestrated trial can ensure justice. Unfortunately, savvy lawyers have created a system that is not just—it is—a model for ensuring equitable due process. Unfortunately, it is not the evidence that exists that becomes the focus, but, the evidence that is admitted into trial. Even being found “not guilty” does not indicate “innocence” under this system. A defendant is always “guilty until proven not guilty”. This is the unfortunate part because some defendants have great remorse after using justifiable deadly force and can never express or bring emotional closure by grieving with society and the families of all parties involved over the loss of a human life, a sacred right afforded to humankind alone. To do so, just saying “I am sorry...” becomes another dangerous move, one that will elicit suspicion in the minds of the public. To stay silent makes the defendant seem heartless, calloused and suspicious. To exercise “right to remain silent” is immediately interpreted as “an indicator of guilty”. The anomalies in the “use of force laws” therefore require more than statistical probing, but careful “qualitative analysis” of each use of force case to ever exist.

A handwritten signature in black ink, appearing to read "A. G. S.", written in a cursive style.

# **A REAL MIAMI DADE COUNTY CASE STUDY**

Submitted to

THE FLORIDA GOVERNOR'S "CITIZEN'S SAFETY AND PROTECTION" TASK FORCE  
ON FLORIDA STATUTES TITLE 46, CHAPTER 776

AN ANOMALY IN THE FLORIDA CONCEALED HANDGUN AND USE OF  
FORCE LAWS: DEFENDING THE FEDERAL AND STATE'S BILLS OF RIGHTS

*AN ANOMALY IN THE FLORIDA "USE OF FORCE" STATUTES AND CAUTIONS FOR  
FUTURE MODIFICATION OF STATUTORY REGULATIONS: A JURISPRUDENT APPROACH  
TO PROTECTING THE CITIZEN'S RIGHT OF SELF-DEFENSE IN THE WORST CASE  
SCENARIO AS ILLUSTRATED IN "A REAL MIAMI DADE COUNTY CASE STUDY"*

By

Antonio R. Longoria Jr.  
P.O. Box 660234  
Miami Florida 33266

On

June 10, 2012

INVESTIGATIVE SUMMARY

(WITH EXHIBITS)

COPY

PRESENTED TO:

[REDACTED]

REF: FLORIDA

[REDACTED] E # [REDACTED]

BY: BILL O'CONNEL, (CAPTAIN OF POLICE-RETIRED)

DATE: OCTOBER 8, 2010

September 13, 2010

FLORIDA [REDACTED]

Attn.: [REDACTED]  
[REDACTED]

Tallahassee, Florida 32399-0400

RE: Case [REDACTED]

4

Please consider this letter an irrevocable letter of professional recommendation for [REDACTED]. It is my understanding that you are conducting proceedings regarding [REDACTED]. At question is [REDACTED]'s fitness to be [REDACTED]. (See Attachment #1)

As part of your proceedings, my professional recommendation is that you discredit and exclude any testimony or record provided by Damian Diaz, Officer [REDACTED], Detective [REDACTED], Angela Bergamo and [REDACTED]. In a preliminary phone interview you asked Mr. [REDACTED] if he rammed Mr. Diaz' auto. The results of Mr. [REDACTED] polygraph exam must be seriously considered by your agency regarding the timeline and actual events as they occurred on the night in question. I have reviewed the packet sent to Mr. [REDACTED] by your office and it is clear that the only information you have to base your decision on is the inadmissible evidence that caused this case to be suspect and resulted in the only "Court Options" settlement in Miami Dade County history for charges of this magnitude. I am therefore sending you my Investigative Summary and other information that must be considered. All of the alleged witnesses have been impugned. The majority of the names listed on the document labeled "Progress Docket", for subpoena, are police officers responding to the 911 calls and have no material testimony in this case.

On May 27, 2010 after exhaustive work on this case, without consulting Mr. [REDACTED] first, Mr. [REDACTED] attorney accepted a "Court Options" settlement of his case. This should not be held against Mr. [REDACTED].

I have reviewed the letter dated November 8, 2007 sent to [REDACTED]

[REDACTED] Please note the dates on these notices. They occur a month after this event. Mr. [REDACTED] resigned in an act of "good conscience" [REDACTED] the day after his arrest. He did so at his own volition and this is cited in multiple documents related to your case. [REDACTED] can attest to this.

Any conclusions that render suspicion on Mr. [REDACTED] innocence should be dismissed because of five mitigating factors that forced Mr. [REDACTED] to accept a Court Options settlement of his case: (1) Mr. [REDACTED] was and still is severely ill and he could no longer work to support his legal fees (2) Mr. [REDACTED] exemplary witness [REDACTED] was sent into combat theatre in Afghanistan with the U. S. Air Force and would not be available for trial. In fact, his testimony was convincing collaborative evidence for the most recent move to dismiss the charges against Mr. [REDACTED] (3) Mr. [REDACTED] second exemplary witness, Dr. [REDACTED] passed away in January and his medical testimony would not be allowed into evidence (4) Police mishandling of physical evidence and a poor crime scene search made it difficult for credible forensic scientists to provide expert testimony in this case. (5) Mr. [REDACTED] first attorney of record had already mitigated the case and to proceed would have jeopardized Mr. [REDACTED] complete defense strategy. This attorney entered into mitigation without communicating with Mr. [REDACTED] private investigator and not realizing there was other evidence to present to the state attorney. Mr. [REDACTED] second attorney moved for pre-trial intervention at his sole discretion. On May 27, 2010 after exhaustive work on this case, without consulting Mr. [REDACTED] first, Mr. [REDACTED] attorney accepted a "Court Options" settlement of his case.

Sincerely,

[REDACTED]  
Bill O'Connell

Captain of Police (Retired)

Expert Witness for the Defense Case #: F [REDACTED]

## **Investigative Summary**

Case #: F [REDACTED]

### **Qualifications of Expert Witness**

I am a court certified expert on gangs and criminal street gang activity. I am retired now from the Hialeah Police Department. I retired at the rank of Captain of Police badge #0540. I administered the Hialeah Police Department Gang Unit for over 20 years. I investigated over 5,000 criminal cases in my career. I am a professional consultant and special witness in cases for the state when called upon. In this case, I am cited and accepted by both the state and defense counsel as "expert witness of record" for the defense. My areas of specialized study are "use of force", gangs, juvenile delinquency, juvenile dependency, juvenile sex crime and burglary tools..

### **Investigative Process**

On September 31, 2007, I was notified by a law enforcement associate of the arrest of a former law enforcement officer. Pursuant to "statutory protections" I cannot divulge the nature of those conversations. However, I recognized the criminal organization and names of participants who were the complainants in the state case F [REDACTED] and later B [REDACTED]. I also had personally trained the Sunny Isles Police Department (arresting agency) staff in the past. Their arrest affidavit and case number was [REDACTED]. As part of my duties while in office I helped prosecute criminal gang related cases in Miami Dade County. I worked closely with [REDACTED] the gang prosecution unit for the Miami Dade County State Attorney's office. I met with [REDACTED] and advised [REDACTED] of my findings. It was his recommendation that this case be dropped back in 2007. However, due to political reasoning, the state attorney, Katherine Fernandez-Rundle has established a policy that a matter such as this must go to a jury.

Subsequently, at the request of Mr. [REDACTED] counsel, I investigated the due process given to this case. I investigated the arrest affidavit, and all matters related to the arrest of [REDACTED]. I found the arresting documents and investigative process to be profoundly incompetent. I found the witnesses to be untrustworthy and suspect. I therefore personally arranged for Mr. [REDACTED] to take a polygraph exam with the most noted and respected "examiner" in the region. This forensic examiner's work is impeccable and is one of a hand full of examiners that the state attorney uses for all homicides and violent crimes. He also is a retired Miami Dade County homicide detective and is an expert witness in both state and federal court. His conclusions were so determined that he offered to testify for free in this case on behalf of Mr. [REDACTED] (See Exhibit #1-Polygraph)

### **Conclusion of Our Pre-Trial Investigation**

It was our conclusive professional opinion, after the polygraph, and examining the testimony of competent witnesses that (1) irrefutable testimony was left out of the preliminary investigation in this case, (2) the officers who conducted this investigation flawed in conducting proper witness questioning and securing the crime scene, (3) the lead detective failed to secure proper affidavits and question any witnesses giving support to Mr. ██████ version of events, (4) the case was wrongfully racially profiled as "road rage" and retaliation, (5) the primary objective for arrest became clear, namely, "forfeiture seizure" motivated-See Exhibit #5, (6) the arresting officer failed to properly search the alleged victim's person, personal property and route for firearms, (7) the arresting officers violated Mr. ██████ Miranda warning rights, (8) the arresting officers and original state prosecutor ██████ failed to conduct a throughout background investigation on Damian Diaz and Angela Bergamo prior to taking the matter to arraignment, (9) the arresting officers failed to consider Mr. ██████ injuries (See Exhibit #7) during the "hit and run" prior to making an arrest in his case and failed to review the statutory right to pursue a felon by a citizen.

