

Good morning Madame chairwoman and members of the committee. My name is Cheryl Biller. I am from Fargo and I speak today in opposition to HB 1498.

ND currently has laws that allow for the use of force, including lethal force, in defense of self. This bill, should it become law, doesn't close any loopholes. It doesn't fill in any gaps, nor does it clarify any language. In a country where you are 25 times more likely to die of gun violence than our peer nations, this bill will exacerbate that statistic – with no data to support the assertion that it will deter crime.

Other states have enacted laws similar to this one, so we know what the results will be. Data in an article from the Journal of the American College of Surgeons shows that laws enacted by passage of bills like this are associated with an increase in homicide rates such that we see 150 more gun deaths each month in the US. When Florida passed its stand your ground law, there was a 32% increase in firearm homicides rates. The overall rate of homicide also went up 24% when this law was passed.

Not surprisingly, in addition to more people being killed with guns and by other means, laws like this encourage an escalation in violence in situations where that violence could be diffused without someone dying. An analysis of cases in FL where the stand your ground defense was used, defendants in 79% of the cases could have safely avoided the confrontation but chose to shoot instead. In 68% of those cases, the person killed was unarmed. The Tampa Bay Times looked at cases where this defense was used in a homicide trial and found that more than half, 60%, of those who use this defense have been arrested at least once before they killed someone; and about a third of those defendants have been accused of violent crimes including assault, battery, and robbery.

Where these laws exist – homicides go up, violence escalates, and to complete this unhealthy trifecta, the data also shows a disproportionate impact on communities of color. An FBI analysis of data shows that when white shooters kill black victims, the resulting homicides are deemed justified far more often than when the shooter is black and the victim is white. Controlling for other factors—such as who initiated the confrontation and whether or not the victim was armed—Florida Stand Your Ground cases with minority victims are half as likely to lead to conviction, compared to cases with white victims.

I say again – there is no data that supports the assertion that laws like this bill would create actually deter crime.

Let me leave you with this last note – a prayer really. You all, in this legislative session, passed a bill that would allow for display of a religious document, the 10 commandments, in public school classrooms. I presume, then, that you believe our children should be taught to follow the tenets laid out in that display. One of those commandments, as I'm sure you are aware, is Thou Shalt Not Kill. How can our children be expected to appreciate the value of human life if we subsequently say to them that it is fine to kill someone you are afraid of, even if you are able to avoid confronting them and even if they are in fact not actually a threat to you? How do they appreciate the laws of this country if we say it is not okay to kill people - unless you are afraid, then you get to be the judge, jury, and executioner? I am sure you see the disconnect here – passing one law that say we will teach our children not to kill and passing another that allows us to kill each other.

I pray you have a consistent set of values and understand how important it is to consistently apply those values. If that is so, you will surely give a do not pass recommendation to HB 1498.

Thank you for your time today-