
*STAND YOUR
GROUND LAWS IN
LOUISIANA*

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Executive Summary

In the state of Louisiana, the code for self-defense is written as such that an individual has the right to use lethal or otherwise force to protect him- or herself from an aggressor without the obliged duty to retreat. The resulting issue of this law is that, according to the FBI, there has been an increase in justifiable homicides in the years since stand-your-ground has taken effect, which has a possible justification that the law has been used to accommodate those who in all reality should not be able to legitimately claim self-defense. Scholarly research about the subject has revealed that stand-your-ground laws in multiple states do nothing to reduce the number of violent crimes and, in addition, present a racial bias in court rulings. Other states who have stand-your-ground in effect show similar results, whereas states with a duty-to-retreat policy have lower violent crime rates and more racially equal rulings, where cases will not be skewed against African-American defendants. Because of these factors, this brief suggests that the state of Louisiana adopt a duty-to-retreat policy that mandates the exhaustion of all non-lethal escape routes before the last resort to deadly force for one's own protection.

Introduction

In recent years, the issue of one's rights to self-defense has risen to center stage. With the national publicity of the George Zimmerman murder trial from Sanford, Florida, the question of how far one can go to defend themselves has become a pertinent issue in modern politics. Many states have adopted stand-your-ground and 'duty-to-retreat' laws in addition to pre-existing castle laws to provide citizens with a self-assurance of their own protection. The differences between stand-your-ground and 'duty-to-retreat' are marginal in theory but when applied to threatening situations, prove to have drastic consequences. Stand-your-ground has forced citizens to weigh their lives versus the lives of others who may or may not have the intent to harm others. This grey line of judgment is where stand-your-ground and 'duty-to-retreat' exhibit their differences. In the state of Louisiana, stand-your-ground has been in place since 2006 and has since created a controversy about the law, leading to review upon the law in order to assess whether or not it is the right decision for the state of Louisiana.

The Stand-Your-Ground Law

Definition of Stand Your Ground

Stand-your-ground laws allow someone to use force in self-defense when there is reasonable belief, such as a direct verbal threat or gesture towards the use of a weapon, of a threat without an obligation to retreat first. Twenty states have stand-your-ground laws. Generally, these laws require the person to have a legal right to be at the location and further require that they not be engaged in an unlawful activity.ⁱ These laws go a step further than the castle doctrine, adding clauses to the doctrine, which is a long-standing American legal concept arising from English Common Law that provides that one's property (i.e. home or automobile) is a place where they have the right to exist without threat, and may use force to defend the wellbeing of themselves or others.ⁱⁱ Essentially, stand-your-ground expands the rights under the castle doctrine to any public domain, guaranteeing the use of forcible self-defense anywhere one has the right to legally occupy.

History of Stand-Your-Ground

In the wake of the 2004 hurricane Ivan, a 77-year-old man and his wife had just returned to a temporary RV in front of their damaged home. In the early morning, his wife arose to find a man wandering in their yard and she quickly called 911 and alerted her husband, James Workman. Workman retrieved his handgun and confronted the wandering man, Rodney Cox. Cox, a relocated FEMA contractor had earlier been intoxicated and an autopsy report showed that he had damage to his skull, which was likely the cause of his odd behavior.ⁱⁱⁱ After Cox and Workman initiated a struggle, Cox attempted to enter the RV and was subsequently shot. He was found to be dead on arrival to the hospital. For three months, Workman faced the possibility of incarceration for his actions. Though his case was eventually ruled in his favor of self-defense, Florida lawmakers wanted to instill an addition to the Castle Doctrine that would ensure the

Stand-Your-Ground Laws in Louisiana

safeguard of those individuals acting in self-defense. In April of the following year, Florida passed the first modern stand-your-ground law, which expanded the liberties of self-defense beyond those boundaries established by the Castle Doctrine.

Duty to Retreat

Duty to Retreat is the one of the foundations on which Stand Your Ground was originally built. It requires the person who is being attacked to seek a method of escape or retreat before they can turn around and return force. The concept of “Duty to Retreat,” has been part of American law since the nation’s conception, as it was a part of “English Common Law.” The only exception to duty to retreat was the “Castle Doctrine,” which allowed unrestricted self-defense when being attacked on one’s own property or “castle.” Duty to Retreat essentially classifies meeting “force with force,” as a last resort, and states that this is only an option when you have attempted to the best of your abilities to escape your attacker. Duty to Retreat is a law that is designed to discourage and minimize the use of any type force in a threatening situation.