### **Opinion on the Defendant's Use of Deadly Force**

In my professional opinion, Mr. ██████ had no alternative but to use justifiable deadly force to defend himself from a well known armed member of the Latin Disciples gang. Every component of trustworthy evidence points to the conclusion that Mr. ██████ a highly trained police firearms expert, and having absolutely no criminal record or recorded history of violence and exemplary citizen was the victim of a staged "insurance scam" that went wrong. Mr. Diaz was the aggressor and initiated a felony crime by backing up in traffic, after slamming his brakes numerous times against numerous vehicles, but failing to cause the accident he and two other vehicles were staging. Because Mr. ██████ had committed a felony by leaving the scene of an injury accident, having demonstrated he was armed initially and then attempting to ram ██████ vehicle, at common law Mr. ██████ was entitled to prevent his escape. Mr. ██████ was a raging monster and attempted to ram numerous vehicles during his attempted escape threatening the fragile life of a twenty day old child in ██████ vehicle and multiple adult family members in the same vehicle. Mr. Diaz also endangered Ms. Bergamo and her son. Based upon all credible written evidence, Ms. Bergamo, under duress and later in order to protect herself from criminal liability testified falsely in this case. Careful reading of all witness testimony reveals things such as Mr. Diaz admitted he got out of his car first. He then changed his story and stated Mr. ██████ got out of his car and was cursing at him and threatened him with a gun, leaving out the first incident in a series of events when speaking to a different law enforcement official. All of this occurred in the dark, and it is clear that neither Angela Bergamo nor Damian Diaz saw Mr. ██████ face until Mr. ██████ was placed under a light, in handcuffs, by his ██████ and Ms. Bergamo identified him as the suspect. All of these are a matter of record. What is clear is that in defending himself and his family, with a firearm aimed at him and at the point of fearing for his life, Mr. ██████ was forced to use "deadly force". In my professional opinion, he did so in compliance with state law.

### **Summary of Evidence in Question and Impugned Witness Testimony**

The Latin Disciples gang is notorious for violence and racketeering. They are known nationally and specialize in the use of "Saturday Night Specials" or "throw away guns" in the commission of crimes. Usually the weapons are small semi-automatic weapons .380 or .22 caliber that can be easily hidden or thrown away. It was clear that Mr. Diaz drove over two miles after Mr. [REDACTED] disengaged and may have thrown his weapon away. I identified Mr. Damian Diaz as a full member based upon my training and experience. I also contacted confidential law enforcement personnel that confirmed my conclusions. I reviewed Mr. [REDACTED] criminal history and the record of assaults and traffic incidents is profound, both as a juvenile and adult. (See Exhibit #2)

Mr. Diaz is currently on probation for DWLS and Mr. Diaz is recorded as a long standing leader and member of this criminal street gang by the Hialeah Police Department, the Hialeah Gardens Police Department and the Miami Dade County State Attorney's Office. A key state witness, Ms. Angela Bergamo filed a domestic violence claim and affidavit requesting a restraining order (#2007-039360) against Mr. Diaz five days after the September 2007 shooting incident. (See Exhibit #3) The cause of the restraining order against Mr. Diaz involved a confrontation where Mr. Diaz came to Ms. Bergamo's work and threatened to kill her. Ms. Bergamo was also using an alias that was not detected by the state attorney and which showed she had multiple traffic incidents and was being sued for one. In deposition, she and Mr. Diaz were caught lying under oath about various events and matters of fact related to this case. Ms. Bergamo is known to be a battered common law wife and has testified she is afraid of being killed by Mr. Diaz in the past. This severely crippled the state case. Mr. Diaz is known to have Ms. Bergamo and his child in his van while committing crimes. (See Exhibit #4)

Then another alleged witness, Mr. [REDACTED], while under deposition was caught embellishing his testimony, changed his testimony and it was clear he could not even identify Mr. [REDACTED] was at the scene of this event or the clothing Mr. [REDACTED] was wearing. Mr. [REDACTED] clothing was visible on police records and intake photos. The police report itself contested much of Mr. [REDACTED] conclusions. Mr. [REDACTED] testimony appeared rehearsed and inconsistent. His testimony was suspect and it was clear he fabricated some of his original testimony or was inebriated during this incident and could not be a credible witness. Mr. [REDACTED] was approximately one mile away from the shooting scene and witnessed the events at night. Still, the state attorney's office wanted the matter to be settled by a jury. Mr. [REDACTED] was in and out of medical treatment and was getting very sick. Again, every effort had been given to getting the case dismissed to no avail.

### **Impugned Police Records and Testimony (See Exhibit #7)**

Detective [REDACTED], while under oath in deposition, refused to cooperate with questioning and alleged he could not remember anything about the case. He was clearly defensive. He denied the existence of "field notes" and other investigative materials. His testimony was contradicted by a key state witness, "[REDACTED]" who testified that Detective [REDACTED] had instructed him and had kept notes of his testimony. Detective [REDACTED] did not know Mr. [REDACTED] as a former police officer until after Mr. [REDACTED] had been in custody and questioned for over an hour, in violation of law. Detective [REDACTED] misrepresented the timing of the Miranda waiver Mr. [REDACTED] signed leading the state prosecutor to believe it was given seconds before Mr. [REDACTED] signed it. In fact, the waiver was not signed until Mr. [REDACTED] had been arrested, transported, refused medical treatment and held in handcuffs for over an hour. Mr. [REDACTED] being an experienced law enforcement officer signed the Miranda waiver after Detective [REDACTED] threatened him with arrest and after multiple officers questioned Mr. [REDACTED]. Detective [REDACTED] continued asking Mr. [REDACTED] questions even after Mr. [REDACTED] invoked his right to counsel. Detective [REDACTED] took multiple statements out of context, used one word from here and another from there and paraphrased statements that gave substance to the "arrest affidavit" and probable cause to arrest. This was later disclosed by other officers in deposition, the testimony of [REDACTED] and [REDACTED]. Detective [REDACTED] likewise cited that Mr. Longoria stated his son was not at the scene and that in his narrative stated [REDACTED] had no other comments to make about the incident. These were both proven to be untrue. The fact was established during the state's deposition of [REDACTED] that Detective [REDACTED] refused to take any favorable witnesses statements regarding this incident the night of Mr. [REDACTED] arrest. [REDACTED] was an eye witness and was less than twenty feet from the shooting. There was also a black, 2005 Audi at the scene of the shooting. No effort was ever made to identify this driver and Detective [REDACTED] called this witness irrelevant. Detective [REDACTED] told [REDACTED] that he could not receive any testimony by family members who were at the shooting scene. No record exists of any of the numerous witnesses who were feet from the shooting scene. The only witnesses the police officers introduced to the state attorney were people who saw an alleged chase and those that heard shots. Ms. Bergamo even stated as noted in the arrest documents that she heard the shots and saw the flash.

Officer [REDACTED], in all probability to assure an arrest, cited "spontaneous utterances" made by Mr. [REDACTED] that never occurred. His arrest report was written after the error in arresting Mr. [REDACTED] had occurred and he and Detective [REDACTED] found out Mr. [REDACTED] was a highly trained police firearms expert and former police officer. This is established by the time notes on Angela Bergamos affidavit, Mr. [REDACTED] Miranda sheet, Sunny Isles Beach police transport records and jail intake records. Detective [REDACTED] asked Mr. [REDACTED] about his law enforcement credentials for a reason.

An Officer [REDACTED] also testified before the state prosecutor under deposition the same day as Officer [REDACTED]. Officer [REDACTED] was closer to Mr. [REDACTED] than Officer [REDACTED] at the point of conducting a felony stop and arresting Mr. [REDACTED]. Officer Martinez transported Mr. [REDACTED] not Officer [REDACTED]. During this time Mr. [REDACTED] was handcuffed and questioned at length. Officer [REDACTED] stated under oath that Mr. [REDACTED] only cited the license plate number of the van that had hit him and that he

feared for his life. The polygraph clearly shows that Mr. [REDACTED] was mis-quoted and that Officer [REDACTED] fabricated these statements. Without these incriminating "spontaneous utterance" statements Officer [REDACTED] and Detective [REDACTED] would become civilly liable because they would have lacked enough probable cause to arrest Mr. [REDACTED]. "Spontaneous utterances" are at the root of "probable cause" to arrest someone under Florida law, under these circumstances.

Mr. Diaz has a history of using his vehicle as a weapon, fleeing the scene of an accident, backing into traffic accidents, aggressive behavior and resisting arrest. (See Exhibit #2) In my professional opinion he is a seasoned criminal with a profound knowledge of the criminal justice system and how to manipulate it. He has intimidated witnesses in the past and has been able to avoid long term incarceration to this date. The gang he belongs to has used "auto insurance fraud" in the past as an enterprise and has been under surveillance for years for drug trafficking. These gang members are known to willingly use any means, including their children and families, to commit crimes. They use any means to increase their potential insurance settlement and band together to fabricate false witnesses. Much of these matters are protected law enforcement information and cannot be divulged.

Signed this the 8 day of OCT, 2010.

[REDACTED]  
Bill O'Connell, Captain  
Court Certified Expert Witness 11<sup>th</sup> Judicial Circuit

[REDACTED] – Forensic Polygraph Examiner  
Criminal - Civil - Commercial - MDSO - Domestic - Pre-Employment  
Federal & State Qualified Expert Witness  
APA – FPA – AAPP  
Professional Services Since 1981

July 15, 2009



Servicios Internacionales

[REDACTED]  
Attorney at Law  
[REDACTED]  
[REDACTED]

Miami, Florida 33133-3772

**RE: Polygraph Examination of Mr. [REDACTED]**

Dear Mr. [REDACTED]

At your request a Polygraph Examination was administered to [REDACTED] on June 02, 2009. Prior to the Examination the Examinee provided his written consent and voluntarily submitted to the Examination.

