

Carleton College
300 North College Street, Northfield, MN, 55057

February 6, 2017

Senator Rich Draheim
Capitol Office
95 University Avenue W.
Minnesota Senate Bldg., Room 3227
St. Paul, MN 55155

Dear Senator Draheim,

As concerned constituents of southern Minnesota, we write to you today to urge you to unequivocally oppose the proposed H.F. 238, the “Defense of Dwelling and Person Act of 2017,” otherwise known as a “Stand Your Ground” bill. Your role as a Minnesota state senator gives you unparalleled influence into the discussion of this law. If this bill passed, it would legally justify the use of deadly force anytime a person *subjectively* believed their life to be threatened, except against peace officers. The presumption of innocence would be given to the shooter, while the burden of proof for the prosecution would be with the state.

Minnesota statutes 609.06 and 609.065 currently contain a “duty to retreat” provision, requiring a person facing a threat of grave bodily harm to try to flee the dangerous situation before responding with “reasonable force.” The burden of proof is on the shooter to demonstrate objectively that they faced a true threat, attempted to retreat, and used reasonable force for the sole purpose of self-defense. This bill would remove the obligation to retreat and specifically give the presumption of innocence to the shooter, causing a major shift in our understanding of what it means to defend yourself, a completely subjective standard. Moreover, in allowing this bill to pass, we are allowing the overreach of government that the Republican party has prided itself on resisting.

Issues of government overreach, though, pale in comparison to the racial implications the “Stand Your Ground” bill has because it represents a particular threat to people of color and immigrants, who are often met with suspicion by a predominantly white Minnesota population. This law considers a subjective perception of fear, but does not consider how that fear is not subjected to rigorous legal scrutiny or put into any empirical perspective when stereotypes around race and crime are prevalent. If it were to pass, almost any shooting could be justified because the shooter “felt threatened,” even if the “threat” was simply a hoodie or a hijab. This implicit bias against people of color or those who are not “white-passing” is well-established in the United States. “National surveys consistently show a huge racial split between the percentage of blacks

and whites who support SYG laws. A 2013 Quinnipiac University national poll found that 57% of whites approve of SYG laws, compared with 57% of blacks who disapprove of the law.”¹ Considering the longstanding racial legacy of slavery, omnipresent stereotypes of people of color portrayed in mass media, socialization from ingroup versus outgroup dynamics, and continued inequities in resource distribution and economic stratification, it is no surprise that “most Americans, regardless of race, display a pro-white/anti-black bias on the Implicit Associations Test even in children as young as six years old.”²

Past “Stand Your Ground” laws have only resulted in widespread increases in violence. A report by the National Urban League and Mayors Against Illegal Guns found that “justifiable homicides increased by 53% in states with Stand Your Ground laws, while decreasing by 5% in states without these laws.”³ Supporters of “Stand Your Ground” legislation propose that having access to guns allows individuals to protect themselves if they are in danger. An individual’s right to self-defense is sufficiently protected without any form of “Stand Your Ground” law. However, a victim’s rights are undermined and attacked in states with statutory immunity from criminal prosecution and civil suits related to “Stand Your Ground” cases.⁴

Marion Hammer, a former president of the National Rifle Association (NRA) and its chief Florida lobbyist in 2005, helped draft and pass Florida’s legislation. Other states are adopting the language based on Florida’s statute, thereby directly adopting language that the NRA and other national gun-lobby forces have developed.⁵ Our policy is no longer written to keep our community members of all socioeconomic statuses and races safe. Rather, corporate motives drive legislation under the guise of “safety”, but not in pursuit of true safety for everyone.

Perhaps more importantly to you, your constituents in Northfield would not benefit from the pursuit of these policies. In fact, gun violence is especially an issue in Northfield and its surrounding areas. Just this past week, a farmer fatally shot a former Northfield High School student who “allegedly trespassed.”⁶ In mid-August of 2016, a 61-year-old woman was fatally

¹ *Deadly Injustice: Trayvon Martin, Race, and the Criminal Justice System*, edited by Devon Johnson, Patricia Warren, and Amy Farrell, 2015, 132.

² Valerie Praudie-Vaughns and David R. Williams, “Stand-Your-Ground is losing ground for racial minorities’ health” in *Social Science and Medicine* 147 (2015), 342.

http://scholar.harvard.edu/files/davidrwilliams/files/stand_your_ground.pdf

³ National Urban League “Shoot First – Stand your ground laws and their effect on the violent crime and the criminal justice system.” Every Town <https://everytownresearch.org/documents/2015/04/shoot-first.pdf>

⁴ American Bar Association report. “National Task Force on Stand Your Ground Laws – report and recommendations,” 2015 http://www.americanbar.org/content/dam/aba/images/diversity/SYG_Report_Book.pdf .