Stand Your Ground in Louisiana

The Stand-Your-Ground Law in Louisiana

In the state of Louisiana, force or violence is acceptable to use in the event that it is necessary in order to ward off an illegal forcible force or trespassing.^{iv} In order for a defendant to be protected by Louisiana’s self-defense laws, they must be lawfully inside the dwelling, business, or motor vehicle and have reasonable belief that the use of force was necessary in order to prevent the actions of and further repel the aggressor.^v To legally operationalize whether the defendant is justified in their act of self-defense, Louisiana law requires that the person against whom the force or violence was used was in the process of unlawfully and forcibly entering or had unlawfully and forcibly entered the dwelling, place of business, or motor vehicle. Additionally, the person who used force or violence knew or had reason to believe that an unlawful and forcible entry was occurring or had occurred.^{vi} The essential clause of the self-defense law that designates Louisiana a stand-your-ground state is clause C, which delegates that if the defendant has the legal right to reside in a given location, they have no duty to retreat, and thus have the right to “stand [their] ground and meet force with force.”^{vii} That very clause is included in the laws of many states and in turn creates dispute when the law is applied to life situations.

In the state of Louisiana, two primary examples of how stand-your-ground has been used in court show the full extent of the law. These court cases show how, in essence, the stand-your-ground law in Louisiana does not justly do what it is intended to do. The first case is that of 21-year-old Byron Thomas and 15-year-old Jamonte Miles. On January 2, 2012, in the midst of a drug deal, Byron Thomas shot and killed Jamonte Miles as Miles and his fellow gang members fled the scene. In the days prior to the incident, there had been an ongoing argument on Facebook, which added to the tension of the situation.^{viii} Once an argument occurred in the middle of the deal, Miles and his friends left the scene. Even though the immediate threat of the young men to Thomas had been removed, Thomas began firing 9mm rounds toward the SUV. One of the shots hit Miles in the skull, killing him instantly. A grand jury declared Thomas innocent of homicide, as he was acting in self-defense.^{ix} The only charges Thomas faced were for that of his illegal possession of the firearm used in the shooting. Despite the fact that there were no weapons used on behalf of Miles and the other teens, Thomas's claim of fear and intimidation was enough to protect him from incarceration.

In the second case of Donald Aaron and Ronald Jamison, the outcomes were drastically different. In 2005, Aaron had returned to his residence late at night to discover Jamison in his driveway.^x Aaron came to believe that Jamison had burgled his home. When Jamison reached for a beer bottle inside his pocket, Aaron perceived him as reaching for a weapon. Aaron fired seven shots with his legally obtained weapon into Jamison and he was killed immediately. A grand jury found Aaron guilty of negligent homicide and he was thus sentenced to five years of hard labor. Aaron claimed he was in the right, under protection of the castle laws though the jury sought differently.

Problems with Stand-Your-Ground in Louisiana

Had stand-your-ground been in effect in the state of Louisiana at the time of the incident, the possibility exists that Aaron may have been cleared on his charges by acting in self-defense. Based on the legislation, Aaron had probable cause to believe that Jamison had done him wrong while trespassing on his property. While Aaron was acting in self-defense to a threat on his own property, Thomas was acting on a terminated threat on public property, killing a minor during an illegal transaction with an illegally obtained weapon. Instances like these, where case results become skewed and, debatably, wrongfully ruled are becoming more and more common across stand-your-ground states. The *Tampa Bay Times* reported that, based on a study of over 200 self-defense cases involving stand-your-ground, nearly 70% of the defendants have gone free.^{xi} In addition, since the adoption of the law, states have seen a drastic increase in the number of cases claiming self-defense in the name of stand-your-ground.

Self-Defense Laws in Other States

Alabama: Stand Your Ground

As one of the most expansive self-defense laws in the nation, Alabama's Section 13A-3-23 grants the shooter, otherwise outlined as the defendant, various forms of legal protection; however, their attacker must meet certain qualifications. In order for a fatal attack to fall under the realm of self-defense the shooter must believe the aggressor has already or is about to cause harm with illicit force to themselves or others.^{xiii} Should the assailant be in the process of burgling, kidnapping, assaulting, raping, or generally causing possibly fatal harm towards another, then the shooter may attack and claim self-defense. In the case of a robbery, the shooter holds the right to kill his or her opponent regardless of who actually owns the property or whether it is occupied, so long as they possess the assumption that the property is being entered wrongfully. The shooter cannot be prosecuted in a civil suit unless it is proven that the fatal force used was illegal.^{xiii} In conjunction with this clause, it was determined that legal agencies, such as the police, do not possess the right to incarcerate the shooter until they establish probable cause that the shooting was not actually self-defense. Should the police establish enough probable cause to arrest the shooter, he or she will be allowed a pre-trial in front of a judge alone. If the defendant is found innocent, their case shall be dismissed; however, if the judge finds the shooter guilty the trial will be re-examined with a jury present. Once the law was expanded the shooter was authorized to use force "in any place where he or she has the right to be [and] has no duty to retreat and has the right to stand his or her ground," effectively removing the idea that one must use every possible opportunity to escape before utilizing lethal force.^{xiv} Since the adoption of the law in 2006, violent crime rates in the State of Alabama, shown in figures 1 and 2, fluctuated in the range of 380 to 450 per 100,000. Overall, compared to the US average per-cent of violent crime, since the implication of stand-your-ground, violent crime rose above the national average by a difference of 20% from 2006 to 2012 (figure 3).^{xv}

