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# Stand Your Ground in Florida: The Effect of Race, Location and Weapons on Convictions

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In July 2013, George Zimmerman was acquitted after shooting and killing a seventeen-year-old African-American during an altercation in Central Florida. Almost immediately, claims of racial inequality hit the front pages and the application of the right to self-defense under the law were subjects of discussion across the media (e.g., Robles 2012). The acquittal of Zimmerman brought attention to claims of racial bias in the enforcement of laws. It also raised concerns about the effect of laws, such as the one passed in Florida, allowing people to defend themselves with lethal force. These laws, sometimes known as stand-your-ground laws (hereinafter, SYG laws), were argued to have had a discriminatory effect against minorities (Roman 2013). Unfortunately, while the claims concerning the law were and are ubiquitous, there is limited research on the actual application of the law and how successful it has been when used to defend against a criminal charge.

While there are many implications of the growth of the SYG defense across the nation, our analysis focuses on some of the significant factors weighing on the success or failure of the use of the SYG defense in Florida to prevent or defeat criminal charges. In this research, we isolate and measure the effectiveness of the SYG law as a legal defense to criminal charges across counties in Florida. Specifically, we consider if there are significant differences in the successful application of the law based on race, ethnicity and geography. Initially, we consider whether the race of the victim or the perpetrator is a significant predictor of successful application of the SYG affirmative defense. We also consider whether the racial composition of the counties in which the SYG defense is made can impact the success or failure of the defense as well. Finally, we consider some of the secondary factors related to the application of the SYG defense such as the use of a firearm or other weapon. We measure whether the use of firearms negatively or positively affects a defendant's success.

While we are limited to Florida and its counties, this data does allow us to test some of the claims made by the media and political pundits regarding how the law is used and how effective a defense it has proven to be in practice. Further, Florida presents a strong case for the study of the implications of SYG law. Florida is geographically large, and the fourth-most populous state. It also was the first state to implement an SYG law. While the state tends to favor Democratic registration, politically it is almost evenly divided and particularly diverse (Carsey and Nelson 2008; Parker and Towner 2008; Prier and Wagner 2009; Wagner and Prier 2008). It is a state that should be competitive and often is at the state and national level, with two U.S. senators from different parties. Our examination of Florida allows us to go beyond reports from media outlets where the methods were limited and largely descriptive rather than probabilistic. Our dataset of over 200 stand-your-ground cases in 28 counties in Florida allows us to analyze the cases and find whether the outcome of SYG cases in Florida have a predicted pattern based on race or other indicators. Ultimately, we seek to give clear and measured insight on the application of the SYG law in Florida. We begin with a review of studies in this area. We then present our model and data analysis.

**A Moving Castle: The Stand-Your-Ground Expansions**

SYG laws are largely derived from the legal principle underlying the "castle doctrine." In traditional English common law, a person is under a duty to retreat before using lethal force against an assailant (Vilos and Vilos 2010). This doctrine was true in Florida law as well, and it is noted in judicial decisions. (See, Weiand v. State, 732 So. 2d 1044 Fla. 1999; State v. Bobbitt, 415 So. 2d 724 Fla. 1982). As one Florida court noted, a person must retreat to the wall before availing themselves of lethal force (Hunter v. State, 687 So. 2d 277 Fla. 5th DCA 1997). The castle doctrine presents a legal defense to a person who uses force, even lethal force, to defend themselves in their home. The rationale is that each person's home is their castle, or sanctuary, and as such they have a right to defend themselves within its confines rather than retreating and relinquishing possession of the premises to an intruder. Stated more directly, the doctrine gives the right of self-defense to someone in their home with no duty to retreat if attacked or threatened.