**Background:** This is a case synopsis, for detailed case information please refer to the associated investigative reports. Information regarding the allegation against Mr. [REDACTED] was provided by counsel by consultation regarding the allegations and issues. Also provided were the associated Arrest Affidavit, Offense Incident Report and the Incident Investigative Reports filed by the Sunny Isles Beach Police Department.

On September 22, 2007, as indicated in the several reports Mr. [REDACTED] was charged with Aggravated Assault with a Firearm, FS 784.021. Mr. [REDACTED] was involved in a roadside altercation with another driver, Mr. Damian Diaz, who had a passenger on board his van, Ms. Angela Bergamo. During that incident Mr. [REDACTED] using a handgun, was said to have fired it twice at Mr. Diaz. There were no injuries.

[REDACTED]  
Office: [REDACTED] Fax: [REDACTED] 3  
E-mail: [REDACTED]

**[REDACTED] – Forensic Polygraph Examiner**  
**Criminal - Civil - Commercial - MDSO - Domestic - Pre-Employment**  
**Federal & State Qualified Expert Witness**  
**APA – FPA – AAPP**  
**Professional Services Since 1981**

According to Mr. Diaz there was a roadside verbal altercation that involved Mr. [REDACTED] chasing after him in his [REDACTED] pickup truck. Mr. [REDACTED] was driving alone. However, according to Mr. [REDACTED] his son and his son's family were in the area at the time. According to Mr. [REDACTED] statements to counsel he was acting in defense of himself and his family because of what he described as threatening actions by Mr. Diaz toward him and his son who was following along with him at the time the incident developed.

Mr. [REDACTED] advised counsel that when he shot at Mr. Damian Diaz he did so in self defense. Mr. Longoria stated that he was threatened with a hand gun by Mr. Diaz more than once during the incident and only acted in self defense.

Mr. [REDACTED] asked to be given a Polygraph Examination in an effort to clarify his version of events, that he was acting in self defense when he fired at Mr. Damian Diaz.

\*\*\*\*\*

**[REDACTED] – Forensic Polygraph Examiner**  
**Criminal - Civil - Commercial - MDSO - Domestic - Pre-Employment**  
**Federal & State Qualified Expert Witness**  
**APA – FPA – AAPP**  
**Professional Services Since 1981**

**Pre-Test Interview:** The case was reviewed with Mr. [REDACTED] in detail on June 01, 2009. Mr. [REDACTED] stated that he only acted in self defense and had no malicious intent.

Mr. [REDACTED] related that just before contact was made with Mr. Damian Diaz who was driving a white van at the time, that he had just driven away from his daughter-in-law's house in the area of 74<sup>th</sup> and Collins Avenue. He explained that his son followed with his family in his car, a black 2006 Audi A4, which was occupied as well with three other family members. They were all intending to go out to dinner at Houston's in Aventura.

Mr. [REDACTED] said the first incident that came to his attention occurred as he drove across the Haulover Bridge he saw a white van slamming on its breaks in front of other traffic. Further ahead he said the van again slammed on the breaks in front of his son's car and he, the son, had to swerve to avoid a collision. Mr. [REDACTED] said he became fearful at that point that his son and family were serious danger. As they drove on the white van continued it reckless maneuvering. Mr. [REDACTED] said that during this time he grabbed his cell phone and attempted to call 911 for police assistance.

At this point Mr. [REDACTED] was asked to continue as this Examiner took a dictated statement from him as follows:

**Question:** "Tell me what happened next?"

**Answer:** "Ah at that point I'm trying to call 911 and I'm trying to see where I'm at and I noticed two car on either side of, at least I saw headlights, so and at that point I'm trying to call 911 and trying to find a fixed location that I can call in, at this pint um, I lowered the passenger side window, and Diaz jumps out of his van opens the driver's side door, he walks around flailing his arms screaming 'Get out

**[REDACTED] - Forensic Polygraph Examiner**  
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of the car get out of the car mother fucker' type stuff, ah during this tirade he does what we call 'staking' like this pulling on his shirt like gang members do, and then he 'throws up a set' like this like he's got an upside down crown, and he's still yelling 'Get out of the car', I immediately think this is a carjacking, looking to the right of the van, cause I thought someone was coming out from the right side, an all of a sudden, he's standing there and says 'I got something for you mother fuck', and pulls something out of the van with his left hand, ah, he could from about 25 feet, I never moved my truck, I put my truck in park, my window was still down, I remember yelling 'Get lost dude' or something like that, I thought about running over him **when he was aiming the gun at me**, or whatever it was, at that point, um, I also thought about shooting through the windshield, but by the time I decided to pull my weapon, the aggression had stopped at that point, ah Florida law went through my mind real fast you can't shoot from an occupied vehicle, and I didn't want to get in trouble for something like that, um, at that point, **Diaz backs, I hear the rear tires squeal**, and instinctively I tried to put my truck in reverse, but I didn't react fast enough, and I had applied the brake instead of the accelerator, and he **rammed my truck**, during that ram I turned my head because I didn't know what was going on, I **felt impact in my leg**, and I was **really stunned, jarring boom boom**, um, ... at that point um, in a split second, **he put his car, ah his van into drive and he takes off**, in the center lane, during the impact, my cell phone fell out of my hand, in between the seat and the console, I sat there dazed, saw stars, and I tried to retrieve my phone, for seconds, for a matter of seconds, I saw him pulling away, I yelled 'Jesus', for whatever reason, my son, ah, in his Audi, had pulled into the turn lane, of the Oceana Tower, on s Sunny Isle Beach, Diaz then, well the van that he was driving, swerved into the left hand lane, and then swerved into the turn lane, and **what appeared he was trying to hit my sons car, my son swerved and made a violent u-turn to avoid him**, and in so doing, appeared to hit the curb on the south side of Collins, the south bound lanes of Collins, **Diaz maneuvered a u-turn and almost hit another black car**, that looked like and Audi coming out of the Oceana entrance, sigh, ..., um, immediately after his u-turn, the van driven by Diaz again tried to hit my sons

**[REDACTED] – Forensic Polygraph Examiner**  
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car, the violent maneuvering, lead me to believe that my sons car had been hit, I was worried about my 24 day old granddaughter, I remember saying 'Oh God no', I saw my son wave, and something said just, go, help him, my son was following Diaz, they were both going south bound, and all I could think of was to help him, ... sigh, I felt that if I could create separation, or attract attention from him that my family would be okay, so I accelerated my [REDACTED], followed the path they made the u-turn at, in front of Oceana, and as I'm going north and coming south, I mean as I'm going north and my son is coming south, I yelled 'Call 911', I yelled at my son 'Call 911', I then, ah, accelerated, passed him I believe, and Diaz got back to the red light where everything had started, he runs the red light, and makes a violent u-turn, and then racing up north bound on Collins, I couldn't see my son at this point, and I followed Diaz in the van, at a distance, but at a high rate of speed, he um, comes to a another red light, makes a left handed turn, on to the service road, I believe it's the service road to Memorial Bridge or maybe 826, ah, makes a left handed turn in front of a bus, a city bus, um, and, I had activated my emergency lights and was honking, and I followed him, at this point I see a black car, which I thought to be my son, pass on the right side, I said something like, 'What's he doing', 'cause I was going to let Diaz go at that point, Diaz, was driving at a high rate of speed, so I accelerated, ..., as we ah, ... I'm not sure how to word it, at that intersection, there is a tall, a huge access ramp that comes down to 826 to become Memorial Bridge Boulevard, there's ah, there's ah concrete barrier that divides that ramp from the service road, Diaz, ah, stops at the end of that concrete ramp, at that concrete barrier, and for whatever reasons, tries to make a u-turn, going, trying to go the wrong way, on a one way service road, ah, he's going too fast, loses control of the van, tries to make a u-turn a left handed u-turn, and collided with a concrete barrier on the southern most side of the road way, his van appears to stall, it's at this point that I am also coming at a high rate of speed, and, ..., and I came right up to his, well I decelerated trying to avoid a collision, ..., and my driver's side, bumper, was at ah, point ah, ... almost 18 inches from his rear driver's side bumper when I stopped, when I finally stopped, ah, in, in the deceleration process, my truck stalled, and I

