With the recent murder of Trayvon Martin in Florida, the state wherein I reside, I began thinking about what the implications might be if workplaces began to practice the ‘Stand Your Ground’ law. This law states that a person may use force in self-defense when there is reasonable belief of a threat, without an obligation to retreat first. The ‘Stand Your Ground’ law grants immunity to criminal charges and a civil suit. Unlike a defense which permits a plaintiff or the state to seek civil damages or a criminal conviction, immunity bars suit, charges, detention and arrest.

The ‘Castle doctrine’ which states that a person has no duty to retreat when their home is attacked has been expanded in some states to removing the duty of retreat from any location. For example, in Illinois, reference is made to “use of force in defense of other property”, and includes “property he has a legal duty to protect.” In Montana, the premises are described as simply “an occupied structure.” North Carolina actually created a new law in December, 2011 which explicitly includes the workplace. I have not thoroughly researched this topic to know what is in all states, but this gives you an idea of the implications for the workplace. Most of these laws include motor vehicles which, as we know, are often used in the conduct of one’s work responsibilities.¹

The question that arises in my mind is whether or not these laws will increase the number of deadly shootings in workplaces. Will people simply shoot to kill without concerning themselves with retreating to a safe place or of trying to defuse or prevent the violence? In the state of Florida, deaths due to self-defense are up over 200 percent since the ‘Stand Your Ground’ law took effect. What was intended to be a law for the protection of victims, particularly in domestic violence cases, has turned into a justification for using deadly force unnecessarily. I won’t go into all of the details about the Trayvon Martin murder, because it’s all over the media, but it is very questionable that the shooter was in fear of his life before shooting this unarmed teenager.

According to Florida Department of Law Enforcement statistics, Florida averaged 12 ‘justifiable homicide’ deaths a year from 2000-2004. The number of such homicides have now almost tripled to an average of 35 a year since the passing of the ‘Stand Your Ground’ law in 2005.²

JohannGaltung, noted peace advocate and author, describes ‘cultural violence’ as “any aspect of a culture that can be used to legitimize violence in its direct or structural form.”³ When addressing workplace violence, we need to take into consideration the cultural and societal issues that may affect policies and practices. The ‘Stand Your Ground’ law has become a means of legitimizing hate crimes and increasing murder.

¹ States that have, or are considering, some form of Castle Doctrine or Stand Your Ground Law are: Alaska, Arizona, California, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.
³ Journal of Peace Research: jpr.sagepub.com