"Stand Your Ground" is an American statute based on the legal notion of "castle doctrine." Stand Your Ground is the protection of the responsibility to not retreat and stand your ground, granting any citizen the right to use lethal force without fleeing from a "reasonable" threat. However, the implementation of these laws has been marred by racial bias and systemic discrimination, resulting in unequal outcomes for Black people, particularly women, who find themselves in situations when self-defense is required. In evaluating multiple cases of black woman failing to successfully claim self-defense under Stand Your Ground laws, we seek to understand how racial stereotypes of Black women as violent, fearless, and deserving of punishment, as well as racial discrimination against black women in our legal system, contribute to state statutes being applied unequally to defendants who both initially claimed immunity under Stand Your Ground. Stand Your Ground legislation should be used to empower all individuals seeking self-defense protection rather than to impede justice, especially for those who are most vulnerable to violence and injustice in our society.

Introduction

In the context of Florida law, Stand Your Ground is the common law principle of "castle doctrine," which states that individuals have the right to use reasonable force, including lethal force, to defend oneself against an invader in their house.\(^\text{15}\) Florida’s 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.”\(^\text{16}\) This means individuals are not required to flee a dangerous situation, even if they could do so safely. Instead, they permit the use of lethal force in self-defense.

Before the popularity of "stand your ground" legislation surged, almost all states had laws requiring any individual outside of their home to retreat before using lethal force.\(^\text{17}\) The legal principle that defines this is "duty to retreat. “Individuals could only be justified in using lethal force if they were unable to escape a perilous situation and feared immediate death or serious bodily harm.\(^\text{18}\) These laws are said to be applied impartially toward all citizens alike. Despite this assertion, there is glaring racial and gender discrimination in how Stand Your Ground laws are applied. This is especially relevant in relation to Black women. Black women sit at an interesting intersection: black and women. Both of these identities belong to historically marginalized and disenfranchised communities, both of whom had to demonstrate for their existence and endure severe prejudice from the legal system.\(^\text{19}\)

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\(^\text{15}\) id.
\(^\text{16}\) Florida Statute §776.013(3)
\(^\text{17}\) Before the popularity of "stand your ground" legislation surged, almost all states had laws requiring individuals outside of their home to retreat before using lethal force.
"stand your ground" statute and its confluence with racial stereotypes, particularly in relation to Black women, is a complex issue in arguments about self-defense and racial bias, within the criminal justice system in the United States. We must investigate how these prejudices and inequalities inside our system influence how successfully black women can claim self-defense in appropriate situations and guarantee that the rules are applied equally.

Black Women and Stand Your Ground

The case of Marissa Alexander demonstrates how, despite being color-blind and gender neutral in wording, Stand Your Ground statutes can create significant racial and gender barriers for black women seeking self-defense claims. ²⁰ Marissa, a 29-year-old black woman, was being abused by her then husband, Rico Gray. After discovering text messages on her phone, Gray flew into an uncontrollable rage and threatened to kill Marissa. ²¹ Alexander raced to her truck but was unable to leave since the garage door was damaged. After getting her firearm out of the glove box of her car, she returned inside and discharged a warning shot into the kitchen wall. After leaving the house, Gray dialed 911 and reported that Alexander had shot directly towards both him and his kids. ²² Following the altercation, Alexander was taken into custody, prosecuted, found guilty on three charges of aggravated armed assault, and given a mandatory minimum term of 20 years in prison under Florida's 10-20 Life law. ²³ ²⁴ Due to incorrect jury

²² Id
²³ Id
²⁴ The 2023 Florida Statutes (including Special Session C) Statutes & constitution :view statutes : Online sunshine,
instructions, the verdict was reversed; however, prosecutor Angela Corey proceeded with a second trial in which Alexander might have been sentenced to even more time in prison, maybe up to 60 years. Prosecutors claimed that Alexander was no longer in immediate danger and thus not entitled to immunity under Florida's Stand Your Ground defense because she had to leave the home to get the gun from her car in the garage. Furthermore, prosecutors maintained that Gray and his kids were put at risk since Alexander's warning shot struck the wall rather than the ceiling. After a long legal battle disputing the facts of the case, Alexander eventually reached an agreement with the state, pleading guilty to three felony counts of aggravated assault. After serving more than a thousand days in jail, she was given a sentence of three years in prison. and returned back home on January 27, 2015.25

