

Trayvon Martin and the Use of Lethal Force

The shooting death of Trayvon Martin, an unarmed African-American teenager, by George Zimmerman, a volunteer neighborhood watchman of Hispanic and Caucasian descent, sparked public discussion about racial profiling, concealed carry permits, and self-defense laws across America.

Almost as soon as the February 26, 2012 incident was reported, public figures began speculating that Martin had been pursued and gunned down without justification, in part because of his race. Though recent nearby burglaries had given Zimmerman some reason to scrutinize suspicious behavior, Martin was simply out for a leisurely stroll – on his way home after a trip to the market. Many assumed this was a clear case of murder, especially when a 911 tape surfaced in which the operator asked Zimmerman to discontinue his pursuit of Martin, and another in which a voice is heard screaming for help, followed by a gunshot.

However, at trial Zimmerman's defense attorneys argued that while Zimmerman had followed Martin, Martin punched Zimmerman without provocation, gained a dominant position in a ground struggle, and slammed Zimmerman's head on the sidewalk until he was nearly unconscious. In a police video recorded the day after the event and played at trial, Zimmerman claimed that when his holstered handgun became visible during the struggle, Martin exclaimed, "You're going to die tonight [expletive]," and reached for the weapon. Fearing that Martin would use it to kill him, Zimmerman drew it from his holster and shot Martin once through his chest, ending the struggle in a way Zimmerman claims he felt necessary to defend his life.

Witnesses proved unhelpful to the jury, providing contradictory accounts of the event. Some claimed that they saw Zimmerman on top of Martin. Others claimed they saw Martin on top of Zimmerman. Martin's mother testified that it was her son's voice screaming for help on the 911 recording. Zimmerman's mother testified that it was instead her son's voice screaming for help.

A medical examiner testified that the only trauma to Martin's body other than the gunshot were scuff marks on his knuckles. But while police photos and a medical report confirmed that Zimmerman suffered cuts to the back of his head and a broken nose, a physician testified that the injuries were not life threatening.

Though the jury found that the state did not prove Zimmerman guilty of manslaughter or murder beyond a reasonable doubt, juror B29, seemingly frustrated with Florida's self-defense law and the technical legal definitions of "murder" and "manslaughter," said afterwards that she felt Zimmerman "got away with murder." On the other hand, juror B37 said afterwards that while she believed Zimmerman shouldn't have pursued Martin as far as he did, once the struggle was underway, Zimmerman was within his rights to respond with deadly force. "If he felt threatened that his life was going to be taken away from him," she said, "or he was going to have bodily harm, he had a right."

STUDY QUESTIONS

1. Under what circumstances, if any, is it morally permissible to use deadly force against another person? How does this standard apply to the Martin/Zimmerman case, based on the various versions of events presented by the prosecution and defense?
2. Shortly after the trial Zimmerman was pulled over by police in Texas for a traffic violation. Video footage of the stop suggested that Zimmerman had a handgun in his glove box, which the officer allowed him to keep, presumably because Zimmerman continues to hold the Florida concealed carry permit he held at the time of the Martin shooting. Should Zimmerman be allowed to legally carry a concealed weapon?
3. Zimmerman was accused by some of determining that Martin looked suspicious, at least in part, due to his race. Is racial profiling ever morally permissible? Explain.
4. All but one of the jurors in the Zimmerman trial were Caucasian. What does it mean to have a 'jury of your peers,' and should race play a role? What are the ethical implications of that?
5. In what ways do the roles of attorneys and jurors differ from the roles of ethics bowl participants? In what ways are they similar? Explain.

¹ The video can be viewed at <http://newsfeed.time.com/2012/06/21/watch-video-shows-george-zimmerman-reenacting-fight-with-trayvon-martin/>. Warning: Zimmerman uses some expletives when recounting the event.

² <http://abcnews.go.com/US/george-zimmerman-juror-murder/story?id=19770659>

³ <http://www.cnn.com/2013/07/15/justice/zimmerman-juror-book>