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couldn't stop it and I couldn't steer it, there were car lights everywhere, and I was afraid I was going to get rammed, I could see ah, headlights coming down off the ramp, and I believe a car was on my left side, I briefly observed a car that looked like my sons car, a black car on my right side, and it was blocking, Diaz from going right, he still had space, and I never made contact with him, at that point, I had an angle, and could observe Diaz driver side movements, he made a motion, as if he was aiming a pistol at me, ah, his left hand was on the steering wheel, and he crossed over with his right hand, ah he smiled, and showed what we call 'grills', gold teeth, at that time I feared for my life, my son was un armed, and I feared for my family's life, he then started the van, in a matter of seconds, and couldn't turn the steering wheel, because he was still pinned to the wall with his front bumper, and I could see the flash of, of what I believed to be a gray or silver colored pistol, as he was trying to turn the steering wheel, at that point I grabbed my pistol, out of my fanny pack, because I believed he was armed, he had demonstrated a willingness, to ram my sons car, and to aim an object I believed to be a pistol at me, ah, I feared for public safety at that point, he had run red lights, almost hit a bus, and I thought he was drunk, he put his van in gear, in reverse, and began ramming my truck, during this process, I had accidentally put my truck in neutral, and he pushed it back, about 4 feet, I hit my brake, and the movement stopped, he pulled forward, in a split second, you could hear his gear grinding, where he went from first to reverse to forward to whatever gear you hit, he appeared to hit the wall again, he ah, pinned himself again, put it in reverse and then rammed my truck a second time, as he struck my truck a second time, he again made that motion where he brought what I believed to be a pistol over his left arm, this time I had succeeded in putting my truck in park, and I took cover behind my driver's side door, ah, I had my pistol, at the ready near my face in this fashion, in a tactical fashion, I think I yelled 'Stop', I was afraid I'd to get rammed by what I saw lights on the left side, I didn't feel I had any where to run, um, ... after the second impact on my truck, he turned enough, that he was able to clear the barrier, but you could see sparks, where the van was scrapping against the concrete barrier, the right side was scrapping, the

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passenger side, I'm sorry, um, ..., I tried to move backwards, but, the second impact and the bouncing of the truck slammed the driver's side door into my leg, everything's happening in split seconds, I fear I'm gonna get pinned, then for the third time Diaz aims the object pistol, in my direction, ..., and again smiles, with his 'grills', this time he held this position, and made me fear of imminent death, I tried to dive to my left side, and discharged my weapon, ..., I fired two rounds, ..., the second was a recoil, it was in a manner I was trained in the police academy, in the instant of discharge, splits seconds after, the door hit my leg, I saw a silhouette of blond hair, it was the first time, I knew someone else was in the van, I feared for their safety, and in a split second knew I didn't have a clear line of sight, I had a clear line of sight for a head shot, but chose not to take it, when the weapon discharged, the projectiles went in a southerly direction, and I believe I heard them strike a concrete wall, the muzzle flash blinded me, and the loud noise from the discharge, started ringing in my ears, Diaz then put whatever it was in his right hand down, and accelerated, I jumped back in my truck, couldn't start it for a second, and I saw a black vehicle move in Diaz direction, I thought it was my son, I put my vehicle in drive and followed Diaz, the wrong way, on the south side of the service road, behind [REDACTED], I observed no on-coming vehicles, and then Diaz made another u-turn, under and overpass, and again went west bound on Memorial Bridge Boulevard, he took off at a high rate of speed, I had to yield for traffic, and all I could think of was getting his license plate number, I believed he had committed a felony on me, and felt I had the right to get his license number, my cell phone was lodged and I could not retrieve it, Diaz, traveled approximately a half a mile, and after crossing over the Memorial Bridge, came to a stop light, there was heavy traffic and it delayed him, I gave me enough time to catch him, I traveled at a high rate of stopped, but the road was clear, there were no other vehicles in front of me or behind me, I was able to get the license plate at that stop light, Diaz pulled on to the median divider and ran the stoplight, the stoplight had a left turn signal, I proceeded through the stop light, with my emergency lights on and pulled over to the right, it was then that I noticed, a police emergency vehicle click on his lights, I sat in my truck and waited, ... um,

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E-mail: [REDACTED]

**[REDACTED] - Forensic Polygraph Examiner**  
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at that point the police cruiser came in behind me, stopping about 50 feet from me, I, I got out of my truck, I tried to flag the officers to where Diaz had gone, I recognized immediately, the officers were conducting a felony stop, could not hear them, but I knew by the demonstration, of weapons, that I needed to lay on my stomach, I laid on my stomach, spread my hands out, and my feet out, as I was trained in the academy, as, as the two officers approached, .. I called out the license plate number multiple times, I'm, immediately was handcuffed, and and an Officer [REDACTED] stomped on my right hand, and I can't remember right now what happened, I'm getting tired, ... Officer [REDACTED], ..., called on his radio, and stated I got the shooter, I got the shooter, he then asked me where my pistol was, I advised him that it was on the fanny pack of the seat of my truck, ..., ah, ..., trying to remember, ..., he ask me if I had shot someone or something to that nature, I was disoriented, dizzy, my ears were slightly ringing, they were swollen inside, I had a terrible pain in my leg, in my right leg, ah Officer [REDACTED] helped me get up, and then, Officer [REDACTED], ..., ah asked me a question, I don't remember, and then he, ..., verbally chastised me for not calling 911 or something like that, I told him I tried, he said something like, 'Wouldn't it be better to have let him get away, than to be here like this now', I advised him that Diaz had aimed an object I believed to be a gun, multiple times, that he had tried to ram my son's car, and that I believed that he had tried to carjack me, ..., ah sigh, then I asked him, am I being arrested, Officer [REDACTED] went and retrieved my pistol, and I was placed in a patrol unit, a few minutes elapsed, and I heard a radio call, that said 'The victim is on his way to the scene, to identify the shooter', or something to that effect, I asked Officer [REDACTED] if they had caught the other person, I asked him if I was going to be arrested again, he stated 'We are going to go to our Headquarters and sort this out', he, ..., then exited the vehicle, came to my side of the patrol unit, took me out, and had me stand by the patrol unit, I was wearing a black Nike hat, with a white check on it, and he took it off my head, a patrol unit pulled up, with a blond female, in the back seat, and by, ... general knowledge of what was going on, I concluded she had identified me, even though, I am confident she could have never seen my face, at that point, I was transported to the Sunny Isles Police

**Thomas W. K. Mote – Forensic Polygraph Examiner**  
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Headquarters, by Officer [REDACTED] I was escorted to a large roll call room, and sat there with Officer [REDACTED], watching television, for about 20 minutes, Officer [REDACTED] questioned me, about my background and history, I refused to answer most questions, but conversed, cordially, ..., um, this is getting harder as I go on, sigh, ... , Officer [REDACTED], a black female, then came and sat with me for a few minutes, probably 12 to 15 minutes, we did not talk about anything, that I can remember, ..., I was moved around, in that roll call room, and observed Officer [REDACTED] bring in Damian Diaz, Damian Diaz looked at me, taunted me with a smile, but did not have his 'grills' on, he walked behind Officer [REDACTED] and walked side step, as if, he had scored a home run, that kind of movement, then she smiled again, I was still in handcuffs, and in pain, when Officer [REDACTED], [REDACTED] I believe is his name, and said, he had a discrepancy, of events, and he wanted me to give him a statement, so that I could tell my side of the story, he advised me my family was there, and, used the terms 'victims' Damian Diaz and Angela Bergamo, I believe I asked him if I was going to be arrested, I honestly cannot remember at this point, but he said 'We'll see', he asked me ah, about the events leading up to the shooting, and then, made the statement, that the shooting and the original incident, where Diaz rammed into me, were two separate incidents, he stated I had an obligation to retreat, and that he was struggling with charging me with Attempted Murder or Aggravated Assault with a Deadly Weapon, this sent chills through me, and I knew without a shadow of a doubt I was going to be arrested, Detective [REDACTED] went and talked to Diaz again, and then in a series of events, that are similar to 'Good cop bad cop', Officer [REDACTED] Officer [REDACTED], Officer [REDACTED] Detective [REDACTED] and one other unknown Officer, asked me a battery of questions, not wanting to fall victim to the concept, of conscience of guilt, I tried to cooperate, I answered several questions such as what is my phone number, where to I live and I think how tall am I, Officer [REDACTED], asked a series of questions, about my sons involvement in these matters, I was confident, he was trying to implicate my son as an accessory, I was in pain, I was questioned for approximately an hour and a half, by these officers, ..., I wanted medical treatment and I knew I would have to wait, until I got to the jail, so I just kept my mouth shut, Officer [REDACTED], I'm

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sorry Detective [REDACTED] then asked me, to sign a Miranda release, which I did, ..., um, this was about two to two and a half hours after I had been arrested, or detained I'm sorry, he then asked me for a written statement, however I invoked my right to counsel, and refused, he then said something like, just put him in jail, Officer [REDACTED] then said, 'Mr. [REDACTED], were you ever a police officer', at that point, I just said, 'Just a simple carpenter now', Officer [REDACTED] then asked, 'Mr. [REDACTED], I know that you've invoked your right, but could you help me with one thing, since you shot in the air, where would you say the bullets hit', I believe I responded, 'I didn't just shoot in the air, feared for my life, he aimed a gun at me', and I believe I said, 'I didn't just shoot in the air', something like 'I saw a multicolored wall and water', Detective [REDACTED] said 'Thank you that's all I need' or something like that, he then walked out of the room, I observed Damian Diaz leave the hall way adjacent to the room and he taunted me again, ..., ..., I was taken to the for lack of better term the sally port, and I observed Damian Diaz and Sally Bergamo, looking at me, Officer [REDACTED] made a comment and just said, 'Let me help you into the car', she then said 'I'm sorry this is happening to you' or something to that effect, she helped me in my car, because I couldn't move my leg, I had abdominal pain on my left side, she transported me to the jail, and I was booked."