⁵ National Urban League, “Shoot First” report.

⁶ John Reinan and Paul Walsh, “Madelia grapples with shooting death of former NHS student,” *Northfield News* (Northfield, MN), February 3, 2017.

shot; the shooter was not charged.⁷ Less drastic, in early November, a woman fired a gun to scare teen pranksters, showing how dangerous a Stand Your Ground law could be.⁸ With the justification of feeling threatened by the pranksters, how would her reaction have changed? To say that guns are not an issue in your district would be an ignorant statement. Moreover, your district includes two liberal arts colleges representing students from all over the country. Two of the authors of this letter in fact hail from New York and Los Angeles, two areas in which gun violence (especially between police and people of color) has not been uncommon.

Our Proposed Policy Change:

Thus, not only do we request that you veto H.F. 238 in Minnesota, but also that you support the creation of a coalition of community members, including Carleton College and St. Olaf students, aimed at both decreasing gun violence and raising awareness about the issue in our communities. In working with Mary Lewis Grow, Protect Minnesota board member, we would foster bonds both within our Northfield community and around Rice County in the hopes that we can encourage public institutions to take a stand against gun violence. It is our hope that, as a community, gun violence can be reduced because “Stand Your Ground” will not make our communities safer; it will increase coded, legally-sanctioned, racial stereotypes that will create harm.

Sincerely,

Naomi Borowsky
Victor Huerta
Matt Thibodeau
Allison Tucker

⁷ Philip Weyhe and Nick Gerhardt, “UPDATE: No charges for person involved in fatal August shooting in Northfield,” *Northfield News* (Northfield, MN), January 7, 2017.

⁸ William Morris, “Police say woman fired gun to scare teen pranksters,” *Northfield News* (Northfield, MN), November 11, 2016.

Project Proposal

Overview

We believe that a Carleton group dedicated to gun violence prevention could serve as a catalyst for campus education and conversation as well as national change. We are proposing a partnership between a Carleton student activist group and Protect Minnesota, an independent state-based gun violence prevention organization. Mary Lewis Grow, Protect Minnesota board member, sees huge potential in such a partnership where our campus group will serve as the “nucleus of a larger state-wide network.”

The name of our group would be “Students Allied Against Gun Violence,” a group dedicated to combining gun violence reduction efforts from Carleton students, Northfield High School students, faculty, and Northfield community members. The first major purpose of the group is to build awareness and education around gun violence on the Carleton campus. We could be a catalyst for creating a series of campus conversations across disciplines about gun violence that highlight the social justice and economic implications of “Stand Your Ground” Laws such as the Defense of Dwelling and Person Act of 2017. The second major purpose of the group is to use the potentially powerful networks of students at Carleton towards creating national change. Lewis Grow emphasizes the importance of giving students the tools to connect with their state senators and representatives. Our group will help to create spaces where Carleton students can easily reach out to their government officials and encourage others from their hometowns to do the same. Lewis Grow says, “Sometimes a vote depends on swinging two people to change it. When senators from North Carolina matter, get Carleton students from North Carolina to call their senator and to encourage their friends and family from back home to do the same. It does work and it translates into votes and therefore policy change.”

Goals

1. Encourage students to participate in political processes and social justice activism
2. Create a group known as “Students Allied Against Gun Violence” that would combine efforts from Northfield High School students and Carleton students
3. Gain an understanding of the racial aspects of Stand Your Ground laws

Target Audience and Activities

Programming through Students Allied Against Gun Violence will be geared towards Carleton students and staff as well as community members and students in the greater Northfield community.

Activities through Students Allied Against Gun Violence will include:

- Tabling on campus to increase awareness about the Defense of Dwelling and Person Act of 2017 and implications of Stand Your Ground laws
- Creating spaces where students can feel supported in connecting with their government officials
 - o Coordinating postcard writing campaigns
 - o Coordinating phone banks with scripts for students to use
- Organize interdisciplinary campus conversations about gun violence involving faculty, students, and community members

Budget:

Items	Costs
Food for group meetings and campus conversations: lunch and breakfast items	\$200
Print resources, group activity materials, handouts, posters, postcards, stamps	\$60 200 pages of material to be prepared and printed for the workshop
Travel funds to attend advocacy events at the capitol and Protect Minnesota events	\$200
Total	\$460