



# PRESS RELEASE

DATE: July 10, 2012

LOCATION: DeSoto Middle School Arcadia, FL

RE: Lt. Governor's Taskforce on Citizen Safety Concerning Stand your Ground Law, Public Comment

Madame Lt. Governor, Members of the Florida Legislature, Distinguished Members of the Taskforce and Ladies and Gentlemen, thank you for this opportunity to provide critical public comment on an issue that affects all Floridians; the right to self-defense. I hope through these meetings that taskforce members and the public are on the level with their comments and presentations.

First, the right to bear arms is stated in the original Bill of Rights under the 2<sup>nd</sup> amendment and further stipulated in the Florida Constitution in Article I, Section 8 and has been affirmed by the US Supreme Court in both the Heller v DC and McDonald v Chicago cases.

Next, Stand your ground and self-defense are two separate issues. Stand your ground ONLY applies if the victim is met with force and there are means to retreat from the situation. Self-defense is a component of stand your ground and ONLY applies when there is no means to retreat. Now, realistically, these means of retreat are theoretical because a situation happens so fast that the only real life option is to meet force with force to defend oneself or another. Stand your ground and other amendments in Chapter 776 were enacted to provide a legal means of protection for citizens and law enforcement from overzealous prosecutors in a criminal proceeding and from civil proceedings from either the perpetrator of the violent crime or their family for the bad decisions they made and the consequences that were levied as a result.

Let's talk about §776.032 which provides IMMUNITY from criminal and civil process when the claim of self-defense has been substantiated; whether it is a stand your ground case or not is a moot point. How this determination cannot be made at the scene or within the first hours or days of an investigation without an arrest is beyond me. We must protect the victims of violent crime from unlawful detentions and arrests until law enforcement is 100% sure that they have probable cause to seek an arrest warrant after the fact or arrest at the scene. Some in this very room would want you to believe that law enforcement in this state is incompetent at their job in making this determination. I personally have faith in law enforcement to make this determination. Instead what we got in a particular recent case was a public lynch mob and the rule of law was thrown out the window!

You are going to hear anecdotal stories, folks that are uneducated on the law, folks that attribute this whole proceeding to ethnic bias, and other conspiracy stories from political and lobbying operators etc. ... . Your job on this taskforce is to triage all of this information, identify the misconceptions from the public and then EDUCATE, EDUCATE and EDUCATE both the citizenry and criminal justice populations on the right to self-defense and immunity from both civil and criminal prosecutions.



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Chapter 776 of Florida Statutes is fine; no amendments are necessary. Just the proper education and application of the law is required.

This is a message for the citizens of and those that come to visit Florida. I give it to you strictly in charge, if you do not want to be the victim of violent crime, learn how to be aware of your surroundings and mitigate as best as possible in presenting yourself as a victim. And let it be known that if you attempt to commit a crime in this state, that citizens have the God-given right to fight back and we are not afraid to do so either!

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