While largely a common law defense, the castle doctrine has, in recent years, been codified into law in many states. The codification of the doctrine has led to some variance in its applicability across jurisdictions. The scope and level of force allowed can differ, though states such as Florida permit individuals to protect their homes with lethal force. While the castle doctrine itself is subject to some criticism (e.g., Cheng and Hoekstra 2013), it is, and continues to be, largely non-controversial in the general public. However, more recent expansions of this doctrine are subject to greater concern. In some states, such as Florida, the castle doctrine - or the right to use force and not otherwise retreat - has been expanded outside the home creating a larger right not to retreat over more areas, or sometimes almost any area (Jansen and Nugent-Borakove 2007; Goode 2012; McCellen and Tekin 2012). The defense has become, in a sense, a castle doctrine without a castle.

While not alone, Florida was among the first states to expand its castle doctrine. It is one of eight southern states that codifies and uses the phrase, "stand your ground" in the law (Childress 2012). The expansion of the castle doctrine has traded the home for the ground a person is standing on, largely without concern over the issue of the

victim's legal possession of that area. Simply having the right to be there is sufficient to trigger the location aspect of the statutory right not to retreat (Florida Statutes 776.012 2012). These new laws permit anyone to "stand their ground" versus leaving a confrontation before it escalates into violence under a number of fairly broad circumstances such as a reasonable fear of harm. Some states like Florida create, by law, a presumption under some circumstances, such as an unlawful entry into a dwelling or car, that a person held a reasonable fear of imminent peril of death or bodily injury if they used a defensive force that was intended or likely to cause death or bodily injury to another (Florida Statutes 2014). It, in effect, justifies the use of the force by the very act of using force in one's defense.

The end result is that in these jurisdictions, an individual largely has no duty to retreat before using force (Cheng and Hoekstra 2012; Boots et. al. 2009; Jansen and Nugent-Borakove 2007). The Zimmerman case, which was noted above, highlighted the problem with extending the SYG law to other physical locations. It made the interpretation of the law complex. Once outside the home, how does a fact-finder know who is standing their ground? Without clear evidence of the cause of a confrontation, the law may be used to allow those who instigated a confrontation to claim self-defense. This is especially true in Florida, since the defensive use of force can create a presumption under the statute that the force was used in accordance with the requirement of being in fear of bodily harm.

A common justification for the SYG laws is that they deter crime. If criminals know that others can legally use deadly force, then criminals are deterred from committing crimes against their fellow members of society. However, the value of this deterrence is at best unclear. Cheng and Hoekstra (2012) test the deterrence issue and find that SYG laws do not have a deterrence effect. Contrarily, they find evidence that SYG laws increase the number of homicides. Specifically, violence increases when the language of the SYG law does not constrain the lethal force only to the protection of the home or castle (Cheng and Hoekstra 2012). In addition, Megale (2010) contends that the language of SYG laws permits criminals to be released from liability for violence, including murder. The rationale is that since the law protects such a broad application of force, it creates the unintended consequence of being a ready defense for otherwise criminal acts. Criminals can arrange the circumstances in a way to use SYG laws as a self-defense claim and avoid conviction and incarceration.

Beyond the larger implications of the statute are concerns about its application across race. The connection between the outcomes of SYG cases and race are raised because the sometimes broad application of the SYG laws allow for an uneven application of its requirements across different cases. Roman and Down (2012) looked at racial bias for SYG cases in a cross-state study. They found evidence of racial bias in the application of the SYG laws based on the race of the victim and perpetrator. In reviewing the cases, they found that white-on-black homicides are more likely to get a not guilty verdict in SYG cases. They also find in states with SYG laws have more justifiable white-on-black homicides than in states that do not (Roman and Down 2012). We are aware of no studies that have found a statistically significant and direct link between African-American victims and SYG laws. However, some studies have suggested that SYG laws have been unfairly applied to minorities and lower socio-economic classes (Jansen and Nugent-Borakove 2007; Hundley, Martin, and Humberg 2012).

