

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: July 29, 2013

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations
Committee

FROM: Gerry F. Miller *Gerry F. Miller For* Council File No: 13-0002-S104
Chief Legislative Analyst Assignment No: 13-05-0646

SUBJECT: Resolution (Parks – Cedillo – Koretz - O’Farrell) to sponsor and support legislation and/or administrative action requesting the U.S. Department of Justice and the Attorney General conduct a thorough and objective investigation of possible civil rights abuses and violations related to the slaying of Trayvon Martin

CLA RECOMMENDATION: Adopt Resolution (Parks – Cedillo – Koretz - O’Farrell) to include in the City’s 2013 – 2014 Federal Legislative Program SPONSORSHIP and SUPPORT of legislation and/or administrative action which would request that the U.S. Department of Justice and the Attorney General conduct a thorough and objective investigation of possible civil rights abuses and violations related to the slaying of Trayvon Martin, including a review of how Florida’s “Stand Your Ground” legislation may have contributed to Martin’s death, and, upon the conclusion of the investigation of these matters, take all legal actions that are justified to bring this case to a fair, legal, and appropriate conclusion.

SUMMARY

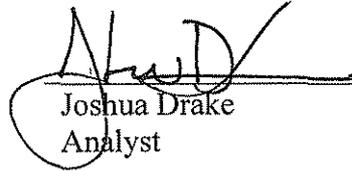
On July 23, 2013, a Resolution (Parks – Cedillo – Koretz - O’Farrell) was introduced to support and sponsor legislation and/or administrative action which would request that the U.S. Department of Justice and the Attorney General conduct an investigation of possible civil rights violations related to the February 2012 slaying of Trayvon Martin by George Zimmerman in Sanford Florida, and to take any appropriate legal action upon the conclusion of that investigation. The Resolution states that 17 year-old Trayvon Martin was shot and killed by Zimmerman, who admitted responsibility but maintained that Martin had attacked him. The Resolution states that this case raises serious questions about civil rights violations, as Zimmerman believed Martin was a possible criminal based on his appearance and followed him, leading to the deadly confrontation.

The Resolution states that Zimmerman’s slaying of Martin may have violated Martin’s rights to freedom from harm and freedom of movement in a public space. Further, the Resolution states that Florida’s “Stand Your Ground” legislation played a significant role in Martin’s death and Zimmerman’s acquittal. The Resolution, therefore, seeks an official position of the City of Los Angeles to support and sponsor legislation and/or administrative action which would request the U.S. Department of Justice and the Attorney General conduct a thorough and objective investigation of possible civil rights abuses and violations related to the slaying of Trayvon Martin, including a review of how Florida’s “Stand Your Ground” legislation may have contributed to Martin’s death, and, upon the conclusion of the investigation of these matters, take all legal actions that are justified to bring this case to a fair, legal, and appropriate conclusion.

BACKGROUND

Trayvon Martin was shot and killed by George Zimmerman, a neighborhood watchman in Sanford, Florida on February 26, 2012. Zimmerman suspected Martin may have been a criminal, and followed as Martin made his way through the neighborhood to his father's house from a convenience store. Martin became aware of Zimmerman following him, which led to a confrontation between the two in which Zimmerman shot and killed Martin. Zimmerman stated that he felt his life was in danger, and he shot Martin to defend himself. Under Florida's "Stand Your Ground" law, an individual is not required to attempt to retreat before using deadly force. On July 13, 2013, Zimmerman was acquitted of second degree murder.

While Zimmerman was acquitted, there have been numerous calls for a federal investigation into possible civil rights violations. Many civil rights leaders have accused Zimmerman of racially profiling Martin, who was African American, and have accused the Sanford Police Department of negligence in their investigation of the shooting. U.S. Attorney General Eric Holder has stated that the Department of Justice is continuing to investigate Zimmerman for possible civil rights violations, and has also criticized "Stand Your Ground" legislation which enabled Zimmerman's acquittal.



Joshua Drake
Analyst

GFM:MF:jwd

Attachment: Resolution (Parks – Cedillo – Koretz - O'Farrell)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, 17 year-old Trayvon Martin was shot and killed in Sanford, Florida on February 2012 by George Zimmerman, a neighborhood watch volunteer; and

WHEREAS, Zimmerman admitted he was responsible for shooting Martin, but maintained that Martin attacked him and his shooting was justified; and

WHEREAS, Florida has a so-called "Stand Your Ground" law, which allows an individual to use deadly force without first retreating if they feel their safety is threatened; and

WHEREAS, Zimmerman was tried for murder, but was found not guilty on July 13, 2013; and

WHEREAS, Florida's "Stand Your Ground" law played a significant part in Martin's untimely death and Zimmerman's acquittal; and

WHEREAS, this case raises serious questions about civil rights, as Zimmerman believed Martin was a possible criminal based on his appearance and followed him, leading to a deadly confrontation; and

WHEREAS, Zimmerman's slaying of Martin may have violated Martin's rights to freedom from harm and freedom of movement in a public space; and

WHEREAS, the Department of Justice has the authority to bring civil rights charges against Zimmerman for his violation of Martin's rights, if substantiated through an investigation, and the Department has stated it will investigate this matter and take any action it believes is justified; and

WHEREAS, the City of Los Angeles should strongly support an investigation into this matter, as any possible violation of civil rights is serious and should be examined by the federal government;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013 - 2014 Federal Legislative Program SPONSORSHIP and SUPPORT of legislation and/or administrative action which would request that the U.S. Department of Justice and the Attorney General conduct a thorough and objective investigation of possible civil rights abuses and violations related to the slaying of Trayvon Martin, including a review of how Florida's "Stand Your Ground" legislation may have contributed to Martins's death and upon the conclusion of the investigation of these matters take all legal actions that are justified to bring this case to a fair, legal and appropriate conclusion.

PRESENTED BY Bernard C. Parks
BERNARD C. PARKS
Councilmember, 8th District

SECONDED BY Giuseppe A. Cedillo
[Signature]