

DARRELL E. ISSA, CALIFORNIA
CHAIRMAN

JOHN L. MICA, FLORIDA
MICHAEL R. TURNER, OHIO
JOHN J. DUNCAN, JR., TENNESSEE
PATRICK T. MCHENRY, NORTH CAROLINA
JIM JORDAN, OHIO
JASON CHAFFETZ, UTAH
TIM WALBERG, MICHIGAN
JAMES LANKFORD, OKLAHOMA
JUSTIN AMASH, MICHIGAN
PAUL A. GOSAR, ARIZONA
PATRICK MEEHAN, PENNSYLVANIA
SCOTT DESJARLAIS, TENNESSEE
TREY GOWDY, SOUTH CAROLINA
BLAKE FARENTHOLD, TEXAS
DOC HASTINGS, WASHINGTON
CYNTHIA M. LUMMIS, WYOMING
ROB WOODALL, GEORGIA
THOMAS MASSIE, KENTUCKY
DOUG COLLINS, GEORGIA
MARK MEADOWS, NORTH CAROLINA
KERRY L. BENTIVOLIO, MICHIGAN
RON DESANTIS, FLORIDA

LAWRENCE J. BRADY
STAFF DIRECTOR

ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
FACSIMILE (202) 225-3974
MINORITY (202) 225-5051
<http://oversight.house.gov>

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER

CAROLYN B. MALONEY, NEW YORK
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA
JOHN F. TIERNEY, MASSACHUSETTS
WM. LACY CLAY, MISSOURI
STEPHEN F. LYNCH, MASSACHUSETTS
JIM COOPER, TENNESSEE
GERALD E. CONNOLLY, VIRGINIA
JACKIE SPEIER, CALIFORNIA
MATTHEW A. CARTWRIGHT, PENNSYLVANIA
MARK POCAN, WISCONSIN
L. TAMMY DUCKWORTH, ILLINOIS
ROBIN L. KELLY, ILLINOIS
DANNY K. DAVIS, ILLINOIS
PETER WELCH, VERMONT
TONY CARDENAS, CALIFORNIA
STEVEN A. HORSFORD, NEVADA
MICHELLE LUJAN GRISHAM, NEW MEXICO

October 29, 2013

The Honorable Richard Durbin
Chairman
Subcommittee on the Constitution, Civil Rights and Human Rights
U.S. Senate Committee on the Judiciary
Washington, DC 20510

Dear Senator Durbin:

I applaud your decision to hold a hearing on “the civil rights implications when racial profiling and ‘stand your ground’ laws mix.”¹

Over the last year, the Trayvon Martin shooting and the acquittal of his admitted killer have reignited a national conversation about the significant differences in how African-American and other minorities are treated under our criminal justice system when they are the victims of violence. For example, investigative reporters at the *Tampa Bay Times* reviewed nearly 200 cases in Florida and found that defendants claiming “stand your ground” were more likely to prevail if victims were black than if victims were white.²

In addition, an *Urban Institute* study that analyzed state and local data from 2005 to 2010 on race, justifiable homicide, and “stand your ground” laws found troubling racial disparities. The report concluded:

[H]omicides with a white perpetrator and a black victim are ten times more likely to be ruled justified than cases with a black perpetrator and a white victim, and the gap is larger in states with stand your ground laws. ... Cases with a white perpetrator and a black victim are 281 percent more likely to be ruled justified than cases with a white perpetrator and white victim.³

¹ Office of the Honorable Richard Durbin, *Durbin to Chair Hearing on “Stand Your Ground Laws”* (July 19, 2013).

² *Uneven Application, Shocking Outcomes*, Tampa Bay Times (June 5, 2012); *Race’s Complex Role*, Tampa Bay Times (June 4, 2012); *Rough Crowd Benefits from Law*, Tampa Bay Times (July 22, 2012).

³ John K. Roman, Ph.D., *Race, Justifiable Homicide, and Stand Your Ground Laws: Analysis of FBI Supplementary Homicide Report Data*, Urban Institute (July 2013).

The Honorable Richard Durbin
Page 2

Since Florida became the first state to pass “stand your ground” legislation in 2005, half the states have adopted similar measures, and my constituents have shared with me their grave concerns about the safety of their families and friends who live in and travel to these states. As the guarantor and protector of civil rights, I believe Congress can and must explore the disparate and dangerous outcomes that can arise from the expansion of these laws. Your hearing will be a constructive and much-needed step toward this goal.

Thank you for your leadership, and I look forward to working together on this important issue.

Sincerely,



Elijah E. Cummings
Ranking Member