Beyond facial concerns about the law, there are practical concerns about the possible bias in the implementation. Critical race theory suggests that laws which appear facially color-blind may have the effect of reinforcing societal divisions through the maintenance of power positions in society. (Brewer and Heitzig 2008). While the law does not distinguish between races, it may in application be constructed so as to benefit the privileged majority (Obasogie 2013; Carbado and Roithmayr, 2014). SYG laws raise these very fears. Commentators and others are concerned that they may disproportionately shield whites from accountability for violent confrontations. This can occur indirectly through bias associated with the presumption of innocence and in the physical process such as jury selection (Butler 2010; Sommers 2008; Kang et al. 2012). We include a minority-majority population ratio variable to test for the existence of this type of racial bias in SYG cases.

Further, the social and political context where a law is implemented, including the racial balance of an area, can matter. An individual's political behaviors are influenced by these social and political contexts such as the composition of racial groups or the economic conditions in the community (Branton and Jones 2005; Gay 2006, Hopkins 2010; Solt 2010; Uhlaner 1989). More directly, an individual's political or social behaviors are not only a product of individual-level elements such as political predispositions, but also a product of social and political conditions in the community where individuals interact with others. Previous studies show that African- Americans who live in affluent communities are less likely to adhere to racial identity or to maintain political attitudes based on race (Gay 2006). White Americans' attitudes toward racial policies also are influenced by the diversity of their community as well as the socioeconomic status of an area (Branton and Jones 2005). Whites who live in a community with higher rates of poverty and that are more racially diverse are less likely to support race-based policies. Support for such policies is higher among whites who live in a high socioeconomic and racially diverse communities, as they are less likely to feel threatened by minority group members.

These studies suggest that the racial context in a community is an important factor in understanding how individuals or a community as a whole behave and make choices. As a result, we expect the demographics of a county to influence the outcome of an SYG decision. As the case will be determined by the jurors in the community, the racial composition in the county will influence the decision in two ways: through public opinion in the county, and the pool of jurors. If the case is decided in a county where a large number of minority persons exists, there is a high chance that minority group members will be both victims and jury members. This will produce pressures toward a conviction. Thus, we propose that if the county is more racially diverse, we expect to see a higher rate of conviction in an SYG case.

We start with three hypotheses:

*$H_1$ – The race of the accused is statistically significant in predicting the outcome of an SYG case.*

*$H_2$ – The race of the victim is statistically significant in predicting the outcome of an SYG case.*

*$H_3$ –The ratio of minority population to white population in counties is a significant predictor of the outcome of an SYG case.*

**Data and Measurements**

The data was compiled from the *Tampa Bay Times'* stand-your-ground database for Florida. This database covers 28 counties in Florida from 2005 to 2013. We dropped cases that either were still pending or involved an animal victim. For the county-level information (i.e., minority population ratio to whites in each county), we used the 2010 census. The dependent variable in the study is the outcome of the verdict in each case that involves SYG law in Florida. As the outcome of the verdict is either guilty or not guilty, it is coded as a dichotomous variable. Of 202 total cases, thirty percent (or 61 cases) were concluded with a guilty verdict, and the remaining cases (70 percent) received a not guilty verdict over this time period (2005 to 2013).

We use several demographic measures as independent variables. Gender and race are measured for both the accused and the victim. Male is coded 1, and female is coded 0. Similarly, if the individual is a member of a minority group such as blacks (e.g., African- Americans, Haitians, or Jamaicans), Latinos, or Asian Americans – we coded the individual as 1. Caucasian or non-minorities are coded 0. The same measurement scheme is used for gender and race for both the accused and the victim. To capture other characteristics of cases, the means used to commit the alleged crime, the level of harm, and the number of victims in the case are measured. The means used to commit the alleged crime, *gun use*, is a dichotomous measure: whether it is involved using a gun or not. If the accused used a gun, it is coded 1, otherwise 0. To measure the level of harm in the involved case, the variable, *fatality*, was constructed. If the victim died in the case, it is coded 1 and otherwise 0. The number of victims is a measure of how many people died in the incident.