Florida: Stand Your Ground

In the Florida legislature, Chapter 776 outlines when force is an acceptable option for defense. When a person uses force in order to protect themselves, property, or others from illicit violence or actions their attack will fall under the realm of "justifiable use of force." Under the first clause, 776.012, the shooter does not possess the right to utilize lethal force immediately against their attacker, unless they are convinced that they, any property, or another person, will be subject to immense injury or possibly death if deadly force is not used.^{xvi} Clause 776.013 expounds on the requirements for acceptable use of force, primarily the aggressor must be in the midst of an unlawful action, such as entering a dwelling, residence, or vehicle without permission, and is not a member of a legal organization, such as law enforcement or peacekeepers, trying to complete their official obligations. The law expands the right to fight rather than retreat to "any other place where he or she has the right to be...and [may] meet force with force, including deadly force."^{xvii} The shooter who meets the criteria set forth in 776.012 and 776.013 of Florida legislature cannot be arrested unless probable cause is established by the authorities, and should the shooter go to trial they will receive compensation for any legal fees if

found innocent. The defense of justifiable homicide is withheld from those who kill while in the process of breaking the law in any manner or people who provoke another to attack them; however, they can utilize this form of defense if they obviously attempted to escape the feud without success and are in peril of death or immense injury from their assailant. Clauses 776.051, 776.05, 776.07, and 776.08 specify the use of force by law enforcement officials, most of which are similar to the average citizen's right to attack.^{xviii}

Tennessee: Stand Your Ground

While the self-defense laws of Tennessee are similar to that of Florida, Alabama, and Pennsylvania, it differs in certain key aspects. Each state claims that a shooter holds the right to attack any person, whom they believe to be illegally entering a person's property, committing illicit actions that could cause harm to the shooter or another person, and if they believe the aggressor will cause them bodily harm. Should the shooter be in a location they have "a right to be [in, they have] no duty to retreat before threatening or using force against another person when and to the degree the person reasonably believes the force is immediately necessary to protect against the other's use or attempted use of unlawful force."^{xix} Unlike Pennsylvania, Tennessee does not require the shooter to actually view the weapon; however, they must strongly believe that their provoker means them deadly harm in order to attack. Because the Tennessee laws are less expansive than that of Alabama and Florida the shooter may still be arrested and prosecuted without a pre-trial. In 2007, a clause was added that while the shooter is not exempt from prosecution by the state, they possess immunity against civil suits and their accuser must pay for the expenses that arise during the trial.^{xx} Since the addition of the clause in 2007, violent crime remained drastically 40% above the national average, showing little localized decrease.^{xxi}

Pennsylvania: Stand Your Ground

Pennsylvania is unique compared to the "Stand Your Ground" states of Alabama, Florida, and Tennessee in that it requires the shooter to view their opponent's weapon before firing. Under subsection 505 clause 2.3, the shooter may utilize force to defend their position, even lethal force, if they possess the right to remain in that location, fear harm will come to themselves or others, and if the assailant shows or uses "a firearm or replica of a firearm...or any other weapon readily or apparently capable of lethal use." The rest of Pennsylvania's justifiable self-protection chapter holds requirements similar to the other states; however, Pennsylvania does allow the shooter to be arrested, and then tried by the state, unlike Alabama and Florida. Even though the shooter is immune to civil suits, the victim of the shooting, or someone related to their case, has the right to wage a case against the them; however, if the shooter is proven innocent then the accuser must pay legal fees and for expenses that arise during the span of the trial. Pennsylvania only recently, in 2011, enacted stand-your-ground and has, in the past two years, shown a small decrease in in violent crime, though the law has not been in effect long enough to determine if the decrease is a result of the law or a common flow in the pattern.^{xxii}

Massachusetts: Duty to Retreat

Unlike Alabama, Florida, Pennsylvania, and Tennessee, Massachusetts is a duty-to-retreat state. Like all other states, the self-defense doctrine has a built-in castle doctrine, which gives a defendant the right to use force to defend him- or herself with force if an aggressor presents himself or herself on the defendant’s property, which includes their place of permanent residence and automobile.^{xxiii} Whereas the previous states mentioned include the right to use force without the duty to retreat, Massachusetts legislation declares that an individual cannot legally claim self-defense unless they have exhausted all reasonable alternatives.^{xxiv} The inclusion of this clause into the self-defense laws of the state’s legislature is aimed to reduce the number of individuals using unnecessary force in situations where retreat is viable. From the course of 2006 to 2012, violent crime in Massachusetts has steadily decreased from 500 per 100,000 to 400 per 100,000.^{xxv}

New York: Duty to Retreat

Before the 2012 revision of the self-defense laws in New York, the justification for self-defense only existed within the castle doctrine. The 2012 revision included a clause, which specified that outside of one’s domain (home or automobile), one may not use deadly force to protect one’s self if their safety can be guaranteed by retreating.^{xxvi} Like the state of Massachusetts, the law is aimed to reduce the number of unnecessary shootings.

