

Ref: TG AMR 51/005/2013

Eric H. Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington DC 20530-0001  
USA

By Fax and mail

18 July 2013

**AMNESTY  
INTERNATIONAL**



**AMNESTY INTERNATIONAL INTERNATIONAL SECRETARIAT**  
Peter Benenson House, 1 Easton Street,  
London WC1X 0DW, United Kingdom  
T: +44 (0)20 7413 5500 F: +44 (0)20 7956 1157  
E: [amnesty@amnesty.org](mailto:amnesty@amnesty.org) W: [www.amnesty.org](http://www.amnesty.org)

Dear Attorney General

I am writing to express Amnesty International's continuing concern about the tragic fatal shooting of Trayvon Martin in Florida on 26 February 2013. The circumstances of this case raise serious concerns about the protection of some of the most fundamental human rights: the right to life; the right to equal protection under the law, and the right not to be subjected to discrimination on any grounds.

George Zimmerman was tried and acquitted of murder by a jury after pleading self-defence. It remains deeply disturbing, however, that Trayvon Martin, an unarmed black teenager, was perceived as an intruder – leading ultimately to his being shot minutes later - after doing nothing more than returning from a shop while visiting his father in a gated community. The jury has delivered its verdict at state trial, but the case raises issues of wider relevance regarding gun violence and the entrenched racial stereotypes that prevent many people in the USA from fully enjoying their human rights. These issues must be urgently acknowledged and addressed.

Amnesty International welcomes the Justice Department's decision to re-start its investigation into Trayvon Martin's death to consider whether the evidence reveals a prosecutable violation of federal criminal civil rights statutes. We urge that the investigation make a thorough examination of all the circumstances of the case.

We also urge the government to take further action to address the wider problem of disparate treatment of minorities and racial profiling in law enforcement, and in society at large. In particular, we hope the government will throw its full support behind the End Racial Profiling Act of 2013 (ERPA) and encourage its passage. We note that previous bills have repeatedly stalled in Congress. The ERPA would prohibit all law enforcement agents at state, federal, local and tribal level, from stopping, investigating or detaining an individual based on his or her race, ethnicity, religion or national origin. It would also require law enforcement agencies which receive federal grants to institute specific policies to eliminate racial profiling, including training of officers on how to avoid acting on the basis of stereotypes and assumptions about minorities. Although the actions of private citizens, such as in Trayvon Martin's case, are beyond the scope of the ERPA, adoption of such measures among law enforcement agencies nationwide would aid awareness of this issue in communities at large. Racial stereotyping of African-American youth may have played a role in initial failure of the police and prosecutors in Trayvon Martin's case to file charges or to conduct a proper investigation.

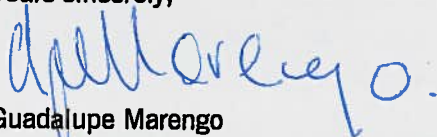
We further urge the department to initiate a study of Stand Your Ground (SYG) laws which have proliferated among states in recent years, including into how the law in Florida may have impacted the investigation of Trayvon Martin's case. Under SYG laws in Florida and other states, a private citizen is allowed to use deadly force against a perceived imminent threat of death or bodily harm in any place where he or she has a right to be, without an obligation to retreat. The law in effect presumes the

individual is acting in self-defence unless there is specific evidence to the contrary and the burden is on police and prosecutors to prove that the individual did not act in self defence. While the SYG law was not ultimately invoked as a defence by George Zimmerman at his trial, the SYG law was reportedly a significant factor in explaining why police initially declined to arrest him, and why charges were not filed until weeks later, after a special prosecutor was appointed following public outcry.

While everyone has the right to self-defence, Amnesty International is concerned that SYG laws may encourage the use of deadly force in situations where this is not warranted, for example where such force is not used as a last resort and only where lesser measures are unavoidable. We are also concerned that SYG laws may contribute to pervert the concept of self-defence, so that it protects aggressors rather than victims of violence. The ultimate result of this could be more rather than less violence. Already in Florida it is reported that the number of "justifiable homicides" have tripled since the law was introduced in 2005; a 2012 study by the National Bureau of Economic Research also found an increase in firearms-related homicides in states which had introduced similar laws.

Amnesty International urges the US government to take all appropriate measures to ensure that Trayvon Martin's family receives justice and to prevent similar cases from occurring in the future.

Yours sincerely,



Guadalupe Marengo  
Program Director, Americas Regional Program

cc. By email to [Sanford.Florida@usdoj.gov](mailto:Sanford.Florida@usdoj.gov)