



Legislation Text

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Preconsidered Res. No. 1261

Resolution condemning the senseless shooting of Trayvon Martin and the inadequate investigation that followed, expressing deep sympathy for the Martin family, and calling for a full and impartial investigation holding those responsible to account as well as an examination of “Stand Your Ground” laws nationwide and the role they play in the spread of illegal guns on New York City’s streets.

By Council Members Mark-Viverito, James, the Speaker (Council Member Quinn), Dickens, Jackson, Cabrera, Rose, Foster, Williams, Vann, Van Bramer, Dromm, Koo, Koppell, Palma, Lander, Chin, Eugene, Sanders Jr., Lappin, Recchia, Levin, Ferreras, Mealy, Seabrook, Fidler, Reyna, Garodnick and Rodriguez

Whereas, On February 26, 2012, Trayvon Martin, a 17-year-old black male high school student was shot to death by George Zimmerman, a neighborhood watch volunteer, while walking through a family friend’s gated community in Sanford, Florida; and

Whereas, The death of a child, particularly a death that could have been prevented, is one of life’s greatest tragedies and the New York City Council stands united in extending its most sincere condolences to Tracy Martin and Sybrina Fulton over the loss of their son; and

Whereas, Mr. Zimmerman, a white Hispanic male adult, claimed that he killed Mr. Martin in self-defense, despite the fact that the victim was completely unarmed; and

Whereas, Mr. Zimmerman’s neighborhood watch organization is not recognized by the National Sheriffs’ Association Neighborhood Watch Program, and his actions, which included following and possibly confronting Mr. Martin, despite being told by a 911 operator not to do so, and carrying a concealed weapon, violate neighborhood watch conventions set forth by the Program; and

Whereas, Despite admitting to killing Mr. Martin, Mr. Zimmerman was able to evade arrest because of Florida’s “Stand Your Ground” law, which permits individuals to use deadly force if they reasonably believe that they are acting in self-defense and prevents the arrest of such individuals in the absence of contradictory

evidence; and

Whereas, Florida’s “Stand Your Ground” law, versions of which exist in 20 other states, does not require a person to retreat before using deadly force and permits such force to be used both on and off one’s property; and

Whereas, The Sanford police department has been faulted in the aftermath of the Mr. Martin’s death for failing to administer a toxicology test to Mr. Zimmerman; withholding tapes of 911 calls made by Mr. Zimmerman prior to the shooting, including one in which he allegedly uses a racial epithet in reference to Mr. Martin; sending a narcotics detective to the scene instead of a homicide detective; and failing to question Mr. Martin’s girlfriend, with whom he was talking on his cell phone at the time of the shooting; and

Whereas, On March 22, 2012, Sanford Police Chief Bill Lee announced that he was temporarily stepping down from his position in the police department, one day after the city’s commissioners passed a vote of “no confidence” in him as a result of his handling of the investigation; and

Whereas, The Sanford Police Department’s failure to fully investigate, as well as its inability to arrest, Mr. Zimmerman serves only to engender feelings of distrust toward law enforcement, particularly in communities of color; and

Whereas, Mr. Martin’s parents, as well as many leaders in the civil rights community, have expressed their belief that Mr. Martin was targeted by Mr. Zimmerman because of his race; and

Whereas, According to the Tampa Bay Times, Florida Governor Rick Scott has appointed a special prosecutor to investigate Mr. Martin’s death and will form a task force to examine the weaknesses in the “Stand Your Ground” law; and

Whereas, The United States Department of Justice has also announced that it would investigate the killing of Mr. Martin; and

Whereas, The broad allowances of the “Stand Your Ground” law place a dangerous amount of faith in the judgment of a person using deadly force in the name of self-defense; and

Whereas, States with “Stand Your Ground” statutes risk encouraging gun owners to commit deadly acts of violence as they know that they may be able to avoid prosecution; and

Whereas, Since the passage of Florida’s “Stand Your Ground” law in 2005, allegedly justifiable homicides have increased nearly threefold in the state; and

Whereas, Taken to the extreme, “Stand Your Ground” laws can be used to justify the use of deadly force in domestic disturbances, vigilante behavior and even gang activity; and

Whereas, Inadequate gun control laws coupled with a law like Florida’s “Stand Your Ground” law contribute to the poisonous flow of illegal guns that is permeating communities in New York City and throughout the United States by encouraging gun ownership; and

Whereas, In light of this tragedy, states with “Stand Your Ground” statutes have an obligation to reexamine their laws so that senseless gun violence like that which took Mr. Martin’s life can be avoided in the future; and

Whereas, The circumstances surrounding Mr. Martin’s death must be thoroughly and impartially investigated so that justice will be served and his death will not be in vain; now, therefore, be it

Resolved, That the Council of the City of New York condemns the senseless shooting of Trayvon Martin and the inadequate investigation that followed, expresses deep sympathy for the Martin family, and calls for a full and impartial investigation holding those responsible to account as well as an examination of “Stand Your Ground” laws nationwide and the role they play in the spread of illegal guns on New York City’s streets.