Comparison of the Self-Defense Laws in Analyzed States

<i>State</i>	<i>Unrestricted use of lethal force</i>	<i>Shooter immunity*</i>	<i>Use of force regardless of threat</i>	<i>Aggressor must pay all court fees</i>	<i>Continuous use of lethal force</i>	<i>Pre-trial without Jury</i>	<i>Immunity from prosecution</i>	<i>Duty to Retreat</i>
<i>AL</i>	X	X				X	X	
<i>FL</i>	X	X	X	X	X	X	X	
<i>PA</i>	X	X	X	X	X**			
<i>TN</i>	X	X	X	X	X			
<i>LA</i>	X	X	X	X				
<i>NY</i>		X						X
<i>MA</i>		X						X

* Even if case is brought to the state by a civilian bystander

** Force may be used if the aggressor presents any form of weapon, despite the degree of lethality

Scholarly Research on Self-Defense

The Causes of Violent Crime

Violent crime is an issue every metropolitan city has to face. Factors contributing to the increase of violent crime, described by the FBI as murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault, all involving direct use or threat of force. One of the major consequences of stand-your-ground assessed in this brief is the rate of violent crime. Despite the alleged direct contribution, stand-your-ground legislation is not a sole direct contributing factor to the amount of violent crime recorded in any given city. According to researchers at Penn State University in 2000, violent crime has a variety of influencing factors that include education, use of illegal drugs, racial mixing, strength of the economy, and average income of any given area.^{xxvii} All of these factors, in conjunction with the influence of state legislature have weighted impacts on the rate of violent crime. In areas with low median income, low average education levels, and poor housing markets, violent crime was found to be substantially higher than areas with higher income, education, and markets.^{xxviii} Therefore, it is impossible to let stand-your-ground count as the only factor contributing to violent crime, though its influence remains. McClellan and Tekin discovered that the implementation of stand your ground resulted in approximately “28 and 33 additional white males [being] killed each month” along with a noticeable rise in gun related injury visits to the emergency room.^{xxix} Joe Palazzolo’s Wall Street Journal article examines the scholarly research of Cheng Cheng and Mark Hockstra’s article *Does Strengthening Self-Defense Law Deter Crime or Escalate Violence? Evidence from Expansions to Castle Doctrine*, which revealed “ 50 additional justifiable homicides per year nationally,...[and] an additional 500 to 700 homicides per year nationally across the states that adopted castle doctrine” officially proving that the stand your ground laws result in a far greater amounts of homicide.^{xxx}

Vital Statistics

One of the main factors that can be quantitatively assessed because of stand-your-ground is the violent crime rate in a given state. Figure 1 shows the violent crime rates per 100,000 citizens in the states this brief assess from 2000-2012. Figure 3 demonstrates the per-cent differences of violent crime per state as compared to the US national average. State-by-state statistics are expected to follow national trends, therefore, if the data can be represented in context with the national average, how well a state is improving or worsening is easier to determine.

Property crime in New York is among the lowest of all the states evaluated in this brief. Like violent crime, property crime can be related outcome of stand-your-ground. Both violent crime and property crime Figure 4 reflects how well an individual is able to deter crime against themselves by way of defense.

Figure 1:

