

As the only independent, state-based gun violence prevention organization in Minnesota, Protect Minnesota strongly opposes the passage of HF 238, Stand Your Ground (SYG).



**This bill is unnecessary.** Minnesota law allows individuals to use deadly force in self-defense from grievous bodily harm or death. There is nothing confusing about it: Minnesotans can already use deadly force in self-defense. However, current law establishes an objective standard: the shooter is required to prove the shooting was justified.

This bill removes the obligation to retreat in all situations and gives the presumption of innocence to the shooter, setting a completely **subjective** standard. All the shooter must do to justify killing another human being is claim that he felt threatened, whether or not the threat was real. The bill also authorizes use of deadly force when responding to any attempted felony on private property--in effect establishing the death sentence for attempting to steal a bike out of a garage.

**This bill would not make Minnesota safer.** Minnesota's gun death rate is 6.6 per 100,000 people. The average gun death rate in the 24 SYG states is 14.3 per 100,000 – more than twice Minnesota's rate. (*Henry J. Kaiser Foundation*) A study of states that have enacted SYG laws showed no evidence of crime deterrence--rates of burglary, robbery, and aggravated assault have not been affected. On the other hand, homicides in those states have increased by around 8%. (*National Bureau of Economic Research, 2012*)

**This bill would put Minnesotans at risk.** The implementation of Florida's Stand Your Ground law was associated with a 24.4% increase in homicide and a 31.6% increase in firearm-related homicide. (*JAMA, 2017*) On average, SYG states have experienced a 53% increase in homicides deemed legally "justifiable" in the years following passage of the law, compared to a 5% decrease in states without SYG laws. (*National Urban League, 2013*) In a 2008 case in Tallahassee, FL, two rival gang members successfully used the Stand Your Ground defense after a shoot out in which a 15-year old bystander was killed by stray bullets. (*Huffington Post, 2013*)

Stand Your Ground represents a particular threat to people of color and immigrants, who are often met with suspicion by Minnesotans. If it passes, almost any shooting could be justified because the shooter "felt threatened," even if the "threat" was a hoodie or a hijab. Racial bias and inconsistency in the implementation of these laws is a widespread phenomenon. In SYG states, white killers are 354% more likely to be found innocent if the victim is black than if the victim is white. (*Frontline/PBS, using FBI data, 2012*)

This bill also puts anyone whose behavior is unusual at risk, such as those who suffer from mental illness or autism. Although the gun lobby would like us to believe that the mentally ill are the primary perpetrators of gun violence, in actuality they much more likely to be victims. Their behavior can seem "scary" – and this bill gives Minnesotans the right to shoot "scary" people. The same is true for home health care workers, meter readers, pizza deliverers, repair people, census takers, and kids whose Frisbee ends up in a neighbor's garden; *anyone* who has to cross a property line or knock on a stranger's front door would be put at risk if someone in the home felt "threatened" by their presence.

To sum up, Stand Your Ground is unnecessary, won't make Minnesota safer, and will put Minnesotans at risk. This "shoot on sight" legislation does not align with Minnesota Nice nor Minnesota values. We urge state law makers to keep HF238 from moving forward.

Respectfully submitted by  
The Rev. Nancy Nord Bence, Executive Director

**PROTECT MINNESOTA**

[www@protectmn.org](http://www.protectmn.org)

2395 University Ave W, Suite 204, St. Paul MN 55114

651-645-3271