Note: The above statement does not reflect Standard English punctuation. The commas are inserted to reflect pauses in speech. The highlighting was done to emphasize the Examinee's contention that he was acting in self defense related significant points of the incident.

The statement concluded at 10:30 pm. No further questioning was conducted on this date due to the late hour. Further interviewing and examination were reset and scheduled for June 03, 2009 at 2:30 pm.

The case information was again reviewed with Mr. [REDACTED] who reiterated what he stated during the previous days interview. He insisted that he acted in self defense when he shot at Mr. Damian Diaz.

\*\*\*\*\*

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Office [REDACTED] Fax [REDACTED] 3  
E-mail: [REDACTED]

**[REDACTED] – Forensic Polygraph Examiner**  
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**Examination:**

At the conclusion of this pretest interview on June 03, 2009 the Polygraph Examination was reviewed with Mr. [REDACTED] and the following relevant questions were asked:

**Q1:** “Regarding the circumstances of your arrest on September 22, 2007 and whether or not you used your handgun in self defense: Do you intend to answer truthfully each question about that?”

**A1:** “Yes.”

**Q2:** “On that Sunday on September 22, 2007: When you shot at that guy in the van you later learned was Damian Diaz, did you shoot at him because you were convinced he was armed and going to shoot you?”

**A2:** “Yes.”

**Q3:** “Just before you shot at Damian Diaz did you see him make a physical motion with something in his hand that you understood at the time to be a hand gun he was going to shoot at you?”

**A3:** “Yes.”

**Q4:** “When you said that you saw Damian Diaz with something in his hand making a shooting motion at you: are you telling the truth about that?”

**A4:** “Yes.”

**Test Results: No Deception Indicated.**

At the conclusion of this Polygraph Examination and after detailed and careful analysis of the examinee’s responses on the Four (4) polygraph charts conducted, it is the professional opinion of this examiner that there was no deception indicated to the relevant questions listed above as Q2, Q3 and Q4. Q1 is introductory and is not likewise evaluated for this examination format.

**[REDACTED] – Forensic Polygraph Examiner**  
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**Format:** The Standardized Backster Zone Comparison Technique was used to conduct this examination. This is a nationally recognized validated format approved by the American Polygraph Association (APA), Florida Polygraph Association (FPA), the American Association of Police Polygraphist (AAPP), as well as the Department of Defense Academy for Credibility Assessment (DACA).

**Comment:** No statements are attached.

We offer this for your information.

[REDACTED]

E-mail Signature

[REDACTED]

**Forensic Polygraph Examiner**  
**Florida Polygraph Association**  
Certification # [REDACTED]

[REDACTED]

Office [REDACTED] Fax [REDACTED]  
E-mail: [REDACTED]

**DISCLAIMER:** Official Records of Criminal Cases prior to July, 2004 are not available online.

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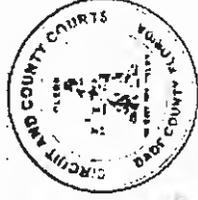
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MIAMI DADE COUNTY, FLORIDA



Criminal Justice and Civil Infraction Cases - Case Information

Court Case No.: F-12-006800

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State Case No.: 13-2012-CF-006800-0001-XX

**DIAZ,** Date of Birth: 10/26/1984  
Name: DAMIAN  
AKAs

*Current Felony Case*

		LAST ASSESSED: 03/26/2012	LAST PAYMENT: N/A
20	03/21/2012	ACKNOWLEDGMENT OF APPOINTMENT & WRITTEN PLEA OF NOT GUILTY	
18	03/21/2012	NOTICE OF DEFENDANT'S RIGHT TO COUNSEL	
17	03/21/2012	NOTICE OF DEFENDANT'S RIGHT TO COUNSEL	
16	03/21/2012	BOND RECEIVED FCS3938736	
15	03/21/2012	BOND RECEIVED FCS3938737	
14	03/21/2012	BOND RECEIVED FCS3938738	
22	03/20/2012	AFFIDAVIT FOR INDIGENT STATUS - INDIGENT	
19	03/20/2012	FCS AMT/ 500 ISSUED 03/20/2012 POWER/FCS3938736	
13	03/20/2012	FCS AMT/ 1500 ISSUED 03/20/2012 POWER/FCS3938738	
12	03/20/2012	ARRAIGNMENT HEARING SCHEDULED FOR 04/18/2012 AT 09:00	
10	03/20/2012	FCS AMT/ 3000 ISSUED 03/20/2012 POWER/FCS3938737	
8	03/20/2012	STAY AWAY ORDER FABIAN DUENAS	
7	03/20/2012	FIRST APPEARANCE/BOND HEARING - A.M.	
6	03/20/2012	ATTORNEY TYPE APPOINTED AT BOND HEARING PUBLIC DEFENDER	
9	03/19/2012	TRAFFIC CITATION RECEIVED 5062-SZP	
5	03/19/2012	INTAKE UNIT ASSIGNED: FSU - CASE SCREENING	
4	03/19/2012	INTAKE PROS. ASSIGNED: BETTENDORF-PL, KRISTI-KF	
3	03/19/2012	FIRST APPEARANCE/BOND HEARING/RESET: BOND HEARING	*
2	03/19/2012	FIRST APPEARANCE/BOND HEARING/RESET: BOND HEARING	
1	03/19/2012	FIRST APPEARANCE/BOND HEARING - P.M.	

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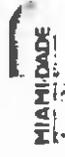


Criminal Justice and Civil Infraction Cases - Case Dockets

Court Case No.: F-12-006800

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Seq. No.	Date	Book/Page	Docket	DESCRIPTION	ASSESSED	PAID	BALANCE
25	05/08/2012			REPORT RE: PLEA/SOUNDING SET FOR 08/10/2012 AT 09:30			
29	04/19/2012			DEFENSE ATTY PDEF/WINGAD, JENNIE			
30	04/18/2012			DISCOVERY RESP: STATE'S DEMAND FOR DISCOVERY & DEMAND FOR AL			
28	04/18/2012			INTAKE UNIT ASSIGNED: FELONY DIVISION 18			
27	04/18/2012			TRIAL PROS. ASSIGNED: ADEYOLA, MARYAM			
26	04/18/2012			TRIAL HEARING SCHEDULED FOR 08/20/2012 AT 09:30			
24	04/18/2012			INFORMATION FILED			
21	03/26/2012						
				<b>TOTAL:</b>	50.00	0.00	50.00
					50.00	0.00	50.00



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 MIAMI, FL 33133



Criminal Justice and Civil Infraction Cases - Case List

\*\* Click on the Case to see more details \*\*

Case	Filed Date	Closed Date	First Charge
<a href="#">E-12-006800</a>	<a href="#">03/19/2012</a>		<a href="#">DWLS/HABITUAL</a>
<a href="#">E-10-027304</a>	<a href="#">09/19/2010</a>	<a href="#">10/08/2010</a>	<a href="#">DWLS/HABITUAL</a>
<a href="#">M-10-015440</a>	<a href="#">03/31/2010</a>	<a href="#">05/03/2010</a>	<a href="#">BATTERY</a>
<a href="#">E-10-000294</a>	<a href="#">03/29/2010</a>	<a href="#">04/20/2010</a>	<a href="#">DWLS/HABITUAL</a>
<a href="#">E-09-034161</a>	<a href="#">10/19/2009</a>	<a href="#">04/20/2010</a>	<a href="#">DWLS/HABITUAL</a>
<a href="#">E-07-023142</a>	<a href="#">07/09/2007</a>	<a href="#">07/27/2007</a>	<a href="#">BATTERY/FELONY</a>

Date Filed: 03/19/2012

Date Closed: Warrant Type:

Assessment Amount: \$50.00

Balance Due: \$50.00 Stay Due Date:

Hearing Date: 08/10/2012

Hearing Time: 09:30 Hearing Type: R

Court Room: REGJB - JUSTICE BUILDING, ROOM No.: 4-5

Address: 1351 N.W. 12 ST

Previous Case:

Next Case:

Judge: SANCHEZ-LLORENS, MIGNA

Defense Attorney: MEILER, MICHAL

Bfile Section: F018

File Location: ROOM Box Number:

Charges:

Seq No.	Charge	Charge Type	Disposition
1	DWLS/HABITUAL	FELONY	
2	CRIM MIS/0-200	MISDEMEANOR	
3	BATTERY	MISDEMEANOR	

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DOCKETS ADDITIONAL INFO

B-03-095735

02/05/2003

04/23/2003

ASSAULT OR BATTERY

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MIAMI-DADE

TRAFFIC CITATION 5062-SZP  
FABIAN DUENAS-RESTRAINING ORDER

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Criteria Entered: Defendant name - DAMIAN DIAZ; DOB - 10/26/1984; Gender - M

Please click on the Citation # to view the case summary and/or to pay any outstanding amount due.

NOTE: Amount due information is current as of midnight last night.

