ADOPTED

RESOLUTION

RESOLVED, That the American Bar Association urges all federal, state, local, and territorial legislative bodies and governmental agencies to:

(a) refrain from enacting Stand Your Ground Laws that eliminate the duty to retreat before using force in self-defense in public spaces, or repeal such existing Stand Your Ground Laws;

(b) eliminate Stand Your Ground Law civil immunity provisions that prevent victims and/or innocent bystanders and their families from seeking compensation and other civil remedies for injuries sustained;

(c) eliminate the Stand Your Ground defense in circumstances where deadly force is used against a law enforcement officer; and

(d) develop strategies for implementing safeguards to prevent racially disparate impact and inconsistent outcomes in the application of Stand Your Ground Laws;

(e) modify existing or proposed Stand Your Ground laws to ensure that the laws do not protect the use of deadly force against a person who is in retreat; and

(f) modify existing or proposed Stand Your Ground laws to ensure that the laws do not protect a person who is the initial aggressor in an encounter.

FURTHER RESOLVED, That the American Bar Association urges that jury instructions be drafted in plain language to enhance clarity and the jurors’ understanding of the applicable Stand Your Ground Laws and their limitations;

FURTHER RESOLVED, that the American Bar Association urges law enforcement agencies to:

(a) develop training materials for officers on best practices for investigating Stand Your Ground cases; and

(b) create or participate in a national database to track Stand Your Ground cases from the investigative stage through prosecution and final disposition;

FURTHER RESOLVED, That the American Bar Association:

(a) implement a national educational campaign to provide accurate information about Stand Your Ground Laws to the general public; and

(b) investigate the impact that gun laws have in Stand Your Ground states.