



## Fact Sheet: "Shoot-First" Laws

### ❑ What are "Shoot-First" laws?

- **Justified Use of Deadly Force for Self Defense:** In general, these laws--also known as "Stand-Your-Ground" laws--enable a person who believes their safety is threatened to use deadly force in self-defense in public places, rather than to retreat from a confrontation.
- **How many states have these laws?** Since 2005, 26 states, including Florida, have adopted such laws.
  - Seven additional states permit the use of deadly force through a combination of statutes, judicial decisions, and/or jury instructions.<sup>i</sup> (However, are not as expansive as the "Florida-style" stand-your-ground laws.)

### ❑ What has been the impact of "Shoot-First" laws on public safety?

- **More "Shoot-First" Laws, More Homicides:** Many states that have adopted "Shoot-First" laws have seen significant increases in the occurrence of "justifiable homicides" committed by private citizens.<sup>i</sup> According to a study by Texas A& M University, homicides increased by 8% over a 10-year period (2000-2010) in states that enacted "Shoot-First" laws.<sup>ii</sup>
  - **Increases in "Justifiable Homicides" in Florida:** According to a review of FBI data by the Washington Post, in the five years before passage of the Florida "shoot first" law, the state had an average of 12 justifiable killings per year. However, in the five years since the law has passed, the average number of justifiable killings per year has tripled.<sup>i</sup>
    - Investigations by the *Tampa Bay Times* found that in 2010 the "Shoot-First" law was invoked in at least 93 criminal cases involving 65 deaths. In 2012, the investigation found that the number of cases had increased to 130, over 70% of which involved a death.<sup>i</sup>

### ❑ NRA and ALEC Efforts to Push "Shoot-First" Laws Throughout the Country

- **NRA/ALEC Model "Shoot-First" Law:** The NRA has pushed efforts to pass similar laws throughout the country through the American Legislative Exchange Council (ALEC), a corporate-funded group that adopted a model "Shoot-First" law very similar to the law enacted in Florida.
  - The ALEC model was developed in conjunction with the NRA, which has funded ALEC for years and, until 2011, co-chaired the council's Public Safety and Elections task force that developed the model "Shoot-First" law.<sup>i</sup>

- After widespread outcry and the loss of a number of corporate sponsors following the 2012 shooting death in Florida of Trayvon Martin, ALEC recently announced that it was disbanding the Public Safety and Elections task force.<sup>i</sup>

#### □ **A Dangerous Combination: Concealed Carry Laws and “Shoot-First” Laws**

- **Concealed Carry Makes “Shoot-First” Laws More Dangerous:** “Shoot-First” laws become more dangerous when paired with laws that grant large numbers of people licenses to carry concealed firearms in public places.
- **“Shall Issue” Concealed Carry Laws:** 35 states require law enforcement officers to issue concealed handgun licenses to individuals who meet very minimal requirements; four states even allow people to carry concealed weapons statewide without permits.<sup>i</sup>
- **Deaths Caused by Concealed Carry Permit Holders:** An analysis of news reports by the Violence Policy Center has identified at least 502 people, including 14 law enforcement officers, killed nationwide by individuals with concealed handgun licenses since May 2007.<sup>i</sup>
- **Concealed Carry Implications in the Trayvon Martin Case:** Florida’s concealed handgun licensing law enabled George Zimmerman--who had been previously arrested for battering a law enforcement officer, had a restraining order issued against him in 2005 amid allegations of domestic violence, and whose neighbors had complained about his aggressive behavior--to legally carry a hidden, loaded handgun in public.<sup>i</sup>

#### □ **Passage of “Shoot First” Laws in the Aftermath of Trayvon Martin Killing**

- **Proposed New “Shoot-First” Laws:** 12 states introduced bills in 2013 that would establish or expand “Shoot-First” provisions. Of these states, only Alaska adopted its bill. Legislation is still pending in Georgia, Iowa, Oklahoma and Pennsylvania.<sup>i</sup>
- **Efforts to Repeal or Weaken “Shoot First” Laws:** In 2013, seven states introduced legislation to weaken or repeal their “Shoot-First” laws. The legislation has failed in all but three states – New Hampshire, North Carolina and Pennsylvania – where bills are still pending.<sup>i</sup>
- **New York State:** In 2012, a "shoot-first" bill was introduced in the New York Senate by State Senator George Marziaz. The bill, S-281, authorized the use of deadly physical force in defense of a person or premises. Marziaz withdrew the bill after the killing of Trayvon Martin.

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<sup>i</sup> Law Center to Prevent Gun Violence Policy Summary, July 14, 2013, <http://smartgunlaws.org/shoot-first-laws-policy-summary/>

<sup>ii</sup> *Does Strengthening Self-Defense Law Deter Crime or Escalate Violence? Evidence from Expansions to Castle Doctrine*, Texas A& M University, [http://econweb.tamu.edu/mhoekstra/castle\\_doctrine.pdf](http://econweb.tamu.edu/mhoekstra/castle_doctrine.pdf)