Defendant Name	DOB	Case Type	Citation #	Case Action	Violation	Incident Date	State #	Balance
DAMIAN DIAZ	1984	Infraction	<a href="#">6232GLX</a>	D6 TO TALLAHA	3166144B - SBELT/DRIVER	9/18/2010	132012TR0006232GLX00	\$ 203.00
DAMIAN DIAZ	1984	Infraction	<a href="#">1245GHQ</a>	CLOSED	3200605 - NO REG CERT	3/27/2010	13TR0001245GHQ00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">1244GHQ</a>	CLOSED	3166461 - NO PROOF OF INS	3/27/2010	132012TR0001244GHQ00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">1243GHQ</a>	CLOSED	3162381B - F/DIM/LITES/REAR	3/27/2010	13TR0001243GHQ00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">0025GHR</a>	CLOSED	3166144B - SBELT/DRIVER	3/27/2010	132012TR0000025GHR00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">1246GHQ</a>	CLOSED	3160851 - IMP CHG OF LANE	3/27/2010	13TR0001246GHQ00	\$0.00
DAMIAN DIAZ	1984	Criminal	<a href="#">0024GHR</a>	CLOSED	32234U - UNSP DWLS	3/27/2010	132012TR00000024GHR00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">9408FQC</a>	CLOSED	3160751C1 - FAI/TO STOP LITE	10/16/2009	13TR0009408FQC00	\$0.00
DAMIAN DIAZ	1984	Criminal	<a href="#">9406FQC</a>	CLOSED	322342 - DWLS KNOWINGLY	10/16/2009	132012TR0009406FQC00	\$0.00

DAMIAN 1984 Criminal 1866GES 322031 - NO DR 7/25/2008 13TR0001866GES00 \$ 536.20  
DIAZ TALLAHA LICENSE

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CLERK OF THE COURTS  
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Defendant Name	DOB	Case Type	Citation #	Case Action	Violation	Incident Date	State #	Balance
DAMIAN DIAZ	1984	Infraction	<a href="#">2697ERC</a>	CLOSED	CROSSING MEDIAN 3160902 -	7/20/2006	132012TR0009697ERC00	\$0.00
DAMIAN DIAZ	1984	Criminal	<a href="#">9698ERC</a>	CLOSED	322031 - NO DR LICENSE	7/20/2006	13TR0009698ERC00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">4494DOL</a>	CLOSED	3166144B - SBELT/DRIVER	6/19/2006	132012TR0004494DOL00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">4493DOL</a>	CLOSED	3200605 - NO REG CERT	6/19/2006	13TR0004493DOL00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">4492DOL</a>	CLOSED	3166461 - NO PROOF OF INS	6/19/2006	132012TR0004492DOL00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">4490DOL</a>	CLOSED	3160891 - FAIL DR SNGL LN	6/19/2006	13TR0004490DOL00	\$0.00

DAMIAN DIAZ	1984 Criminal	4491DOL	CLOSED	322342 - DWLS KNOWINGLY	6/19/2006	132012TR0004491DOL00	\$0.00
DAMIAN DIAZ	1984 Infraction	5960ENM	CLOSED	3166144B - SBELT/DRIVER	5/25/2006	13TR0005060ENM00	\$0.00
DAMIAN DIAZ	1984 Criminal	5061ENM	CLOSED	3242011 - REF/SURR	5/25/2006	132012TR.0005061ENM00	\$0.00
DAMIAN DIAZ	1984 Infraction	2177FKI	CLOSED	3161561 - FAIL TO SIGNAL	2/05/2006	13TR0002177EKL00	\$0.00

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Defendant Name	DOB	Case Type	Citation #	Case Action	Violation	Incident Date	State #	Balance
DAMIAN DIAZ	1984	Criminal	<a href="#">2178EKL</a>	CLOSED	322342 - DWLS KNOWINGLY	2/05/2006	132012TR0002178EKL00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">8566EIN</a>	CLOSED	3161891 - SPDING MUN RD	1/02/2006	13TR0008566EIN00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">5032DNI</a>	CLOSED	316154 - IMP STARTS	12/27/2005	132012TR0005932DNIH00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">5033DNI</a>	CLOSED	31608951 -	12/27/2005	13TR0005933DNIH00	\$0.00



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Defendant Name	DOB	Case Type	Citation #	Case Action	Violation	Incident Date	State #	Balance
DAMIAN 1984	1984	Infraction	461611Z	CLOSED	3161834E -	9/24/2005	132012TR0004616EJZ00	\$0.00



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Defendant Name	DOB	Case Type	Citation #	Case Action	Violation	Incident Date	State #	Balance
DAMIAN DIAZ	1984	Infraction	5046CXU	CLOSED	3200605 - NO REG CERT	11/16/2003	132012TR0005046CXU00	\$0.00
DAMIAN DIAZ	1984	Infraction	5047CXU	CLOSED	3166461 - NO PROOF OF INS	11/16/2003	13TR0005047CXU00	\$0.00
DAMIAN DIAZ	1984	Criminal	4683CXU	CLOSED	322032 - OPERATE W/O DL	9/22/2003	132012TR0004683CXU00	\$0.00
DAMIAN DIAZ	1984	Infraction	8279RWY	CLOSED	3166144A - SBELT/UND18	8/30/2003	13TR0008279RWY00	\$0.00
DAMIAN DIAZ	1984	Infraction	8278RWY	CLOSED	3166144B - SBELT/DRIVER	8/30/2003	132012TR0008278RWY00	\$0.00
DAMIAN DIAZ	1984	Infraction	8277RWY	CLOSED	316610 - DRV UNSAFE VEH	8/30/2003	13TR0008277RWY00	\$0.00
DAMIAN DIAZ	1984	Infraction	7524RWZ	CLOSED	31619251 - CARELESS DRV	7/06/2003	132012TR0007524RWZ00	\$0.00
DAMIAN DIAZ	1984	Infraction	9770RWV	CLOSED	3166144B - SBELT/DRIVER	5/06/2003	13TR0009770RWV00	\$0.00
DAMIAN DIAZ	1984	Infraction	4692BWT	CLOSED	3166144B - SBELT/DRIVER	5/01/2003	132012TR0004692BWT00	\$0.00
DAMIAN DIAZ	1984	Criminal	4693RWI	CLOSED	3161921 - RECKLESS	5/01/2003	13TR0004693BWT00	\$0.00

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DAMIAN DIAZ	1984	Criminal	<a href="#">0850BQR</a>	CLOSED	3160611 - LEAV/SCN/W/O/INF	3/21/2003	132012TR0000850BQR00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">5958BPX</a>	CLOSED	316610 - DRV UNSAFE VEH	7/25/2002	13TR0005958BPX00	\$0.00
DAMIAN DIAZ	1984	Criminal	<a href="#">1979BEI</a>	CLOSED	322034 - NO MTRCYCLE DL	2/24/2002	132012TR0001979BEI00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">1178BEI</a>	CLOSED	3162341 - NO/IMP STP LGTS	12/23/2001	13TR0001178BEI00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">6515BAB</a>	CLOSED	3162341 - NO/IMP STP LGTS	12/18/2001	132012TR0006515BAB00	\$0.00
DAMIAN DIAZ	1984	Infraction	<a href="#">6029RGO</a>	CLOSED	31619251 - CARELESS DRV	11/26/2001	13TR0006029RGO00	\$0.00

DAMIAN 1984 Criminal 8268AXI CLOSED 322342 - DWLS 5/21/2001 132012TR0008268AXI00 \$0.00  
DIAZ KNOWINGLY

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Court Case No.: F-12-006800

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Probation Start Date: | Probation End Date:

**Probation  
Length:**

**Defendant in Jail:** N

**Bond Amount:** \$1,500.00

**Bond Type:** SURETY

**Probation Type:**

**Defendant  
Release to:** TIJERINO/FCS,

**Bond Status:**

**Bond Issue Date:** 03/20/2012

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Stand Your Ground Support  
CAS Warren  
OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUL 12 AM 10:06

July 7, 2012

Executive Office of Governor Rick Scott  
400 S Monroe St  
Tallahassee, FL 32399

Dear Governor Scott:

We think that you have been doing a GREAT JOB since you were elected. (We voted for you.) You are doing exactly what you SAID you would do - unlike many politicians.

Thank you for your integrity and your work to cut spending by the government. (And for not taking money from the corrupt Washington establishment. Among other things, you were too smart to fall for the high speed rail 'carrot'. And thank you for resisting Obamacare - it will bankrupt the state!

We hope that the 'Stand Your Ground' law is not eliminated. The media and professional racial agitators be damned! That young man (Zimmerman) was on his *back*, about to suffer permanent brain damage or death when he shot ONE controlled shot to save himself. He should never have been charged in the first place - with or without the SYG law. We noticed how the media hid and only reluctantly released the truth of the attack on Zimmerman, and kept showing a picture of what looked like an eleven year old boy. It seemed like they TRIED to foment racial violence.

God forbid they find him guilty but who knows - look at the KC Anthony debacle. If the worse case happens I would hope that you would pardon him, just based on the facts of the case. And if the races were reversed and a black neighborhood watchman were being attacked in the same manner, I would back him just the same way.

Anyway, THANK YOU for being such a great governor!

Respectfully,



Michael Barnes, M.A., CCC-SLP, CIB  
Serena Barnes

Stand Ur Ground  
CAS Warren

Support  
OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUL 23 AM 10:38

1261 Whispering Winds Ct.  
Orlando, FL 32703

July 16, 2012

Office of Governor Rick Scott  
State of Florida  
The Capitol  
400 S. Monroe St.  
Tallahassee, FL 32399-0001

Dear Mr. Scott:

Allow me to start out by saying Florida is the land of milk and honey. Living here has provided me with a good living, a nice home, the great outdoors, and a safe environment to live in. However, recently there has been a political agenda raised by a "few," asking to do away with the current Stand Your Ground law, which is a subject I want to address.

