



SUIT UP MAINE

April 25, 2021

Sen. Deschambault, Rep. Warren, and honorable members of the Committee on Criminal Justice and Public Safety:

My name is Kelli Whitlock Burton and I am a resident of Waldoboro and co-leader of Suit Up Maine, an independent, all-volunteer constituent action group representing more than 5,000 Mainers in all 16 counties. I offer this testimony in opposition to LD 1138, “An Act To Ensure the Right to Self-defense Exists outside the Home by Removing the Requirement To Retreat.”

In 2005, Florida became the first state in the country to pass what is commonly called a “shoot first” or “stand your ground” law, which allows people to use lethal force with a gun outside of their home if they perceive that they are in danger, even if they could avoid that danger by retreating or by use of non-lethal force. Just seven years after its passage, the law was used as justification for the shooting and killing of an unarmed 17-year-old Black boy named Treyvon Martin.

The circumstances that led to Treyvon’s tragic death were foreseen by those who opposed Florida’s bill and have since been born out in a number of research studies. As many as 50 people are killed each day nationwide as a result of “stand your ground” bills passed in more than half of the states in the U.S.¹ A 2017 study found that after Florida’s law was passed, firearm homicides increased by 32%. In 68% of the cases in which the “stand your ground” law was used as justification, the person killed wasn’t armed.² Research also suggests that “stand your ground laws” are applied more often when the shooters are white: While 45% of shootings of Black people by white people are found justified in states with these laws, only between 9% and 11% are ruled justified when the shooter is Black.³

¹ McClellan C, Tekin E. Stand Your Ground Laws, Homicides, and Injuries. J Human Resources. Summer 2017 vol. 52 no. 3 621-653. doi: 10.3368/jhr.52.3.0613-5723R2.
<http://jhr.uwpress.org/content/52/3/621.refs>

² Humphreys DK, Gasparrini A, Wiebe DJ. Evaluating the Impact of Florida’s “Stand Your Ground” Self-defense Law on Homicide and Suicide by Firearm: An Interrupted Time Series Study. JAMA Intern Med. 2017;177(1):44–50. doi:10.1001/jamainternmed.2016.6811.
<https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2582988>

³ Examining the race effects of stand your ground laws and related issues. U.S. Commission on Civil Rights. 2020 February. <https://www.usccr.gov/pubs/2020/04-06-Stand-Your-Ground.pdf>

And now, legislators have introduced “shoot first” legislation here in Maine. The language in Rep. Andrews’ bill is eerily similar to laws passed in dozens of other states. That similarity is not an accident. Inspired by the Florida bill, the conservative, corporate-funded nonprofit American Legislative Exchange Council (ALEC) collaborated with the National Rifle Association to develop model language for states to follow.⁴ ALEC is known for developing model legislation in collaboration with corporations and far-right groups and working with state legislators to pass laws across the country that seek to limit the role of government, reduce corporate taxes, ease environmental protections, and chip away at civil rights protections. This is not the first bill introduced in Augusta that was influenced by ALEC. Sadly, it won’t be the last. But this is one that should be resoundingly defeated. “Shoot first” or “stand your ground” laws do not make people safer. They encourage the escalation of violence in every-day incidents that could be resolved peacefully or at least without bloodshed. I urge you to vote Ought Not to Pass. Thank you.

Kelli Whitlock Burton
Co-Leader, Suit Up Maine

⁴ Jackman M. ALEC’s Influence over Lawmaking in State Legislatures. The Brookings Institute. 2013 Dec. 6. <https://www.brookings.edu/articles/alecs-influence-over-lawmaking-in-state-legislatures/>