

## **Senator Smith's letter to President Gaetz follows:**

August 5, 2013

The Honorable Don Gaetz  
President, The Florida Senate  
Suite 409 The Capitol  
Tallahassee, FL 32399-1100

Dear President Gaetz:

On August 12, 2011, slightly more than one month after Casey Anthony was acquitted of murder charges in the death of her 2-year old daughter, your predecessor announced the formation of the Senate Select Committee on Protecting Florida's Children. I was among the five Senators appointed to that panel, joining colleagues Joe Negron, Greg Evers, Anitere Flores and Arthenia Joyner.

Our assignment was straightforward: "In the wake of the verdict in the Casey Anthony trial, members of the Florida Senate, as well as concerned Floridians requested the issue of child protection be further examined by the Florida Senate...This select committee will be charged with examining the various policy options that are available to further advance the protection of Florida's children...and then determine whether changes need to be made to current Florida law."

Fast forward just two years later and we once again face a similar situation in which a child is dead and the adult who admitted to shooting him walks free. Unfortunately, while the calls for action on the part of the legislature continue to mount well beyond the state lines of Florida, there has been no similar effort on the part of the Senate to spring into action to examine "whether changes need to be made to current Florida law."

Mr. President, it is well documented that the problems and the misuse of Florida's "Stand Your Ground" law did not start, nor did they end, with the killing of 17-year old Trayvon Martin. There has been ample evidence collected since its passage in 2005 of its abuse throughout our state - too often by someone to escape prosecution after he or she provoked the confrontation that turned deadly. This needs to change.

As you are aware, there were several bills offered in this year's legislative session to amend or repeal Stand Your Ground. My bill, Senate Bill 136 which would have made it more difficult for aggressors to hide behind the law's immunity protections, was never even given a committee hearing, despite a specific request to Criminal Justice Committee Chair Evers to place it on the agenda. In fact, none of the bills addressing anything to do with Stand Your Ground were heard, not even one from Senator David Simmons, a member of the governor's own Stand Your Ground task force.

In your August 2, 2013 memo to members responding to questions about calling a special session on Stand Your Ground, you wrote: “No Senator has approached me with a specific proposal.”

Mr. President, please consider this my specific proposal: First, I respectfully request that you convene a Senate Select Committee to examine Florida’s self-defense laws, specifically as they relate to Stand Your Ground, and whether changes need to be made to better protect our citizens. I would like to serve as a member of that committee.

Second, I ask that once that Select Committee convenes, that the bills addressing Stand Your Ground currently in the process of being drafted for the upcoming 2014 session – including my own – be first on the Committee’s agenda for a hearing.

We have now marked the third week since the Zimmerman “not guilty” vote. Surely, if we could so quickly muster the full power of the legislature to examine and improve a law at the center of a firestorm following the death of Caylee Anthony, we can do the same in the case of Trayvon Martin.

I look forward to your favorable response.

Sincerely,  
Chris Smith, Senate Democratic Leader

cc: The Honorable Rick Scott  
Governor

The Honorable Will Weatherford  
Speaker, Florida House of Representatives