

Ann Sawchuck  
Cumberland  
LD 486

OPPOSE LD 486

Chairpersons Beebe-Center and Hasenfus, and members of the Criminal Justice and Public Safety Committee, I write you in opposition to LD 486 - An Act to Remove the Duty of an Individual Exercising Self-defense to Safely Retreat or Abstain from Performing Certain Acts upon Demand.

My name is Ann Sawchuck and I am a resident of Cumberland, Maine. Stand your ground laws create a dangerous “shoot first” culture of violence and vigilantism. They have repeatedly allowed people to shoot and kill others even when they could have easily and safely walked away.

One study of cases in which stand your ground was used as a defense in Florida from 2005 through 2012 found that in 79% of the cases where such claims succeeded, the defendant could have retreated to avoid the confrontation, and in 68% of successful claims, the person killed was unarmed. In other states killings of victims who were facing away, retreating, or even lying on the ground when they were shot have been deemed justified.

Evidence does not support the claim that ‘stand your ground’ laws deter criminal activity and violence. In fact, several studies examining homicide and violent crime rates consistently show that the passage of stand your ground laws increase homicides and gun injuries. Florida’s stand your ground law has been associated with a 32% increase in firearm homicide rates and had the largest negative impact on neighborhoods that initially had the lowest homicide rates before the law was enacted.

Maine is to be applauded for its current self-defense law which imposes a “duty to retreat” to a place of safety unless the aggressor is already in your home (Title 17-A MRSA 108(2)(B)). In cases where an unknown person shows up on your Maine property, you can’t shoot them first before you take time to consider the situation.

A couple of years ago, a lost hunter showed up on my porch with a shotgun. A somewhat threatening situation. I took time to consider the situation and, although I didn’t offer him a ride, I pointed him in the right direction and he left safely. LD 486 would completely remove any duty to retreat, or consider the situation and point someone in the right direction. In fact, since LD 486 would apply outside your home, the hunter could have shot me if he felt threatened. We hope simple decency will achieve the right result, but that is not always the case.

And I ask, what crimes would LD 486 have prevented in Maine? We are the safest state in the country, please don’t diminish our Maine Criminal Code and our way of life by adopting LD 486.

LD 486 is a bad idea. Please OPPOSE it. Thank you.