In addition to these individual case-related variables, we examine the effect of county characteristics. The minority population ratio in the country is constructed by using census data. It is a ratio of minority group members' population and white population in the country. It ranges from .09 (Citrus Country) to 5.12 (Miami-Dade County). The other county-level variable is the categorization of these counties by region, which distinguishes the region by social and political culture. The base region is the South, and the other two regions are the North and the I-4 corridor. Each of these regions represents a demographically distinct area of Florida. The I-4 corridor is important, since it is an area of significant recent growth in total population and in minority population (Benton 2008).

**Findings**

Before we model and test the relationship between the variables, we begin with a descriptive review of our data. Table 1 presents the differences in guilty outcomes by plea or verdict across race. When there is a white victim, the conviction rate is nearly 37 percent, but when there is a black victim, the conviction rate drops sharply to just under 24 percent. The percentage of conviction outcomes for Hispanic victims is even lower at nearly 23 percent. We find a $\chi 2$ p-value of .123. While the p-value falls outside the accepted statistically significance level, it does appear that there is some amount of dependency between race and the dependent variable, guilty.

To further investigate, we looked at the relationship between the conviction outcome between whites and all minorities. This slight change in the variable indicates stronger evidence that there may be systematic differences between whites and minorities ($\chi 2$ p-value of .059) in the outcome of SYG cases. Further, minority victims see a guilty outcome only 23 percent of the time versus 37 percent for white victims. This is supportive of the notion of a differentiation of treatment under the SYG law for minority victims. However, since there may be a differential due to the extent of the injury to the victim, we bifurcated our data by whether or not a fatality occurred in the case.

However, rather than narrowing the difference, this amplified it. When we separated the cases by fatalities, a greater disparity emerges for minorities. With white victims, the conviction rate in fatality cases is 43 percent, but only 25 percent for minorities. The $\chi 2$ p-value (0.000) gives us a value to reject the null and show race and the conviction rate is correlated. More directly, there is some weight to the argument that minorities are receiving different treatment when the SYG defense is presented. This is shown more clearly in cases that included a fatality.

We then looked at the relationship between race of the accused and a determination of guilt. In this measure, we get a statistically insignificant $\chi 2$ p-value of .863. Contrary to media conjecture, we do not find the race of the accused to be a significant predictor of a determination of guilt in SYG cases in Florida. We explore this area further by combining all minority groups together to compare minorities to whites when each group is the accused victim. Similarly to the race of the accused finding, we get a statistically insignificant $\chi$ 2 p-value (0.776). Thus, we are unable to reject the null hypothesis of no dependency. That is, we conclude there is no relationship between the outcome of SYG cases and race/minority of the accused in this data.

Interestingly, in absolute terms, whites have a higher percentage of guilty outcomes when they are accused as compared to minorities (32.11 percent vs. 29.21 percent). We further divided the accused and race cases by gender. There is not a large difference in magnitude between minority men and white men (33.8 percent vs. 31.25 percent), but now our $\chi 2$ p-value is statistically significant (0.000). This hints at the possible support for the claims that minority males might be over-prosecuted in the SYG cases.

Lastly, we look at the relationship of using a gun in the SYG cases. There not only is a statistically significant difference, but also a substantial difference in magnitudes for conviction rates based on whether a firearm was used. In cases evoking the SYG defense where a gun was not used, the guilty outcome rate is only 25 percent. In cases where a gun was not used, the rate rises to nearly 41percent. Facially, it appears as if the use of a firearm actually decreases the chances of a guilty outcome.

We now have supporting evidence for one of our two initial hypotheses. When we add minorities groups together to be measured, we find statistical significance. This preliminary exploration indicates that the claims of inequality for minority victims among SYG cases may hold true. As well, we see accused minority men have a higher guilty or plea outcome than whites. Before these claims can be substantiated, a more sophisticated analysis is needed. We need to control for more variables to substantiate and support these findings. Due to the dichotomous construction of the dependent variable, we elect for a logistic regression[1] to help control for other factors that may have a weighted impact on the verdict in SYG cases.

Table 1: Determinants of a Verdict or Pleas of Guilty

| Independent variables | | Guilty/Plea(%) | | Otherwise(%) |
|---|---|---|---|---|
| ***Race of Victim*** | | | | |
| | White | 36.79 | | 63.21 |
| | Hispanic | 21.74 | | 78.26 |
| | Black | 23.88 | | 76.12 |
| | $\chi 2$ | | 0.123 | |
| | n | | 196 | |
| ***Victim*** | | | | |
| | White | 36.79 | | 63.21 |
| | Minority | 23.33 | | 76.67 |
| | $\chi 2$ | | 0.059 | |
| | n | | 196 | |
| ***Victim*** | | | | |
| *non-fatal* | White | 28.57 | | 71.43 |
| | Minority | 20.51 | | 79.49 |
| *fatal* | White | 43.86 | | 56.14 |
| | Minority | 25.49 | | 74.51 |
| | $\chi 2$ | | 0.00 | |

1 $\Pr(Guilty\ Verdict) = \frac{e^u}{1-e^u}, where\ u = \alpha + \beta_1\gamma, and\ \gamma\ is\ a\ vecotr\ of\ independent\ variables$

| | | | | |
|---|---|---|---|---|
| | n | | 196 | |
| ***Race of Accused*** | | | | |
| | White | 32.11 | | 67.89 |
| | Hispanic | 32.14 | | 67.86 |
| | Black | 27.87 | | 72.13 |
| | $\chi^2$ | | 0.836 | |
| | n | | 198 | |
| ***Accused*** | | | | |
| | White | 32.11 | | 67.89 |
| | Minority | 29.21 | | 70.79 |
| | $\chi^2$ | | 0.776 | |
| | n | | 198 | |
| ***Accused*** | | | | |
| *female* | White | 38.45 | | 61.54 |
| | Minority | 11.11 | | 88.89 |
| *male* | White | 31.25 | | 68.75 |
| | Minority | 33.8 | | 66.2 |
| | $\chi^2$ | | 0.00 | |
| | n | | 198 | |
| ***Gun*** | | | | |
| | no gun | 40.58 | | 59.42 |
| | gun | 24.81 | | 75.19 |
| | $\chi^2$ | | 0.031 | |
| | n | | 202 | |

The model estimation results are presented in Table 2. One of the main hypotheses was the effect of the victim's race on probability of receiving guilty verdict. The racial identity of the accused does not affect the probability of a guilty verdict that much (b=.227, p>.10). However, the victim's racial identity matters in influencing the probability of getting a guilty verdict. If the victim is a minority compared to white, the accused is less likely to receive a guilty verdict (b= -.787, p<.05), holding other conditions constant. In addition to the victim's racial identity, the characteristics of cases have meaningful influence on the outcome of the verdict. Those cases that involve using guns as weapon of attack are less likely to receive a guilty verdict compared to other weapons (e.g., knives) (b=-1.11, p<.001). Consistent with common sense, if the outcome of attack leads to the death of those involved in the case, the defendant is more likely to get a guilty verdict compared to non-fatal cases (b=1.269, p<.001). Also, the larger number of victims is associated to the guilty verdict (b=.716 , p< .10).

**Table 2: Sources of Guilty Verdict in Stand Your Ground Cases in Florida**

| | Coeff. | std. err |
|---|---|---|
| *Case level characteristics* | | |
| Accused gender (male=1) | 0.861+ | (0.551) |
| Accused race (minority =1) | 0.227 | (0.411) |
| Victim gender (male =1) | -0.838 | (0.646) |
| Victim race (minority =1) | -0.777 * | (0.427) |
| Gun use | -1.111*** | (0.405) |
| Fatal | 1.269*** | (0.418) |

| | | |
|---|---|---|
| Victim number | 0.716+ | (0.443) |
| *County level characteristics* | | |
| Race ratio in county (minority/white) | 0.317 * | (0.170) |
| I-4 region counties | 1.024* | (0.488) |
| North region | 0.366 | (0.609) |
| Constant | -2.346* | (1.031) |
| N | 195 | |
| Pseudo $R^2$ | 0.112 | |
| Log likelihood | -106.88 | |

Logit estimation results; one-tail test

+ p< .10; * p<0.05; ** p<.01; *** p<.001

In addition to the individual case characteristics, the county-level variables show meaningful effect on the outcome of the case. The ratio between minority group members and whites in the county positively affects the chances of getting a guilty verdict (b=.317, p<.05). Those cases that occur in the counties that have a larger number of minority group members (Latinos, blacks, or Asians) are more likely to get a guilty verdict. This is consistent with the expectation that the influx of a large number of minority group members within a community may contribute to more opportunity for minorities to participate in both the prosecution and determination of guilt. The pressure for harsher punishment for the use of force can be easily organized by interest groups and racial organizations. Also, there are more chances that minority group members can participate in the deliberation process. Interestingly, country characteristics contribute in accounting for the outcome of the verdict based on the regional characteristics of counties. Those counties that belong to the I-4 region are more likely than southern counties to produce guilty verdicts (b=1.024, p<.05). The I-4 region is a high-growth area with an increasingly diverse population. It is not clear from our data why this area has a less successful use of the SYG defense, though it may be a product of the political influence of the growing minority presence in this area.

Since the results of logit estimation is not that intuitive in understanding the magnitude of each variable's effect on the dependent variable, then it is useful to calculate the predicted probabilities for each independent variable by setting other independent variables at their mean or mode. The predicted probabilities are presented in Table 3.

**Table 3: First differences of the sources of guilty verdict**

| Changes | Mean | Std. Err. | [90% Conf. Interval] | |
|---|---|---|---|---|
| Accused gender: female → male | 0.159 | 0.097 | -0.006 | 0.319 |
| Accused race: white → minority | 0.05 | 0.088 | -0.1 | 0.191 |
| Victim gender: female → male | -0.187 | 0.145 | -0.416 | 0.053 |
| Victim race: white → minority | -0.182 | 0.096 | -0.339 | -0.026 |
| Gun use: other → gun | -0.261 | 0.094 | -0.413 | -0.102 |
| Fatal: non- fatal → fatal death | 0.218 | 0.08 | 0.094 | 0.354 |
| Victim number: mean → 2 stand. Deviation | 0.13 | 0.08 | 0.002 | 0.259 |
| Race ratio in county (minority/white) Mean → 2 stand. Deviation | 0.171 | 0.092 | 0.019 | 0.323 |
| counties: southern → I-4 counties | 0.187 | 0.091 | 0.041 | 0.34 |
| North region: southern → northern | 0.083 | 0.137 | -0.119 | 0.327 |

First differences were obtained by using CLARIFY (Tomz, Wittenberg, 2003 ).

The mean values are the statistics based on 1000 simulations by setting other independent variables at their mean or mode and by changing the range (or mode) of each independent variable.

When we change the victim's race from white to minority, the probabilities shift substantially. With the other variables controlled, the probability of getting a guilty verdict decreases about .18 points. Similarly, if we change the weapon of attack from others (e.g., knives or baseball bats) to a firearm, the probability of getting a guilty verdict decreases about .26 points. But if we change the injuries caused from the incident from "nonfatal" to "fatal", the probability of getting guilty verdict increases .22 points. The change in the relative magnitude of types of weapons and casualties is the largest among the independent variables.

In terms of the effect of the minority population in a county on the guilty verdict, the change of minority population from the mean to two standard deviations higher, results in the probability of getting a guilty verdict rises .17 points. The magnitude of change is not the largest amongst our variables, but it is substantively large given that it is measured at the interval level, and the effect of the change is measured based on two standard deviation movements compared to other categorical variables that move from 0 to 1 (maximum). Similarly, those counties that are located around the I-4 corridor are .187 points higher in producing guilty verdicts compared to that of southern counties.

Finally, we estimate the effect of race on the outcome more directly. Since we can calculate the probability of a guilty verdict based on different scenarios with the model, we estimated the effect of the race of victim and aggressor together. The probability of a guilty verdict for the case of minority victim and white aggressor is .31 when all other conditions are fixed (i.e., average ratio between minority and white population in a county, average number of victim, male aggressor, male victim, gun used, fatality involved, and occurred in I-4 counties). On the other hand, the probability of a guilty verdict for the case of white victim and minority aggressor is .54 when all other conditions are fixed at the same condition. The difference is about .23 points, which is a very large difference in magnitude and more than a 50 percent increase in the chance of getting a guilty verdict. This is strong evidence of a racial bias in the guilty verdicts in Florida.

Interestingly, the differential in conviction rates for using or not using a firearm is also significant in our model. With a white aggressor and a minority victim, the probability of a guilty verdict for those cases in which a gun is used is .31 when all other conditions are fixed. On the other hand, the probability of a guilty verdict for the case in which other types of weapons are used is .57. The difference is about .26 points, which is more than a 50 percent increase in the chance of getting a guilty verdict.

As to the effect of minority population compared to whites in a county, the probability of a guilty verdict for the case in which the ratio of minority population to whites in the county is set at the minimum value is .26 points when other conditions are fixed. In contrast, the probability of a guilty verdict for the same case in which the ratio of minority population to whites in a county is set at a maximum is .61. The difference is about .35 points. Specifically, if the case occurs in Citrus County with the same condition, there is about a .25 probability of receiving a guilty verdict. If the same case occurs in Miami-Dade County, the probability increases to .61 points. There is a strong and significant difference in the success rates of using the SYG law across counties in Florida.

**Conclusion**

This research is one of the first looks at the application of SYG laws in Florida. We recognize that the outcomes in Florida may not be representative of SYG laws in other states and jurisdictions. Differences in how the laws are written along with variations in populations and the nature of the enforcement in different areas likely will effect outcomes. Nonetheless, the Florida experience presents an early window into some of the effects and concerns that policy- makers and citizens should be prepared to address.

There are some significant and important results in our data. Our models show that the race of the victim in particular is a significant predictor of the success or failure of the SYG defense. In cases with minority victims, the probability of getting a guilty verdict is lower, and the success rate of using the SYG defense is measurably and significantly higher. While we cannot control for all of the variables that might inform such outcomes, the differential is troubling. More research needs to be done into the circumstances of these cases so that a better understanding of this differential can be reached.

In addition, location matters in our model. Where the case occurs is an important variable in predicting the outcome of the verdict in the SYG cases. Further, the racial composition of a county is an important predictor of the success of the defense as well. Differences in the size of the minority populations between counties has a significant effect on the outcome of SYG cases. The substantial variations between counties and areas in Florida also are cause for both concern and motivation for additional research. Floridians, and Americans in general, should be concerned when a law which appears to be neutral in writing is of greater or lesser effect based on location. But there is a potential counter factor of this racial bias: the significant role of racial context. The high density of minority group members in a county appears to be able to counter the racial bias in our data. Additional research into the cases will be needed.

Finally, while we did not begin this research looking for differential effects based on the use of dissimilar weapons, the difference appears plainly in the data and model. The type of weapon used plays a significant role in predicting the outcome of SYG cases. People using firearms have had more success in using the SYG defense when compared to knives and other weapons. It is possible that this is driven by variables related to knife cases that we cannot account for in our model. More research into the circumstances of these cases needs to be done. Nonetheless, at present the larger success rate in employing the SYG defense when using firearms seems to present a directive. If you are standing your ground in Florida, shoot - don't stab.

**Authors' Biographies**

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