Bill of Rights in the News:  
Stand Your Ground and Castle Doctrine Laws

Answer Key

1. Florida’s “Stand Your Ground” law states, “A person who is not engaged in an unlawful activity and who is attacked in any other place where he or she has a right to be has no duty to retreat and has the right to stand his or her ground and meet force with force, including deadly force if he or she reasonably believes it is necessary to do so to prevent death or great bodily harm to himself or herself or another or to prevent the commission of a forcible felony.” How would you put this law in your own words? If you are somewhere you have a right to be and aren’t breaking the law, you don’t have to run away if someone attacks you. If you reasonably believe your life is in danger or you might be very seriously hurt, you can fight back.

2. What provisions, if any, in the U.S. Constitution or Bill of Rights could be used to support “Stand-Your-Ground” or “Castle Doctrine” laws?
   - Fourth Amendment: Property Rights
   - Fifth Amendment: Due Process of Law
   - Tenth Amendment: Powers not delegated are reserved to the states

3. What arguments do the proponents of “Stand-Your-Ground” or “Castle Doctrine” laws use to defend their position? What arguments do the opponents of these laws use to defend their position?
   - Proponents argue that citizens should be able to protect themselves, their families, and their property by force if they feel threatened, and many hope it will deter criminal activity.
   - Opponents argue that the laws can be applied differently depending on the circumstances, and many are concerned about the effects on human lives including the people defending themselves and their assailants.

4. What is the difference between “Stand-Your-Ground” and “Castle Doctrine” laws? Why do you think some states might have one type of law and not the other?
   - Stand-Your-Ground laws allow citizens to meet force with force in locations including but not limited to the home, whereas Castle Doctrine laws are generally limited to one’s own home. The English Common Law tradition is that a man’s home is his “castle” and the individual’s sovereignty extends over it.

5. How do you think the media has played a role in the coverage of “Stand-Your-Ground” cases in the past few months?
   - A society with freedom of the press, where the actions of government can be reported and discussed openly, allows citizens more transparency regarding laws that affect their lives. A free press is plays a vital role in the coverage of news stories, and citizens have the responsibility to seek out information as a part of self-government.