



# 'Stand Your Ground' Laws Reflect Legacy of White Supremacy

By Rhonda Sonnenberg

**The spot where Dominic Jerome "D.J." Broadus II died from four shots fired by his male paramour was about as secluded as could be.**

There, Gardner Kent Fraser, who is white and from a prominent local family, met Broadus, a Black man, and tried to keep their relationship hidden. Their relationship broke many taboos in the conservative town of Macclenny, Florida, 28 miles west of Jacksonville.

But the 115 phone calls and over 100 text messages investigators uncovered between the two men – many of them with sexually explicit photos – showed that their eight-month relationship had grown tense and troubled.

Fraser – who had a girlfriend at the time – feared Broadus would expose their secret.

On Feb. 3, 2018, Fraser shot Broadus dead in a hidden spot behind his house. He claimed that Broadus – who was unarmed – attacked him and that he shot in self-defense. Under Florida's Justifiable Use of Force statute, popularly known as the "Stand Your Ground" (SYG) law, a killer claiming self-defense may be legally immune from homicide charges and not be required to prove self-defense. The state attorney declined to prosecute Fraser, who later received a one-year prison sentence for "tampering with evidence."

Broadus' family members, who have joined forces with state and local activists seeking to repeal

## Florida's Justifiable Use of Force Statute

- The statute was enacted in 2005.
- The state's self-defense standard attracted national scrutiny in 2012 after 17-year-old Trayvon Martin, who was Black and unarmed, was fatally shot by neighborhood watchman George Zimmerman.
- The law removes the burden of proof from the defense and places it on prosecutors, who must disprove a self-defense claim. This innovation, added to the law in 2017, "discourages prosecutors from filing criminal charges when someone invokes the claim pretrial," said Krista Dolan, senior supervising attorney for the SPLC's Criminal Justice Reform Project.
- A 2013 *Tampa Bay Times* analysis of 200 cases concluded that the law was not applied equally by race. It found that "73% of those who killed a Black person faced no penalty compared to 59% of those who killed a white person."
- A look at which states have rejected "Stand Your Ground" laws can be found at [splcenter.org/noshootfirst](http://splcenter.org/noshootfirst).

and charge Fraser.

A civil trial is set for October in the wrongful death lawsuit Broadus' father filed against Fraser and his family's company.

Krista Dolan, senior supervising attorney for the Southern Poverty Law Center's Criminal Justice Reform Project, said such SYG laws are consistent with the country's legacy of Jim Crow.

"The discriminatory impact of 'Stand Your Ground' laws on Black victims exacerbates a legal system that is already wrought with racial inequity: Nonwhite people are stopped, racially profiled, searched and arrested by police at higher rates than white people and more likely to be sentenced to greater terms than white people," Dolan said.

While there is no current, granular data to show how many Black men and boys have been killed in Florida by white people claiming self-defense, the *Tampa Bay Times* in 2013 published its analysis of 200 cases. It concluded that the law was not applied equally by race and found that "73% of those who killed a Black person faced no penalty compared to 59% of those who killed a white person."

Researchers have since consistently concluded that SYG laws result in more homicides rather than fewer and that the laws are more rigorously enforced when the victim is white.

National gun control organization Everytown calls SYG laws "a license to kill." ●

# 73%

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or reform the SYG law, say the killing was cold-blooded murder, and that law enforcement helped hide the truth to protect the Fraser family name. Broadus' father, Dominic Broadus Sr., hopes that media attention will pressure the new state attorney to reopen the case and charge Fraser.

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