Alexander’s case gives us an inside look into how the criminal justice system handles the self-defense claims of black women. Research has demonstrated differences in how Stand Your Ground laws are applied, frequently benefiting white defendants over black defendants, especially Black women. This is a result of the uneven application of Stand Your Ground legislation as a defense in all circumstances.26

Stand your ground laws are more likely to be successfully invoked by White males than by women, particularly Black women, or Black men in the aftermath of a "self-defense" shooting.27 Black women are not only at a disadvantage when utilizing Stand Your Ground rules to defend themselves, but they also suffer when it comes to the determination of whether or not a shooting is warranted. The likelihood that a black woman's self-defense will be justifiable does not rise if she uses the Stand Your Ground law to defend herself. 28 Whether a Black person-black women included-shoots a White person in a state where

25 id.
26 id.5
27 id.5
28 id.5
stand-your-ground laws are in effect or not, the likelihood that the murder will be declared justified is almost the same.\textsuperscript{29} The probability of a Black person shooting another Black person in a state where they are allowed to stand your ground increases by merely 1%. This demonstrates the racial disparities that control Stand Your Ground laws.\textsuperscript{30}

**Solutions**

It's critical to acknowledge that black women frequently endure greater degrees of social and economic marginalization. The inequitable enforcement of legislation protecting the right to remain silent ultimately jeopardizes the capacity of Black women to assert their right to self-defense. Stand Your Ground laws create a dilemma for Black women. On the one hand, they want to safeguard their family and themselves in situations where systematic racism and gender-based violence may put them at greater risk. On the other hand, the laws intended to empower people with a legal method of self-defense might be used against them, resulting in harsher treatment in the criminal justice system. Thus, it is important that reforms be made to ensure that Stand Your Ground laws are not used discriminately.

This is to guarantee that every person, regardless of gender or ethnicity, has equal legal protection. We need to push legislation, not only in the states but in Congress to ensure that these laws do not intentionally harm black women. This would be in the form of initiatives to combat structural racism in the criminal justice system, train law enforcement and legal personnel in how to properly handle these cases. Furthermore, it is critical to give the individuals who are unfairly harmed a voice in this discussion: Black women. There should be panels hosted by black women who were unsuccessful in claiming self-defense, under Stand Your ground, to further advocate for legislation pertaining to self-

\textsuperscript{29} id.5
\textsuperscript{30} id.5
defense and criminal justice reform. Through elevating their viewpoints and promoting policies that acknowledge the distinct obstacles they encounter; we may strive towards a fairer and more impartial framework that genuinely guarantees every person's right to defend themselves. It is imperative that we also pay close attention to the data being gathered on Stand Your Ground incidents. Gathering information about how stand-your-ground laws are applied, with an emphasis on racial and gender inequalities, may be a useful approach. After this data has been analyzed, we can identify discriminatory trends and utilize this information to guide legislative proposals and policy suggestions. This will give legislators an up-close view at the issue, which will be helpful when they formulate progressive solutions. Finally, in order to adequately address prejudice in stand-your-ground legislation, we need to keep a close eye on the application and results of reforms and interventions. As these policies are implemented, we must closely observe any advancements or regressions that take place. Additionally, we must modify our plans as necessary considering input and results. By doing this, we can make sure that the plans are founded on evidence-based methods and sensitive to the needs of the impacted populations. Stand Your Ground legislation should empower people rather than obstruct the administration of justice, especially black women who are most at risk of abuse and prejudice.

**Conclusion**

The interaction of racial stereotypes, stand-your-ground laws, and Black women's experiences exposes structural problems in the criminal justice system and emphasizes the significance of addressing racial prejudices and disparities in judicial procedures. Racial disparities within the law highlight a unique barrier of the ability of black woman to successfully claim self-defense with Stand Your Ground laws. To ensure that the justice system works as outlined in the Constitution, we must mitigate and abolish discrimination against black women within these laws. Promoting legislation that combats this discrimination, reforming current Stand Your Ground laws to reflect this legislation and gaining
useful perspective from black women who were victims of discrimination within this law should be our main objective. We must always work to address this problem because societal dynamics and settings are subject to change.

It is critical that we examine the intersectional injustices that black women encounter while attempting to obtain legal protection under Stand Your Ground legislation. Putting this strategy into practice will result in significant advancements and a decline in the prejudice against Black women in the legal system. With this we will ensure that the law is applied equally across all citizens within the United States, which will lead to a more just and equitable society.