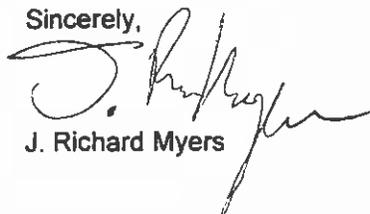
Many states across in the United States have a similar law based on the "old castle doctrine," which says when someone is attacked in his or her own home they have no "duty to retreat" before using deadly force. As you know, the Stand Your Ground law [in particular] states: "a person who is not engaged in an unlawful activity, and who is attacked in any other place where he or she has a right to be, 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, herself, or another, or to prevent the commission of a forcible felony." A person who uses [deadly force] "is immune from criminal prosecution and civil action for the use of such force."

In response to the detractors of the Stand Your Ground law, I understand you have assembled the Task Force on Citizen Safety and Protection which will review The Stand Your Ground law, in addition to considering the concerns of Floridians who care to take part in town-hall meetings to discuss the pros and cons of the Stand Your Ground law. It is also my understanding the task force will, in turn, study their findings and make recommendations to you and the Florida Legislature.

In the end, however, should the state of Florida decide to eradicate the Stand Your Ground law, we will see an increase of law-abiding citizens being victimized by criminal predators, which will cause epidemic fear in our community to prevail; in addition to a broken economy: the result of rampant crime, causing property values to drop and businesses to close, in addition to jeopardizing the safety of our citizens — ultimately leading us down a path of destruction. After all, why was the Stand Your Ground law ratified into Florida law in the first place? Answer: for the safety of "our community."

Therefore, it is our duty to continue to keep the Stand Your Ground law on our law books. Our future literally hangs in the balance!

Sincerely,



J. Richard Myers

Stand Your Ground <sup>supp</sup>  
OAS Warren

THIS WAS SENT TO  
ALL OF MY  
CLIENTS.  
Rowie. I can swear  
NRA

**Guns:**

If laws, any laws (including gun laws) stopped crime, the prisons would be empty wouldn't they?

But they aren't----are they?  
They're full-----aren't they?

The conclusion there is obvious. The logic is sound.

Criminals have a gun like a painter has a brush and a lumberjack an axe. It is a tool they need to do what they do.

Gun laws, therefore, only restrict the honest person's ability to defend himself, his family and those he cares about.

**The Florida "Stand Your Ground Law":**

The Florida law says that if:

- You have a right to be somewhere----and
- You are not doing anything illegal----and
- You are attacked.

You have the right to "Stand Your Ground" and not run. The right to defend yourself and others being attacked should you choose to.

And, if you are presented with deadly force, and are in fear of your life. You have the right to respond with like force----deadly force if necessary.

(Gee----that sounds so logical and reasonable to me. Why shouldn't you have that right?)

Previously, the law said that you were attacked, your duty was to turn and run away. (Wonder how many people got shot in the back obeying that law?)

You had no right to injure the person attacking you or your family. If you were with your children and your 70 year old mother, you were required to turn and run----or face prison. Leaving them to their fate. (A penalty for little children having little legs.)

Taking that right of defense away from you is based on:

- a. The liberal's desire to see that the a criminal's rights are protected and
- b. The coward's excuse for abandoning his family. "I'm sorry my little daughter was raped and murdered, but I was just obeying the law by running away. And yes, I heard her scream: "Daddy help me!" But-----well-----I didn't want to go to prison!"

Me?

Well-----under that old law-----before "Stand Your Ground"-----I'd be in prison. 'Cause there is no way in hell I would leave my family and run to save myself. Or obey that law-----ever.

Glazebrook

12 JUL 24 PM 3: 11  
OFFICE OF THE GOVERNOR  
CITIZEN SERVICES

Support Stand Your Ground  
CAS Warren

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUN 28 PM 2:11

June 25, 2012

Governor Rick Scott  
State of Florida  
400 S. Monroe Street  
Tallahassee, FL 32399-0001

Dear Governor Scott,

Please do not do anything to change "Stand Your Ground". It would give criminals another edge over us, the victims. On June 23, 2012, in Ft. Myers, Florida, Antonio Thomas M/B/29 was arrested after a nine day crime spree. The news media will not make this an important story like they did Treyvon Martin, but it is important. He began attacking white and Hispanic women. He committed two car hijackings of women and raping and beating them. They got away before he killed them. Another woman in her 60's was washing her new car in front of her home when she was abducted, raped, murdered and left in an Auto Zone parking lot. He committed a home invasion, stabbing and beating of another woman. He abducted a 15 year old girl from a park and brutalized her until she escaped. He was finally caught after nine days of ruthless attacks. If anyone of these victims had a Conceal Carry Permit and were able to protect themselves, he would have been stopped before there were so many victims. We all know that the Treyvon case has nothing to do with "Stand Your Ground". It is about whether Zimmerman was legally exercising self defense. I am enclosing an email on Martin that is interesting which people should know. Verify it for yourself. He was on face book. Why hasn't this picture been shown instead of a picture of him at age 12?

I can show you a hundred attacks of innocent victims to the one Martin case. We need all the protection we can get, including arming ourselves and standing our ground. Crime is alive and well on Marco Island. Homes (including ours) are being burglarized and boats are being stolen from lifts behind homes.

We appreciate all your hard work for the people of Florida, including getting "dead" people and illegal immigrants off the voting role. Thanks.

Sincerely,



Karen M. Salvi 810 Newell Terrace, Marco Island, FL 34145

Attachments

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# No bond for Fort Myers man accused of violent crime spree

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Antonio Demon Thomas / Lee County Sheriff's Office

Written by news-press.com

FILED UNDER Crime & Courts

A 29-year-old man is behind bars without bail Saturday, suspected of kidnapping and murder in a 9-day crime spree.

Antonio Demon Thomas, 29, allegedly kidnapped and killed 61-year-old Phyllis Stein Wednesday. He is being held without bail on suspicion of first degree murder, according to the Lee County Sheriff's Office.

Stein's murder Wednesday was the midway point in a 9-day spree of violence.

Thomas, police say, carried out violent attacks on three other women and a teen girl.

In addition to murder, Thomas is being held on suspicion of four counts of kidnapping, two counts of sexual assault, three counts of carjacking, one count of burglary, one count of battery and one count of committing a crime against a person that could have led to death, according to the sheriff's office.

Stein was kidnapped from the driveway of her home Wednesday, police said. She was washing her car, when Thomas forced her into it. She was later found beaten and raped near an AutoZone in North Fort Myers.

Stein was pronounced dead at the hospital.

The attacks started June 13, when Thomas allegedly attempted to carjack a female victim at a 7-Eleven in North Fort Myers. The victim fought him off and escaped.

On June 15, Thomas allegedly struck again, carjacking another woman in front of an appliance store on North Tamiami Trail in North Fort Myers. The victim jumped out of

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the moving vehicle and escaped, and the car was later found in Fort Myers.

After killing Stein Wednesday, Thomas broke into a woman's home near downtown Fort Myers in the Dean Park neighborhood. He beat and stabbed the woman before taking

off in her car.

Thomas then allegedly abducted a 15-year-old and forced her into the trunk of the car. She was able to escape by pulling the emergency release inside the trunk, Kalstrom said.

Authorities arrested Thomas Friday, after Fort Myers police launched a manhunt for the stolen car.

**PHOTO GALLERIES**



Lee arrests 6/22



Collier arrests 6/22

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**We'll never hear the truth from the media on anything controversial.**

Trayvon Martin at 17 - the real story...

**This story sort of follows through with some of the points of the 'Canadian' article.**

<https://mail.google.com/mail/u/0/?ui=2&ik=ac916f4a01&view=pt&search=...> 6/11/2012

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**Also, think of Chicago this weekend!**



**Don't know how much coverage this story has had in your area, but, if it has, here's a new look at it!**

**For those of us who thought we were well informed and weren't....quite the reality check. That old adage applies here. . . "There are two sides to every story" . . . we don't always get the truth from the**

media. One of my favorite rants...the liberal controlled media...television news...newspapers...magazines...radio...all continue to show 12 year old Trayvon...NOT 17 year old Trayvon...they continue to show the 5 year old picture BECAUSE it helps to cement in your mind the little, cute, hoodie wearing youngster who was stalked by this monster.

In reality.."little Trayvon" ...at the time of his death...stood almost 6'2" tall...weighed 175 muscular pounds...had numerous run ins with authorities (both at school and local police)...had been stopped and almost arrested two days before his death for...smacking a bus driver in the face...because the driver refused to let him ride for free...he was released because the driver was told not to press charges by the bus company and to continue on his route.

When "little Trayvon" was suspended at school...it was not only because he tried to bring a little marijuana in with him...he was in possession of wedding rings and other jewelry...watches etc. that he said he "found" along with a large screwdriver...while on the way to school that day...the jewelry was turned over to the Police by the school.

