

A RESOLUTION CALLING FOR THE REPEAL OF MICHIGAN'S STAND YOUR GROUND LAW AND
FOR STRENGTHENING OF FIREARM REGULATIONS

OCTOBER 16, 2013

WHEREAS, Stand Your Ground laws threaten to lead to unnecessary use of deadly force by eliminating the common-law duty to retreat and break off a confrontation where that can be accomplished with reasonable safety; and

WHEREAS, research by the Urban Institute suggests a troubling pattern of racial disparity in the application of Stand Your Ground laws in states with those laws; and

WHEREAS, research by Texas A&M shows that after state passes Stand Your Ground measures, they saw no drop in robberies, burglaries or aggravated assaults. Instead, an increase in murders was observed; and

WHEREAS, in a Tampa Bay Times review of 192 cases of deaths in which the Florida Stand Your Ground law led to the release of the killer, 70% of the victims were unarmed; and

WHEREAS, in 2006, Michigan passed Public Act 309, the Michigan Self Defense Act, which mirrors the Stand Your Ground laws of other states; and

WHEREAS, Public Act 309 of 2006 effectively eliminated Michigan's long standing common law necessity requirement for lawful use of deadly force; and

WHEREAS, the Washtenaw County Board of Commissioners believes that Public Act 309 of 2006 can place an unreasonable burden on prosecutors to overcome the presumption that a defendant claiming self defense acted upon a reasonable and honest belief of imminent death, great bodily harm, or sexual assault, especially in cases in which the only witness who could rebut the presumption is dead; and

WHEREAS, Public Act 319 of 1990, the Firearms and Ammunition Act, impedes local units of government from protecting the public health, safety and welfare by preventing the establishment of reasonable local regulations concerning the sale, transfer, transportation or possession of firearms and ammunition;

BE IT THEREFORE RESOLVED that the Washtenaw County Board of Commissioners calls upon the Michigan State Legislature and Governor Snyder to repeal Public Act 309 of 2006 and Public Act 319 of 1990; and

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners call upon the Michigan State Legislature to adopt common-sense gun regulations such as improved background checks, strengthened gun-free zones, and limits on the sale of high-capacity magazines; and

BE IT THEREFORE RESOLVED, this resolution shall be transmitted to Governor Rick Snyder, Senate Majority Leader Randy Richardville, State Senator Rebekah Warren, Speaker of the House Jase Bolger, State Representatives Jeff Irwin and Adam Zemke, and to members of the Michigan House and Senate Judiciary Committees.