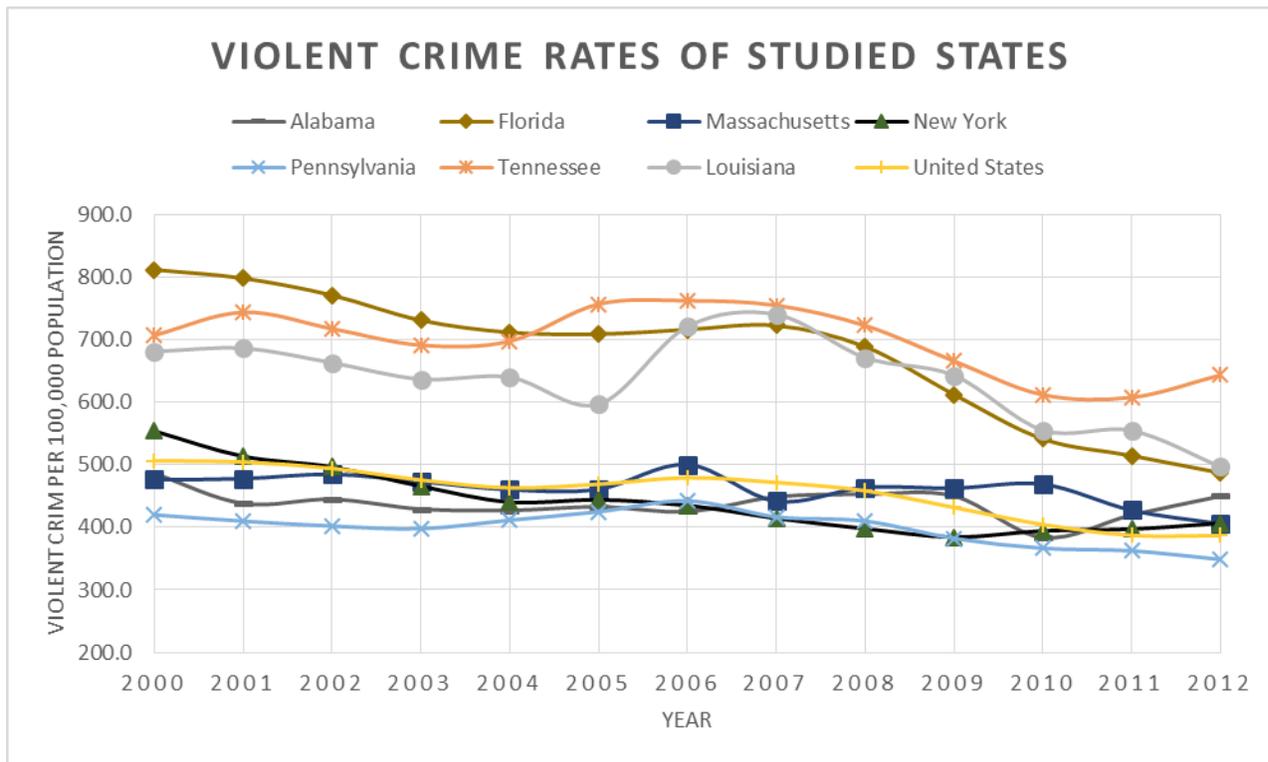


Figure 2:

Violent Crime Rates per 100,000 from 2000 - 2012

Year	AL	FL	MA	NY	PA	LA	TN	US
2000	486.2	812.0	476.1	553.9	420.0	707.2	681.1	506.5
2001	438.2	798.3	477.8	513.6	409.9	744.0	686.3	504.5
2002	445.0	771.2	484.9	496.6	402.1	717.8	663.3	494.4
2003	429.2	731.1	473.1	465.8	397.8	691.3	636.9	475.8
2004	427.0	711.8	460.2	440.4	411.5	697.6	640.0	463.2
2005	433.0	709.0	461	444.0	425.0	757.0	597.0	469.0
2006	425.2	716.4	500.5	435.2	442.3	762.5	721.2	479.3
2007	448.9	722.6	441.7	414.4	416.7	755.0	740.4	471.8
2008	452.8	688.9	463.8	397.9	410.0	722.7	671.4	458.6
2009	450.1	612.5	462.6	384.4	382.3	666.0	642.9	431.9
2010	383.7	541.3	468.9	394.4	366.5	612.0	555.3	404.5
2011	419.8	514.6	427.3	397.2	362.4	607.8	554.6	387.1
2012	449.9	487.1	405.5	406.8	348.7	643.6	496.9	386.9

Figure 3:

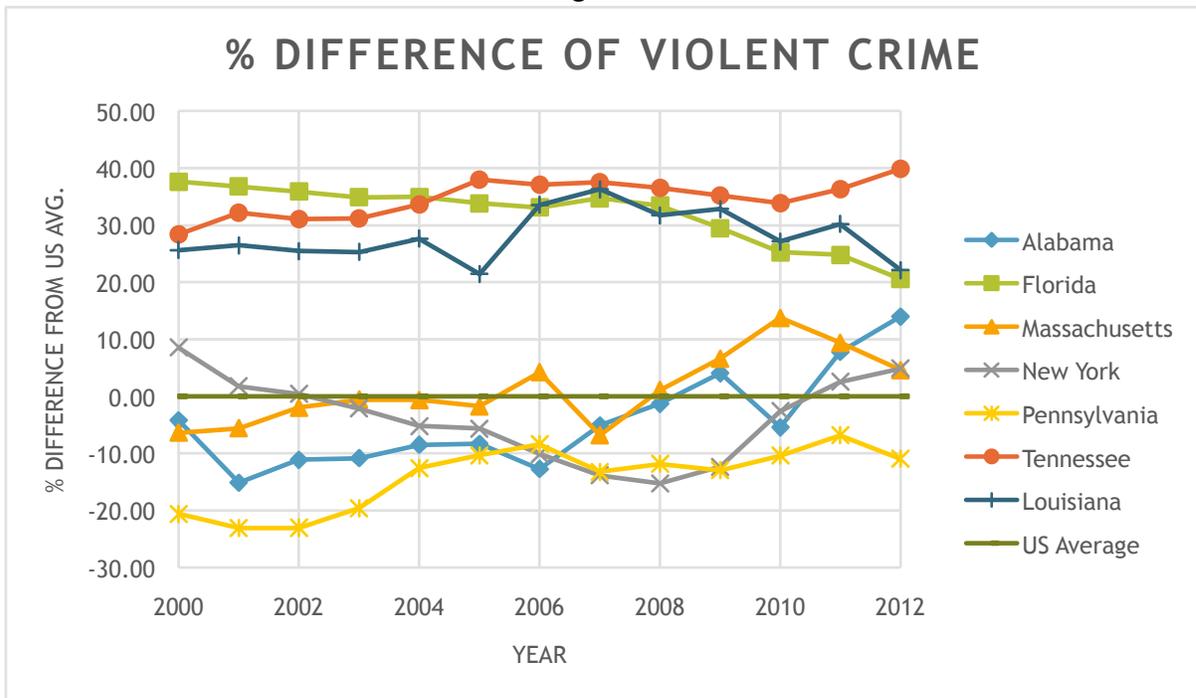


Figure 4:

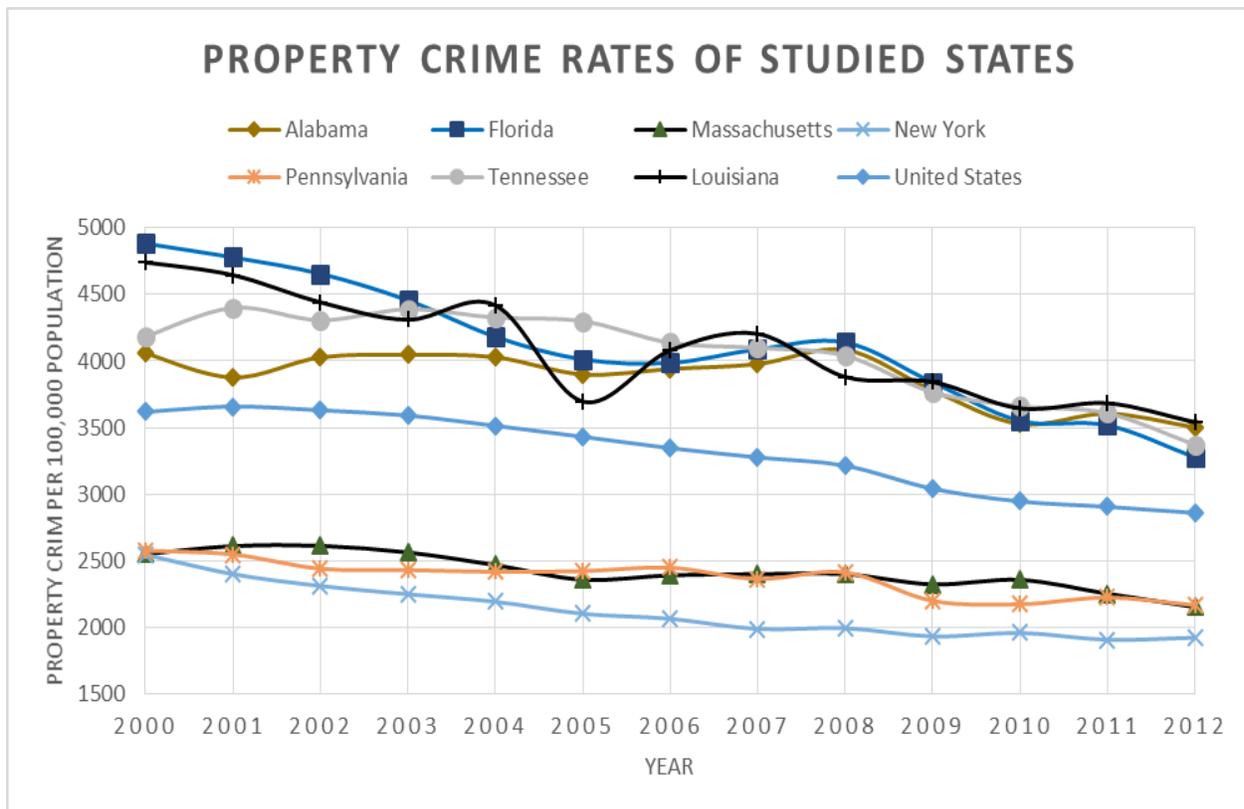
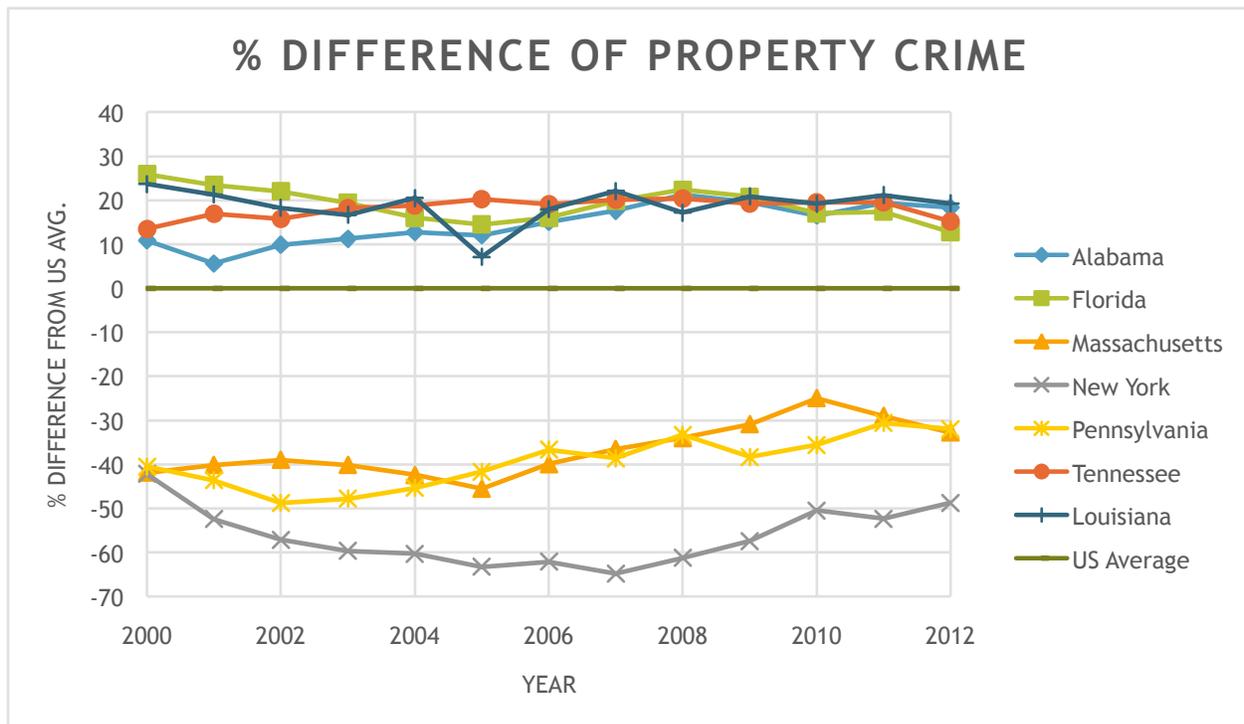


Figure 5:



Research on Duty-to-Retreat

Ilya Shapiro of the CATO Institute argues that duty to retreat punishes those who are just simply acting in self-defense and that for some, retreat is not an option. To Shapiro, one should not have to worry about first trying to run away in a threatening situation. He makes the point that “A mugger can’t have your wallet, but he can make you leave a public space?”^{xxxii} He argues that the problem is the right to self-defense, not whether the victim tried or had the opportunity to retreat. His view is that simply if an individual is attacked by another, they have the right to defend themselves. One should not have to be obligated to escape. One’s concern should be self-preservation, and they should be able to have all options available to do so.

Joshua Stein, a Professor of Law at Yale University, takes the stance that duty to retreat is an essential clause. To him, without a duty to retreat, violence is encouraged and to some extent excused.^{xxxiii} If a retreat is the first line of action required, this at least decreases the potential for violence or loss of human life in a situation. If an individual has no duty to retreat, violence might be their first option, and has the result of the confrontation having much more grave consequences. Duty to Retreat is essential because it is designed to reduce the loss of human life, and minimize the use of violence.

In Abdul Munasib and Mouhcine Guettabi's essay "Florida Stand Your Ground Law and Crime: Did It Make Floridians More Trigger Happy?" the nature of Florida's reformed Stand Your Ground Law are re-examined in terms of the influence of the law and other factors of violent crime (poverty, race, etc.) to determine whether they actually decrease violent crime levels as many supporters claim. In order to establish Stand Your Ground Law's effect on violent crimes, specifically "aggravated assault, murder and non-negligent manslaughter, forcible rape, and robbery,"^{xxxiii} it was compared to property crime rates, gun deaths, including suicide, and vehicular deaths. They compared the actual rates of the "proposed model" of Florida where stand-your-ground has no influence with the real Florida to discover that the number of gun related deaths, suicide and otherwise, increased exponentially, perhaps because it became easier to possess a gun with the increase in permits after the passage of the law. The expected results were that the levels of violent crimes, property crimes, and vehicular crimes to an extent, would decrease; however, it was determined that the new law did not affect any of these in the slightest. This case study is incredibly important because it disproves the avid supporter's beliefs that the Stand Your Ground Law deters crime merely because criminals would fear their targets would be armed.

Justifiable homicide has increased exponentially over the past few years due to the increase in Stand Your Ground Laws across the nation. Twenty-two states drastically altered their self-defense laws by removing the duty to retreat clause and allowing civilians to stand their ground with the only stipulation being that they must be in said location legally. Across these states "the overall justifiable homicide rate jumped 53 percent...between 2005 and 2007"^{xxxiv} Supporters of the bill believe that an increase in justifiable homicides proves the law is working because people are implementing the natural right to defend themselves. Across state of Florida alone, the amount of justifiable homicide increase threefold and the average annual rate increased 200%, which is far higher than that of the other states. Research determined that African Americans deaths increased disproportionately because more often than not the shooter was granted an acquittal under self-defense if their victim was African American. The case of Trayvon Martin vs. George Zimmerman clearly exhibits the unequal results from Stand Your Ground cases. Further research reinforced the fact that the Stand Your Ground laws do not truly alter the amount of crime, which is its fundamental purpose.

Research carried out by *Tampa Bay Times* shows the true consequences of stand-your-ground laws outside the reduction of crime rates. Data collected from over 200 Florida self-defense cases shows that as much as stand-your-ground has a hold in crime, it has an equal, if not greater, hold in racial bias. Based on their study, 73% of defendants claiming stand-your-ground won their case if the aggressor (victim) was African-American, compared to only 59% if the victim was Caucasian.^{xxxv} *Times* not only argues a racial bias of the law but also presents a 'misuse' of the law. *Times* points out that the original law was drafted in order to prevent innocent defendants from facing jail time for simply defending themselves.^{xxxvi} They make a point that now, five years after the law was drafted, countless controversial cases have passed through the courts, a spokesperson for the Miami-Dade State Attorney's Office even going as far

as to call the law “malleable.”^{xxxvii} Thus, the issue now stands that the stand-your-ground laws are being abused to a certain extent and offer too much leniency when it comes to defining what, exactly, a valid claim of self-defense consists of.

Recommendations for the State of Louisiana

Based on the evidence presented in this brief, it is recommended that the state of Louisiana abandon its current stand-your-ground legislature and adopt clauses of duty-to-retreat into its self-defense legislature. Based on the raw data presented, though the state of Florida has shown a dramatic decrease in violent crime, it remains approximately 20% higher than the national average, whereas the violent crime rate in the state of Massachusetts has remained at or below the national average. In addition, the dramatic decrease in violent crime cannot be fully credited to the stand-your-ground policies in effect. Scholarly research on the subject has shown in multiple cases that stand-your-ground has, in reality, had little effect on the decrease in crime and has, in most instances, contributed to an increase in violent crime. Additionally, stand-your-ground has shown to present the trouble issue of racial discrimination, which increases the likelihood of legal dispute and racial conflict.

The adoption of duty-to-retreat would essentially decrease the number of unnecessary homicides in the name of self-defense and increase the likelihood that innocents would avoid potential death if caught in an uneasy situation. In order to address the issue of situational clarity within the law, the new law would have the following provisions (similar to those found in the articles of Massachusetts): (I) there must be concrete visual evidence or a direct threat of the use of a weapon; (II) there must be evident intent to harm by the aggressor (i.e. trespassing on property); (III) the defendant must utilize all non-lethal methods of escape before resorting to force if not on owned property as outlined in the castle doctrine; (IV) granted (I), (II), and (III) have been satisfied, lethal force may be used to defend the physical well-being of one’s self.

One of the most important outcomes this revision hopes to bring upon is a new rigidity in the definition of stand-your-ground cases. With the new guidelines in place, the new law would easily and clearly define what is and is not a case of self-defense to reduce the possibility of abuse of the law. In addition to a more rigid definition of self-defense, the new legislation aims reduce the willingness of individuals to take advantage of the free use of weapons. By mandating a duty to retreat, individuals can no longer use their weapons as a first resort. By attaining these goals, there is hope that in the state of Louisiana, there will be a lower rate of violent and property crime, fewer illegitimate cases of self-defense, and even a reduction of racial tension as a result of misinformed legal hearings.

Current Legislation	Recommended Legislation	Outputs	Outcomes
<ul style="list-style-type: none"> • No duty to retreat – ability to ‘stand your ground’ • Unrestricted use of lethal force in any public domain 	<ul style="list-style-type: none"> • Elimination of the stand-your-ground clauses • Adaption of duty-to-retreat, as outlined by the state of MA • Use of lethal force <i>only</i> if all viable non-lethal options have been exhausted 	<ul style="list-style-type: none"> • More rigid legal definition of ‘self-defense’ – providing specific guidelines for self-defense cases • Less tolerance for ‘trigger-happy’ individuals • More equal racial toleration within court cases pertaining to self-defense 	<ul style="list-style-type: none"> • Lower violent crime rates • Lower property crime rates • Fewer illegitimate claims of self-defense • Reduced racial tension

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