I am not trying to say this was a good shooting... I am not trying to say this kid deserved to die...I am saying...the media in the USA is controlled by liberals who twist and distort what you see and hear in order for you to see things their way. Not a single paper has printed RECENT photos of this kid...because...it would not keep your interest in this case...

Not a single paper will admit that this kid was a marijuana dealer...his friends on Facebook all say he had the "best plants" ...not a single paper will show you any of his recent photos where he shows off a mouthful of gold teeth....all of his tattoos...not a single paper will tell the news like it really is....and NOT how they want you to think it is... President Obama...looked at the FIVE year old photo the media chose to show the Nation...and said..."If I had a son...he would look like Trayvon"

So from that comment...should I assume you did not bother to look for the facts in this shooting..or should I assume you want a son who is a 17 year old drug dealing, gold teethed thug whose name on one of his Facebook profiles was "wild nigga"...who 'finds' jewelry and burglary tools on the way to school ?

A fair and impartial news media in the USA? One that does not follow the liberal agenda? Is NOT looking to further divide this already fractured Nation? I didn't compose this. I'm only passing it on. Never trust the news media for anything.

The Constitution is not an instrument for the government to restrain the people; it is an instrument for the people to restrain the government - lest it come to dominate our lives and interests". - Patrick Henry

FAIRFAX, Va.

**W**hen NBC's "Today" show played the audio of George Zimmerman's call to a Sanford, Fla., police dispatcher about Trayvon Martin, the editors made him appear to be a racist who says: "This guy looks like he's up to no good. He looks black."



**WALTER WILLIAMS**  
Syndicated Columnist

What Zimmerman actually said was: "This guy looks like he's up to no good or he's on drugs or something. It's raining, and he's just walking around, looking about." The 911 officer responded

by asking, "OK, and this guy — is he black, white or Hispanic?" Zimmerman replied, "He looks black." NBC says it's investigating the doctoring of the audio, but there's nothing to investigate; its objective was to inflame passions.

In his Associated Press article titled "Old photos may be deceptive in Fla. shooting case," Matt Sedensky pointed out that the photos carried by the major media were several years old and showed Zimmerman looking fat and mean and Martin looking like a sweet young kid.

Jesse Jackson told the Los Angeles Times that "blacks are under attack" and that "targeting, arresting, convicting blacks and ultimately killing us is big business," adding that Martin is "a martyr." President Barack Obama chimed in by saying, "If I had a son, he'd look

like Trayvon."

Let's look at some non-news cases. On March 14 in Tulsa, Okla., a white couple suffered a home invasion allegedly by Tyrone Woodfork, a 20-year-old black man. Ninety-year-old Bob Strait suffered a broken jaw and broken ribs in the attack. His 85-year-old wife, Nancy, was sexually assaulted and battered to death, ending their 65-year marriage.

On March 4, two black Kansas City, Mo., youths doused a 13-year-old boy in gasoline and set him on fire, allegedly telling him, "You get what you deserve, white boy." Last summer, Chicago Mayor Rahm Emanuel ordered an emergency shutdown of the beaches in Chicago because mobs of blacks were terrorizing white families.

Several years ago, in Knoxville, Tenn., a young white couple was kidnapped by four blacks. The girl was forced to witness her boyfriend's rape, torture and subsequent murder before she was raped, tortured and murdered. Before disposing of her body, the three men and one woman poured bleach or some other cleaning agent down her throat in an effort to destroy DNA evidence. A jury found the four guilty, and they were sentenced, but because of the judge's drug use, a retrial is being considered.

None of those black-on-white atrocities made anywhere near the news that the Trayvon Martin case made, and it's deliberate. Editors for the Los Angeles Times, The New York Times and the Chicago Tribune admitted to deliberately censoring information about black

crime for political reasons, in an effort to "guard against subjecting an entire group of people to suspicion."

One doesn't have to be a liberal, conservative, Democrat or Republican to see the danger posed by America's race hustlers, who are stacking up piles of combustible racial kindling and ready for a racist arsonist to set it ablaze. Recruiters for white hate groups must love President Obama's demagoguery in saying that a son of his would look like Trayvon but not saying that Melissa Coon's 13-year-old son, who was set on fire, could have looked like a son of his. After all, the president is just as much white as he is black.

Even if the president and his liberal allies in the media and assorted civil rights hustlers don't care much about blacks murdering whites, what about blacks murdering blacks? During a mid-March weekend in Chicago, 49 people were shot, 10 fatally, including a 6-year-old black girl, making for more than 100 murders this year. Philadelphia isn't far behind, with murder clipping along at one a day since the beginning of 2012.

Have we heard Obama make a statement about this carnage or that most homicide victims are black and that their murderers are black? No, and we won't, because black-on-black crime, like black-on-white crime, does not fit the liberal narrative of the continuing problem of white racism.

Walter E. Williams is a professor of economics at George Mason University and a columnist with Creators Syndicate.

stand your ground  
OAs warrior  
Support  
OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
JUN 27 AM 11:30

Log together

Task Force members:

Leave "Stand your Ground" as is. Do not fall prey to the political smoke + mirrors. Do what is right + best for lawful citizens of Florida.

William E. Cox, III  
2464 Vesta Lane  
Bonifay, FL 32425

FAIRFAX, Va.

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Walter E. Williams is a professor of economics at George Mason University and a columnist with Creators Syndicate.

4/24/12

Governor Scott -

Learn "Stand your Ground" or is at this time. Do not come to Jesse Jackson + Shroyton lies + BS! Do what is best for lawful citizens of Florida.

Thank you.  
William E. Cox, Jr.  
2464 Vesta Lane  
Bonifay, FL  
32425

SVE Support  
CAS Women

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUN 19 AM 10:46

June 12, 2012

Governor Rick Scott  
State Capitol  
Tallahassee, FL 32301

Dear Governor Scott:

The stand your ground law gives honest citizens in Florida the right to "defend" their lives and law-abiding folks around us, if we reasonably believe our lives are in danger.

It is not a license to kill but simply to meet force with force.

Before this law, we had to retreat to the furthest place in our homes before we could defend our families.

Likewise, we had to flee if accosted on a parking lot, etc, and take the chance of us or our loved ones being shot at by the criminal.

The Zimmerman case is far different than the law we speak of. That case is why we have jurors to figure out what happened.

In my opinion the only time "stand your ground" would have come into play with Zimmerman is when his nose was broken and head being pounded into the sidewalk. At that point he has to defend his life.

As a veteran and a senior I can tell you first hand that, not only me, (I supported you and donated what I could in the election to help conservatives defeat the Liberals) but law abiding folks will abandon you in a heartbeat if you were to go wobbly on us now.

The folks who are trying to gut our stand your ground law are called Liberals which means they vote Democratic. If you allow the law to be changed, they will praise you but will "vote Democratic again next election, while your base abandons you like rats from a sinking ship.

I pray that you are not seriously considering gutting this law, but only trying to make it look like you are really listening.

Sincerely,



Emmett L. Melton  
1015 Emerald Dunes Drive  
Sun City Center, FL 33573  
Phone: 813-634-1133

TF  
(C)

CAN 'STAND YOUR GROUND' PANEL GIVE US AN OBJECTIVE REVIEW?

NO! NOT IF YOU, MORE THAN A SIMPLE MAJORITY OF THE NEWS STAFF, EDITORIAL STAFF + ASSOCIATED FEMALE STATERS HAVE THEIR WAY.

YOU ALL HAVE BEEN WAITING FOR A ZIMMERMAN/TRAYVON CASE TO EXERCISE YOUR MUSCLE (WHICH YOU STILL BELIEVE YOU HAVE)

CERTAINLY MINDING THE OUTCOME IS DE RIGORE WITH "WIDELY DIFFERENT OUTCOMES", "DARLING OF THE NRA", "CAN WE EXPECT A HARD LOOK AT THE LAW", "MOUNTING EVIDENCE (?) THE LAW MAY (?) BE ALLOWING GANG MEMBERS, DRUG DEALERS TO GET AWAY WITH MURDER" etc.

THE ONLY "OBJECTIVE REVIEW" DESIRED BY YOU & YOUR PAPER IS THE ULTIMATE RESULT OF NO ONE ABLE TO DEFEND THEMSELVES

Thomas R. Littleton

LT GOVERNOR JENNIFER CARROLL  
The Capital  
400 S Monroe St.  
TALLAHASSEE, FL 32399

OFFICE OF THE GOVERNOR  
CITIZEN SERVICES  
12 JUN 21 AM 8:16

MISD CARROLL, THIS IS A COPY OF MY POST CARD TO BETH KASSAB AT THE ORLAND SENTINEL IN RESPONSE TO HER ARTICLE ABOUT THE "STAND YOUR GROUND" COMMITTEE.

FRANKLY, I'M SICK TO DEATH OF WOMEN & LEFT WING NEWSPAPERS EFFORTS TO DO AWAY WITH ALL GUNS! WHEN THESE FOLKS GET DONE "REMAKING SOCIETY" THERE WON'T BE MANY WHO WILL WANT TO "LIVE THERE", PERHAPS NOT EVEN A LOT OF THEM!

Thomas R. Littleton  
WHO DOESN'T OWN A GUN  
BUT RESERVES THE RIGHT  
TO BUY ONE

RECEIVED  
JUN 19 2012  
BY: