

HB

80

<TARGET><BILL>HB 80</BILL><SUBJECT>HB
80</SUBJECT><COMM>SJUD27</COMM></TARGET>

ALASKA STATE LEGISLATURE

Member:

House Finance Committee
Legislative Budget & Audit Committee



Chair:

House Budget Sub Committees on:
- Department of Administration
- Department of Labor and Workforce
Development

Session:

Alaska State Capitol
Juneau, AK 99801-1182
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Representative Mark Neuman

Rep.Mark.Neuman@legis.state.ak.us

Sponsor Statement

Alaska Statutes already recognize that we have a right to use deadly force to protect our family, person, and property. HB 80 further clarifies that right exists not only in our home but also in any place that we have a right to be.

This legislation clarifies the individual's right to stand their ground and not second guess the consequence of protecting their family or self.

HB 80 strengthens the legal recognition of a basic human right to defend oneself by sending a message to the Judiciary and Law Enforcement that it is the criminal who has the duty to retreat.

FISCAL NOTE

STATE OF ALASKA cost # codes
 2012 LEGISLATIVE SESSION

Bill Version HB 080
 Fiscal Note Number _____
 Publish Date _____

Identifier (file name) HB080-LAW-CRIM-12-07-11 Dept. Affected Law
 Title An Act relating to self defense in any place where a person Appropriation Criminal
has a right to be. Allocation Criminal Justice Litigation
 Sponsor Representative(s) Neuman, Feige, Lynn, and Costello
 Requester (S) Judiciary OMB Component Number 2202

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	***	***	***	***	***	***	***

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		***	***	***	***	***	***

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							
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Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Updated for new fiscal year form.

Prepared by Eileen Donahue, Division Operations Manager
 Division Administrative Services
 Approved by John J. Burns, Attorney General
Department of Law

Phone 465-5427
 Date/Time 12/07/11 11:00AM
 Date 12/7/2011

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. HB 080

Analysis

House Bill 80 expands the places from which a person need not retreat before using deadly force in self defense to any place the person has a right to be. The Criminal Division anticipates an increase in cases, to both screen referrals and prosecute those that are accepted.

The fiscal impact of this legislation cannot be accurately determined at this time.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB080
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB080-DPS-DET-12-22-11 Dept. Affected Public Safety
 Title "An Act relating to self defense in any place a person Appropriation Alaska State Troopers
has a right to be." Allocation AST Detachments
 Sponsor Representatives Neuman, Feige, Lynn, Costello
 Requester Senate Judiciary OMB Component Number 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							
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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Updated on new fiscal note form.

Prepared by Kelly Howell
 Division Office of the Commissioner
 Approved by Joe Masters, Commissioner
Department of Public Safety

Phone (907) 269-5591
 Date/Time 12/22/11 2:32 PM
 Date 12/15/2011

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB080

Analysis

This bill amends AS 11.81.335 (justification for the use of deadly force) by addressing areas (exceptions) a person is not required to leave prior to the application of deadly force.

Passage of this legislation will have no fiscal impact on the department.

Alaska State Legislature

Senator Hollis French, Chair
State Capitol, Room 417
Juneau, Alaska 99801
Phone: (907) 465-3892
Fax: (907) 465-6595



Committee Members:
Senator Bill Wielechowski
Senator Lesil McGuire
Senator Joe Paskvan
Senator John Coghill

Senate Judiciary Committee

March 1, 2012

Mr. James Fayette
310 "K" Street, Suite 520
Anchorage Alaska 99501

Dear Mr. ~~Fayette~~, *Jay*,

The Senate Judiciary Committee has a bill under consideration, House Bill 80, which would significantly alter the law of self-defense in Alaska. Your experience as a veteran homicide prosecutor would be very valuable in helping the committee to understand the nuances of self-defense especially with respect to its application in actual cases.

I am inviting you to testify before the committee on Friday, March 16, 2012, starting at 1:30 p.m.

Sincerely,

A handwritten signature in black ink, appearing to read "Hollis French".

Senator Hollis French

STATE OF ALASKA

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL

Sean Parnell, Governor

1031 W. 4th Ave., Ste. 200
Anchorage, AK 99501
PHONE: (907)269-5100
FAX: (907)269-5110

March 28, 2012

The Honorable Hollis French
Chair, Senate Judiciary Committee
State Capitol, Room 417
Juneau, AK 99801-1182

Re: *HB 80*

Dear Senator French:

Thank you for conducting the hearing before the Senate Judiciary Committee regarding the above-referenced bill. Please permit me to address two issues.

First, I hope it was made clear during his testimony that Assistant District Attorney Jay Fayette was testifying on his own behalf, and not on behalf of the Department of Law or the administration. We respect his right to express his views as a private citizen but there should be no confusion over whose views he purported to represent.

Secondly, we respectfully disagree with Mr. Fayette. Along with the 28 legislators who sponsored and co-sponsored this bill, the administration believes it has merit.

Alaskans are undoubtedly drawn to this state for many reasons, including the outdoor and recreational lifestyle. We believe, along with other states who have enacted similar legislation, that citizens have a right to protect themselves outside the home if confronted by deadly force. We acknowledge this may complicate certain prosecutions – and we appreciate your sensitivity to this factor as a former prosecutor – but in the final analysis the rights of citizens to defend themselves, both in and outside the home, should not rest on the convenience of prosecutors. Notwithstanding Mr. Fayette's anecdotal evidence, we are not convinced that the perpetrators of those crimes he described would have gone free had the law been in effect. The fact that defendants may attempt to take advantage of the law once it is on the books should not dissuade us from enacting laws that protect a citizen's right to legitimate self-defense outside the home.

Senator Hollis French, Chair Senate Judiciary Committee
Re: HB 80

March 28, 2012
Page 2 of 2

Thank you for your consideration. If you have any questions or concerns about the administration's position, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Geraghty". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Michael C. Geraghty
Attorney General

cc: The Honorable Senator Bill Wielechowski
The Honorable Senator Joe Paskvan
The Honorable Senator Lesil McGuire
The Honorable Senator John Coghill

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE

April 16, 2010

9:38 a.m.

MEMBERS PRESENT

Senator Hollis French, Chair
Senator Bill Wielechowski, Vice Chair
Senator Lesil McGuire
Senator John Coghill

MEMBERS ABSENT

Senator Dennis Egan

COMMITTEE CALENDAR

CS FOR HOUSE BILL NO. 381(JUD)

"An Act relating to self defense in any place where a person has a right to be."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 381

SHORT TITLE: SELF DEFENSE

SPONSOR(s): REPRESENTATIVE(s) NEUMAN

02/23/10	(H)	READ THE FIRST TIME - REFERRALS
02/23/10	(H)	JUD, FIN
03/15/10	(H)	JUD AT 1:00 PM CAPITOL 120
03/15/10	(H)	Heard & Held
03/15/10	(H)	MINUTE(JUD)
03/29/10	(H)	JUD RPT CS(JUD) NT 3DP 1DNP 2NR
03/29/10	(H)	DP: LYNN, GATTO, RAMRAS
03/29/10	(H)	DNP: HOLMES
03/29/10	(H)	NR: GRUENBERG, HERRON
03/29/10	(H)	JUD AT 1:00 PM CAPITOL 120
03/29/10	(H)	Moved CSHB 381(JUD) Out of Committee
03/29/10	(H)	MINUTE(JUD)
04/08/10	(H)	FIN AT 9:00 AM HOUSE FINANCE 519
04/08/10	(H)	Moved CSHB 381(JUD) Out of Committee
04/08/10	(H)	MINUTE(FIN)
04/09/10	(H)	FIN RPT CS(JUD) NT 6DP 1DNP 2NR

04/09/10 (H) DP: THOMAS, N.FOSTER, KELLY, SALMON,
STOLTZE, HAWKER
04/09/10 (H) DNP: DOOGAN
04/09/10 (H) NR: GARA, JOULE
04/12/10 (H) TRANSMITTED TO (S)
04/12/10 (H) VERSION: CSHB 381(JUD)
04/13/10 (S) READ THE FIRST TIME - REFERRALS
04/13/10 (S) JUD, FIN
04/15/10 (S) JUD AT 8:30 AM BUTROVICH 205
04/15/10 (S) Heard & Held
04/15/10 (S) MINUTE(JUD)

WITNESS REGISTER

JOHN STRALEY, representing himself
Sitka, AK

POSITION STATEMENT: Testified in opposition to HB 381.

BRIAN JUDY, Alaska Liaison
National Rifle Association (NRA)

POSITION STATEMENT: Testified in support of HB 381.

CHUCK KOPP, representing himself

POSITION STATEMENT: Testified in strong support of HB 381, but suggested caution.

SUE MCLEAN, Director
Criminal Division
Department of Law (DOL)

POSITION STATEMENT: Testified that DOL is opposed to HB 381.

ACTION NARRATIVE

9:38:35 AM

CHAIR HOLLIS FRENCH called the Senate Judiciary Standing Committee meeting to order at 9:38 a.m. Senators McGuire, Wielechowski, Coghill, and French were present at the call to order.

HB 381-SELF DEFENSE

9:38:47 AM

CHAIR FRENCH announced the consideration of HB 318. [CSHB 381(JUD) was before the committee.] It was heard previously at which time testimony was taken from the sponsor and DOL and one public member.

JOHN STRALEY, representing himself, informed the committee that he has been a criminal defense investigator since 1984 and the author of several crime novels. Based on that experience he is speaking in opposition to HB 381. The current law works and protects citizens. It asks that people pause before using deadly force in potentially violent confrontations, whereas the proposed change is an invitation to gun fighting. He related that he has sat with dozens of criminal defendants after a homicide and although the circumstances are all different, a unifying theme is that almost all felt justified in the instant that they took a life. But later, and often just seconds later, these criminal defendants saw that their judgment was flawed or clouded and wrong. We don't need to send citizens the message that conflict should be quickly resolved by violence and that's what HB 381 does, he said.

9:43:27 AM

MR. STRALEY observed that the language in the bill sounds reasonable and like it's just a small change, but it's like changing a compass course a few degrees. Over time it will have a wide impact on Alaskan life. He related that his and other crime stories are about citizens bypassing the flawed and burdensome justice system to mete out moral vengeance. His stories clearly differentiate between the good guys and the bad guys and the good guys always win. But this bill isn't crafting a novel. Crafting legislation is a slow and deliberative process that considers the effects and consequences.

MR. STRALEY expressed his strong belief that this small change will increase gun violence and ironically it will offer the bad guys one less hurdle to jump for killings that they might want to commit. HB 381 doesn't require somebody to retreat or pause to consider the consequences. He suggested that if the committee isn't inclined to listen to him then it should listen to the Department of Law, and people like Rick Svobodny who have written to oppose this bill. HB 381 is well intentioned, but it sends the wrong message and the results will have deadly consequences, he concluded.

9:48:47 AM

BRIAN JUDY, Alaska Liaison, National Rifle Association (NRA), described HB 381 as important legislation that provides protection and assurance that a person doesn't have to retreat when he/she is lawfully in a place and feels threatened. He pointed out that existing Alaska law already specifies that a person has no duty to retreat if he/she is "on premises which the person owns or where the person resides or in a building

where the person works." The intent of HB 381 is to extend that to any place where a person has a legal right to be.

Under the proposed language of HB 381, a person who is dragged into an alley by a rapist or a person who is dragged into a car by a kidnapper has no duty to retreat and they may fight back with force. The NRA views it as common sense to be able to stand one's ground and meet force with force, he said.

MR. JUDY reiterated that law-abiding citizens shouldn't fear criminal prosecution when they stand their ground and defend themselves when in a place that they have a legal right to be. On behalf of the NRA he urged support for HB 381.

9:55:27 AM

CHUCK KOPP, representing himself, said he is speaking in strong support of the intent of HB 381 to help protect innocent citizens, but he has reservations about the unintended consequences as currently written.

MR. KOPP pointed out that existing law appropriately identifies in Title 11 that the use of deadly force is justified when used to defend against murder, felony assault, kidnapping, sexual assault, and sexual abuse of a minor when perpetrated in your home, place of work and anyplace you are protecting a family member. However, the law also recognizes that most uncomfortable aggressive or violent encounters don't rise to this level. Most occur in public places and there's a fundamental assumption in the law that people show deference and yield to one another in these shared access areas.

MR. KOPP said that while the sponsor statement says that this legislation makes it clear that it's the criminals who have a duty to retreat, the reality is that when violence erupts the ensuing investigation has difficulty determining who the criminal is in the matter.

MR. KOPP offered his belief that the current law establishes a correct balance between the right to defend oneself and the duty to yield. He cautioned that HB 381 may have the unintended impact of tipping the balance to an overzealous use of deadly force in self defense. He highlighted that the Department of Law drafted an amendment that addresses his concerns and carries forward the intent of the sponsor.

10:00:41 AM

SENATOR WIELECHOWSKI asked if he is expressing support for the proposed amendment that is on members' desks.

MR KOPP answered yes.

SENATOR MCGUIRE asked to hear from the Department of Law.

SUE MCLEAN, Director, Criminal Division, Department of Law (DOL), stated that while the proposed amendment may be a compromise, DOL is still opposed to HB 381. Mr. Judy suggested that the purpose of this law is to relieve a person of the fear of prosecution for defending him or herself, but what hasn't been said is that there is an extraordinary and unacceptable problem with prosecuting people after they have defended themselves. When a homicide or use of deadly force incident is being investigated, the state is aware that it has the burden to prove that a person did not act in self defense otherwise it will face a judgment of acquittal. This means that a case isn't filed when it appears that there's reasonable doubt.

10:03:48 AM

MS. MCLEAN provided the following illustrations where DOL declined to prosecute because it saw self defense:

- Mr. A was in a public park and came on to a woman. She called her boyfriend on her cell phone to report that a man was harassing her. The boyfriend possibly heard that the man was threatening his girlfriend. The boyfriend rushes to the park and approaches Mr. A with a baseball bat in his raised hand. Mr. A has a gun in his waistband and shoots the boyfriend. DOL reviewed the circumstances and determined it couldn't prove a) that Mr. A had started a violent incident and therefore couldn't claim self defense because it wasn't clear that he was in any way physically threatening the girlfriend; and b) that Mr. A knew that he could retreat. This was a situation that came up quickly and a bat absolutely is a deadly weapon so Mr. A was not charged. HB 381 will exacerbate this type of situation, she asserted.
- Mr. A was found stabbed to death and in a ditch. There was no eyewitness but the police learned that he was seen arguing with Mr. B earlier in the evening. Mr. B acknowledged that they had been arguing. Mr. B said Mr. A threw a coat over my head and I knew that he always carried a knife so I thought he was trying to catch me off guard so he could stab me. I ripped the coat off my head and I stabbed him. Because there were no eyewitnesses DOL knew it

couldn't prove that Mr. B's story wasn't true so he wasn't charged.

CHAIR FRENCH recessed the meeting from 10:06 a.m. to 10:25 a.m. due to a fire alarm.

10:25:26 AM

MS. MCLEAN provided a third example where the state did not file charges because it could not prove that the person did not act in self defense.

- The police were called because Mr. A was sitting on the curb and it appeared that his throat had been cut. Mr. A said he and Mr. B were in the adjacent apartment building and they were fighting. Mr. A was intoxicated. A woman in the apartment said she saw Mr. B cutting Mr. A but she didn't know what happened before that because she was in a different room, but she could hear them quarreling. Mr. B told the police that he and Mr. A were fighting. He said Mr. A tried to strangle me and I felt that I had to use deadly force to prevent my being killed. The intoxicated Mr. A said he didn't know where his hands were when he was fighting Mr. B. The state's perspective is that it didn't see a duty to retreat and couldn't disprove the reasonableness of Mr. B's use of force.

MS. MCLEAN noted that the packets have a copy of the jury instructions and use note that are typically given in cases where deadly force is used. It clearly states that a person may use deadly force unless he/she knows that he/she can safely retreat. The retreat duty doesn't apply in the specified circumstances like the home. These cases that are before a jury have already gone through a screening process in which DOL has assessed them and made a decision that there is no reasonable basis to claim self defense in the case and charged. That's an example of why it's troubling to have a bill in which it is alleged that people need protection from overzealous prosecutors who are prosecuting people who have legitimately acted in self defense.

10:29:20 AM

MS. MCLEAN emphasized that DOL believes that if this bill becomes law it will absolutely increase trials. A defense attorney now might advise a client to consider a resolution that would save some jail time, but under this bill the defense attorney is likely to advise a client to go to trial because he/she didn't have to retreat. Furthermore, this change in the

law would give unreasonable people a license to act unreasonable and not retreat. The prosecution won't be able to say that it wasn't reasonable for a person not to retreat when there's a law that says they the person didn't need to retreat.

10:33:45 AM

CHAIR FRENCH moved conceptual Amendment 1 and objected for discussion purposes.

AMENDMENT 1

Add at the end of paragraph (5):

Provided that such person may use deadly force against an intruder or attacker in a place that is not his or her residence without a duty to retreat only if the person reasonably believes that he or she or another is in imminent danger of death or serious bodily harm from which he or she or another can only be saved by the sue of deadly force against the intruder or attacker.

CHAIR FRENCH, noting that the amendment came from the Department of Law, asked DOL for an explanation.

MS. MCLEAN reiterated that DOL is opposed to this bill. The amendment attempts to say that a person that is in a place they have a right to be can use deadly force if the evidence shows that it was the only way that the person could have defended him/herself against death or serious physical injury.

10:36:09 AM

CHAIR FRENCH removed his objection to Amendment 1

SENATOR COGHILL asked for help understanding the nexus between "reasonably believes" [on line 3] and "only" [be saved] on line 4.

SENATOR WIELECHOWSKI interpreted it to mean that a person reasonably believes that they can only be saved by the use of deadly force.

CHAIR FRENCH agreed.

SENATOR COGHILL said that's the clarification he wanted; otherwise there could be two standards.

10:37:55 AM

CHAIR FRENCH observed that the instructions that the jury receives is helpful. He read the following reasonableness clause from the pattern jury instruction that is given in cases involving use of deadly force in defense of self or others:

The reasonableness of a defendant's beliefs must be evaluated by the jury based on the circumstances of the situation facing the defendant, including any relevant knowledge the defendant had about the other person; physical attributes of all persons involved (including the defendant); and any prior experiences that could provide a reasonable basis for the defendant's beliefs.

SENATOR COGHILL observed that "reasonably" gives the mental state while "only" says that it's without regard to mental state.

SENATOR WIELECHOWSKI asked if "reasonably believes" is an objective standard or a subjective standard.

MS. MCLEAN explained that there are always two standards in self defense. First, there has to be proof of an actual subjective belief - the defendant has to actually believe it. Second, there has to be a subjective belief that the jury is willing to regard as reasonable.

10:39:30 AM

CHAIR FRENCH added that the reasonableness clause is somewhat subjective, but reasonable belief means that a reasonable person would have held such a belief under the same circumstance.

SENATOR COGHILL observed that the part people will have to look at is whether or not [the use of deadly force] was the only way out.

CHAIR FRENCH reminded the committee that it's the prosecution that will have to disprove the defense beyond a reasonable doubt. The defendant doesn't have to prove that their action was reasonable.

10:41:00 AM

SENATOR MCGUIRE asked how intoxication is treated.

MS. MCLEAN advised that intoxication is not a defense to a criminal act unless the charge is an intentional criminal act.

In the case of homicide it is first degree murder with the specific intent to kill and then the jury can consider it as how it impacted the defendant's ability to form an intent.

CHAIR FRENCH asked how it plays out in a self defense claim.

MS. MCLEAN replied you're talking about diminished capacity and the status of that defense is always up in the air in Alaska. Basically, if self defense is raised the jury will hear everything.

SENATOR MCGUIRE said she appreciates the sentiment of the bill and she intends to support it, but she's concerned about the use of alcohol and how this may be interpreted by young people who are already inclined to pull out a knife or gun to settle a dispute.

10:46:14 AM

CHAIR FRENCH announced that without further objection, conceptual Amendment 1 is adopted. He held HB 381 in committee.

CHAIR FRENCH recessed the meeting to a call of the chair at 10:46 a.m.

The Miami Herald

Posted on Sat, Mar. 17, 2012

Shooter of Trayvon Martin a habitual caller to cops

By Frances Robles
frobles@MiamiHerald.com



PETER ANDREW BOSCH / MIAMI HERALD STAFF

Sybrina Fulton is the mother of Trayvon Martin, the Miami teenager who was killed by a neighborhood watch captain in Sanford, Florida.

The people at the Retreat at Twin Lakes had been missing bikes, grills and a few times thought strangers were casing their town houses.

When the homeowners association wanted to start a neighborhood watch, only one man stepped up: George Zimmerman, the 28-year-old who admitted to shooting an unarmed Miami Gardens teenager and who is now the focal point of a race-related scandal of national proportions.

Interviews with neighbors reveal a pleasant young man passionate about neighborhood security who took it upon himself to do

nightly patrols while he walked his dog.

Licensed to carry a firearm and a student of criminal justice, Zimmerman went door-to-door asking residents to be on the lookout, specifically referring to young black men who appeared to be outsiders, and warned that some were caught lurking, neighbors said. The self-appointed captain of the neighborhood watch program is credited with cracking some crimes, and thwarting others.

But the killing of 17-year-old Trayvon Martin left the boy's family and attorneys convinced that the volunteer developed a twisted sense of entitlement, one that gave him a false sense of authority to enforce the rule of law in his tiny gated community. Trayvon's family's attorneys believe that led to racial profiling and murder.

"He would circle the block and circle it; it was weird," said Teontae Amie, 17. "If he had spotted me, he'd probably ask me if I lived here. He was known for being really strict."

Zimmerman called police 46 times since Jan. 1, 2011 to report disturbances, break-ins, windows left open and other incidents. Nine of those times, he saw someone or something suspicious.

"Hey, we've had some break-ins in my neighborhood, and there's a real suspicious guy at Retreat View Circle. This guy looks like he's up to no good," Zimmerman told a dispatcher on Feb. 26, the night of Trayvon's death.

According to 911 recordings released late Friday by Sanford police, Zimmerman said the person was walking slowly, looked drugged and appeared to be looking at people's houses. Police would later learn that Trayvon had gone to 7-Eleven during the NBA All Star game halftime to get Skittles and Arizona iced tea.

"These a--holes always get away," Zimmerman complained.

What happened next is unclear, and has already reverberated nationwide. Calls to 911 alerted police to a scuffle and someone crying for help. In one, the chilling howl stopped after the clear, crisp blast of a bullet. Trayvon was lying face down on the ground near a pathway that runs through the townhouse community.

One 911 caller sobbed to the dispatcher over not having helped the young man who wailed.

Zimmerman told police that was him crying for help and that Trayvon started the fight. He claimed self-defense and was not charged, flaring deep-seated racial tensions between blacks and police, who have a long history of distrust. On at least two prior occasions, the Sanford Police Department was accused of giving favorable treatment to relatives of officers involved in violent encounters with blacks.

In 2010, police waited seven weeks to arrest a lieutenant's son who was caught on video sucker-punching a homeless black man.

In 2005, two security guards — one the son of a longtime Sanford police officer and the other a department volunteer — killed a black man they said was trying to run them over. Black leaders complained of a lackluster investigation. The guards ultimately were acquitted.

"Zimmerman felt he was one of them; he felt he was a cop," said Trayvon's family attorney, Natalie Jackson, who accuses the police of protecting him.

The recent shooting raised troubling questions about whether the homeowners association knew its volunteer was armed with a Kel Tek 9mm semiautomatic handgun. Many residents — black and white — question Zimmerman's judgment and wonder why he would have engaged the teenager at all.

The answer may lie in police records, which show that 50 suspicious-person reports were called in to police in the past year at Twin Lakes. There were eight burglaries, nine thefts and one other shooting in the year prior to Trayvon's death.

In all, police had been called to the 260-unit complex 402 times from Jan. 1, 2011 to Feb. 26, 2012.

"He once caught a thief and an arrest was made," said Cynthia Wibker, secretary of the homeowners association. "He helped solve a lot of crimes."

Zimmerman told neighbors about stolen laptops and unsavory characters. Ibrahim Rashada, a 25-year-old African American who works at U.S. Airways, once spotted young

men cutting through the woods entering the complex on foot, and later learned items were stolen those days.

"It's a gated community, but you can walk in and steal whatever you want," Rashada's wife, Quianna, said.

They discussed the topic with Zimmerman when the watch captain knocked on their door late last year. Zimmerman seemed friendly, helpful, and a "pretty cool dude," Ibrahim Rashada said.

"He came by here and talked about carrying guns and getting my wife more involved with guns," he said. "He said I should have a weapon and that his wife took classes to learn how to use one.

"I do have a weapon, but I don't walk around the neighborhood with mine!"

Actually, he does not walk around the neighborhood at all.

"I fit the stereotype he emailed around," he said. "Listen, you even hear me say it: 'A black guy did this. A black guy did that.' So I thought, 'Let me sit in the house. I don't want anyone chasing me.'"

For walks, he goes downtown. A pregnant Quianna listened to her husband's rationale, dropped her head, and cried.

"That's so sad," she said. "I hope our child doesn't have to go through that."

Travis Williams, a black 16-year-old who wears dreadlocks, said last year a man came to his house and accused him of stealing a bicycle. The police even came and checked the serial numbers on the bike in his garage.

Problems in the 6-year-old community started during the recession, when foreclosures forced owners to rent out to "low-lives and gangsters," said Frank Taaffe, a former neighborhood block captain.

"Just two weeks before this shooting, George called me at my girlfriend's house to say he saw some black guy doing surveillance at my house, because I had a left a window open," Taaffe said. "He thwarted a potential burglary of my house."

Taaffe sounded chagrined when he noted that the complex is now majority-minority. Census figures show Retreat at Twin Lakes is 49 percent white, non-Hispanic, 23 percent Hispanic, 20 percent African-American and 5 percent Asian.

He suspects Zimmerman got tired of thugs "and reached his breaking point," Taaffe said. "But why was he carrying a gun? Why not carry pepper spray or a Taser? That's bizarre-o."

Taaffe said Zimmerman was so normal that he came across as though he were "an engineer from Lockheed Martin." He did not show up to homeowner association meetings Rambo-style "wearing a bandana around his head with a bowie knife sticking out of his pocket," Taaffe said.

It's unclear what Zimmerman, who is married, does for a living, although he once owned a pressure washing company.

As for any past legal blemishes, he was once arrested for battery on a law enforcement officer when he interfered in a friend's arrest. The charge was reduced to simple battery, and he entered a plea that allowed him to have a clean record and qualify for a concealed weapons permit.

In a statement delivered to the Orlando Sentinel, his father, Robert Zimmerman, defended his son, who he said was a "Spanish-speaking minority with many black family members and friends."

"He would be the last to discriminate for any reason whatsoever," Robert Zimmerman wrote. "One black neighbor recently interviewed said she knew everything in the media was untrue and that she would trust George with her life. Another black neighbor said that George was the only one, black or white, who came and welcomed her to the community, offering any assistance he could provide. Recently, I met two black children George invited to a social event. I asked where they met George. They responded that he was their mentor."

He said the family prays for Trayvon and his parents every day.

At no time, the father wrote, did George Zimmerman follow or confront Trayvon, although the recording of the call to police shows the dispatcher asking him, "Are you following him?" and Zimmerman answered, "yeah."

"We don't need you to do that," the police dispatcher said.

Police volunteer program coordinator Wendy Dorival said she met Zimmerman in September at a community neighborhood watch presentation.

"I said, 'If it's someone you don't recognize, call us. We'll figure it out,'" Dorival said. "'Observe from a safe location.' There's even a slide about not being vigilante police. I don't know how many more times I can repeat it."

Police Chief Bill Lee said that although police do not encourage watch program volunteers to carry weapons, he recognizes a citizen's constitutional right to do so. No arrest was made, Lee said, because there was no evidence to disprove Zimmerman's account.

He has cooperated with the investigation and never retained an attorney, Lee said. His phone numbers are disconnected and no one answered the door at his home or his parents' home. His in-laws shooed a reporter away. After death threats and an avalanche of hate mail, Lee said Zimmerman went into hiding. Local station WFTV Channel 9 reported that he showed up with a truck last week and moved out.

"We are taking a beating over this," said Lee, who defends the investigation. "This is all very unsettling. I'm sure if George Zimmerman had the opportunity to relive Sunday, Feb. 26, he'd probably do things differently. I'm sure Trayvon would, too."

The Christian Science Monitor - CSMonitor.com

Florida students rally to arrest white neighborhood watch leader

College students plan to rally Monday in Sanford, Fla., and on the campus of Florida A&M University in Tallahassee. Rev. Al Sharpton is also planning a rally on Thursday.



An undated photo released by the Martin family shows 17-year-old Trayvon Martin who was shot and killed as he walked through a gated neighborhood in Sanford, Florida last month.
(REUTERS/Handout)

By Mike Schneider, Associated Press
posted March 19, 2012 at 12:26 pm EDT

Orlando, Fla.

College students around Florida are rallying to demand the arrest of a neighborhood watch captain who shot an unarmed black teen last month.

Students were rallying Monday in front of the Seminole County criminal courts building in Sanford, Fla., and on the campus of Florida A&M University in Tallahassee.

The Rev. Al Sharpton is also planning a rally for a black Florida teenager fatally shot by a white neighborhood watch volunteer. Sharpton will hold the rally Thursday at the First Shiloh Baptist Church in Sanford.

RECOMMENDED: How much do you know about the US Constitution?
A quiz

No charges have been filed in the February death of 17-year-old Trayvon Martin in a gated community near Orlando. Martin's family has criticized police for not arresting 28-year-old George Zimmerman, who admitted to shooting the teen but said he fired in self-defense. Martin was not armed.

Zimmerman had called police to report a suspicious person walking through the neighborhood. The teen had gone to a convenience store for candy.

Martin's family says 911 calls show the teen was terrified as he tried to flee Zimmerman. Sanford police released eight 911 calls late Friday.

The neighborhood watch volunteer, Zimmerman, tells a dispatcher in the first call that he is following 17-year-old Trayvon Martin. He says Martin is running, but the dispatcher tells him not to follow the teen.

"This guy looks like he is up to no good. He is on drugs or something," Zimmerman told the dispatcher from his SUV. He added that the black teen had his hand in his waistband and was walking around looking at homes. "These a-----. They always get away," Zimmerman said on a 911 call.

Martin's family said they are now more convinced than ever that Zimmerman should be charged in the shooting. Several of the 911 calls made by neighbors describe some sort of scuffle or fight outside, someone yelling for help and a gunshot.

"(Zimmerman) was chasing him, he was following him, and my son was afraid," Sybrina Fulton, Trayvon Martin's mother, told the AP. "He didn't know who this stranger was."

The Florida college students are demanding the arrest of Zimmerman. Zimmerman's father has said the man is Hispanic and is not racist.

Florida law allows a person to use deadly force if the person believes he or she is facing a deadly threat. The case has been turned over to the State Attorney's Office, which can file charges or present the case to a grand jury.

The Martin family has asked that the case be handled by the FBI, rather than local authorities.

RECOMMENDED: How much do you know about the US Constitution?
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March 7, 2012

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Man who shot in self-defense now “cause celebre” at statehouse

March 7, 2012 By [O. Kay Henderson](#)



Jay Rodney Lewis (left) with Senator Kent Sorenson.

A man who's now at the center of the legislature's debate over gun laws spent 112 days in jail before he was found “not guilty” of defending himself after two men chased him down in West Des Moines.

Forty-nine-year-old Jay Rodney Lewis, an ex-cop, shot one of the men threatening to attack him.

“I've become something of a cause celebre here in Iowa and it feels really strange. I mean, I'm just an ordinary guy,” Lewis said during an interview with Radio Iowa.

“I got caught up in a very unfortunate situation and I went through hell...but in the end — when everything mattered — everything turned out right.”

Senator Kent Sorenson, a Republican from Indianola, said the 911 tape shows Lewis did everything he could to avoid a confrontation.

“He is a victim, unjustly,” Sorenson said Tuesday during remarks on the Senate floor. “...He was just defending himself against two racist thugs that were attacking him.”

Lewis, a native of Kansas, is black. Because of his time in jail, Lewis lost his job and his home. Lewis lost all his worldly possessions, too, because apartment managers piled his belongings out on the curb for passersby to sift through and take away.

“You know, trying to keep things in perspective, I'm still trying to rebuild my life and it's very difficult, but it'll soon turn out all right,” Lewis said. “I'm pretty sure.”

After his release from jail, Lewis spent two nights sleeping in a car before a Des Moines church became aware of his situation and rented him a hotel room. Wearing donated clothes, Lewis made his way to the Iowa Senate Tuesday as Senator Sorenson cited the case as a reason for the Senate to take up a bill that cleared the House last week — legislation that would give Iowans the right to use “reasonable force” to stop a crime in a public place.

“This is a real person that is dealing with an issue now and the after-effects of that,” Sorenson said. “He just did his God-given right of defending himself. We need to take action.”

Lewis supports the bill that would allow people to use “reasonable force” to stop a crime in public. Current law — which stipulates that Iowans are to first try to get away from danger — isn't always workable, according to Lewis.

“You see what happens when you're held to a duty to retreat,” Lewis said. “Sometimes it's not feasible to retreat and sometimes, as in my case, I did retreat and it did no good and yet the prosecution was still trying to hammer me for failing to retreat after I'd already retreated. In fact, I'd already retreated twice.”

All 24 Republicans in the Senate have signed a document called a “discharge petition” in an effort to make the bill eligible for debate, but the ultimate decision about which bills are debated is made by Senate Democratic Leader Mike Gronstal. Senator Sorenson's not optimistic about the chances for this bill.

“We have Senator Gronstal, who I believe is basically a dictator in the senate and some people may laugh at that, but I believe it's true,” Sorenson told reporters. “...That's because Senator Gronstal decides to do what he's so good at and that's Gron-stalling.”

11.81.330. Justification: Use of nondeadly force in defense of self

(a) A person is justified in using nondeadly force upon another when and to the extent the person reasonably believes it is necessary for self-defense against what the person reasonably believes to be the use of unlawful force by the other person, unless

- (1) the person used the force in mutual combat not authorized by law;
- (2) the person claiming self-defense provoked the other's conduct with intent to cause physical injury to the other;
- (3) the person claiming self-defense was the initial aggressor; or
- (4) the force used was the result of using a deadly weapon or dangerous instrument the person claiming self-defense possessed while
 - (A) acting alone or with others to further a felony criminal objective of the person or one or more other persons;
 - (B) a participant in a felony transaction or purported transaction or in immediate flight from a felony transaction or purported transaction in violation of AS 11.71; or
 - (C) acting alone or with others in revenge for, retaliation for, or response to actual or perceived conduct by a rival or perceived rival, or a member or perceived member of a rival group, if the person using deadly force, or the group on whose behalf the person is acting, has a history or reputation for violence among civilians.

(b) A person who is not justified in using force in self-defense in the circumstances listed in (a)(1)--(3) of this section is justified in using force in self-defense if that person has withdrawn from the encounter and effectively communicated the withdrawal to the other person, but the other person persists in continuing the incident by the use of unlawful force.

SLA 1978, ch. 166, § 10; SLA 2004, ch. 124, § 17; SLA 2006, ch. 68, § 2, eff. Sept. 13, 2006.

11.81.335. Justification: Use of deadly force in defense of self

(a) Except as provided in (b) of this section, a person who is justified in using nondeadly force in self-defense under AS 11.81.330 may use deadly force in self-defense upon another person when and to the extent the person reasonably believes the use of deadly force is necessary for self-defense against

- (1) death;
- (2) serious physical injury;
- (3) kidnapping, except for what is described as custodial interference in the first degree in AS 11.41.320;
- (4) sexual assault in the first degree;
- (5) sexual assault in the second degree;
- (6) sexual abuse of a minor in the first degree; or
- (7) robbery in any degree.

(b) A person may not use deadly force under this section if the person knows that, with complete personal safety and with complete safety as to others being defended, the person can avoid the necessity of using deadly force by leaving the area of the encounter, except there is no duty to leave the area if the person is

- (1) on premises
 - (A) that the person owns or leases;
 - (B) where the person resides, temporarily or permanently; or
 - (C) as a guest or express or implied agent of the owner, lessor, or resident;
- (2) a peace officer acting within the scope and authority of the officer's employment or a person assisting a peace officer under AS 11.81.380;
- (3) in a building where the person works in the ordinary course of the person's employment; or
- (4) protecting a child or a member of the person's household.

CREDIT(S)

SLA 1978, ch. 166, § 10; SLA 1990, ch. 4, § 10; SLA 2006, ch. 68, § 3, eff. Sept. 13, 2006.

11.81.620. Effect of ignorance or mistake upon liability

(b) A person is not relieved of criminal liability for conduct because the person engages in the conduct under a mistaken belief of fact, unless

(1) the factual mistake is a reasonable one that negates the culpable mental state required for the commission of the offense;

(2) the provision of law defining the offense or a related provision of law expressly provides that the factual mistake constitutes a defense or exemption; or

(3) the factual mistake is a reasonable one that supports a defense of justification as provided in AS 11.81.320 - 11.81.430.

11.81.350. Justification: Use of force in defense of property and premises

(a) A person may use nondeadly force upon another when and to the extent the person reasonably believes it is necessary to terminate what the person reasonably believes to be the commission or attempted commission by the other of an unlawful taking or damaging of property or services.

(b) A person may use deadly force upon another when and to the extent the person reasonably believes it necessary to terminate what the person reasonably believes to be the commission or attempted commission of arson upon a dwelling or occupied building.

(c) A person in possession or control of any premises, or a guest or an express or implied agent of that person, may use

(1) nondeadly force upon another when and to the extent the person reasonably believes it is necessary to terminate what the person reasonably believes to be the commission or attempted commission by the other of criminal trespass in any degree upon the premises;

(2) deadly force upon another when and to the extent the person reasonably believes it is necessary to terminate what the person reasonably believes to be a burglary in any degree occurring in an occupied dwelling or building.

(d) Repealed by SLA 2006, ch. 68, § 7, eff. Sept. 13, 2006.

(e) A person

(1) in a vehicle, or forcibly removed from a vehicle, may use deadly force upon another when and to the extent the person reasonably believes it is necessary to terminate what the person reasonably believes to be a carjacking of that vehicle at or about the time the vehicle is carjacked;

(2) outside of a vehicle may use deadly force upon another when and to the extent the person reasonably believes it is necessary to terminate what the person reasonably believes to be the theft of that vehicle when another person, other than the perceived offender, is inside of the vehicle; this paragraph does not apply to a person outside of a vehicle who is involved in a dispute with a person inside of the vehicle who is a household member of that person; in this paragraph, "household member" has the meaning given in AS 18.66.990.

(f) A person justified in using force under this section does not have a duty to leave or attempt to leave the area of the encounter before using force.

(g) In (e) of this section,

(1) "carjacking" means a robbery involving the taking or attempted taking of a vehicle from a person in possession of the vehicle;

(2) "vehicle" means a "motor vehicle" as defined in AS 28.40.100, an aircraft, or a watercraft.

CREDIT(S)

SLA 1978, ch. 166, § 10; SLA 2006, ch. 68, §§ 5 to 7, eff. Sept. 13, 2006.

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Man guilty of murder in shooting of off-duty MP

Victim's mother says killer showed no remorse.

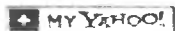
By CASEY GROVE
casey.grove@adn.com

Published: October 29th, 2010 12:02 PM
Last Modified: October 29th, 2010 12:02 PM

An Anchorage jury Thursday found Vongdeuane Vongthongdy guilty of first- and second-degree murder in the killing of an off-duty Fort Richardson sergeant outside a downtown bar in 2008.

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was jailed for failing to report to his probation officer and testing positive for marijuana and amphetamines. He was on probation for felony assault with a weapon, according to court documents.

The jury deliberated less than three hours. They also found Vongthongdy guilty of weapons misconduct for having a gun while drunk. He pleaded no contest to being a felon with a gun.

Vongthongdy, 28, was charged with shooting Sgt. Evan Minnear, 24, outside the Woodshed Lounge early on Nov. 30, 2008. It happened 16 days after Vongthongdy's release from jail for probation violations. He



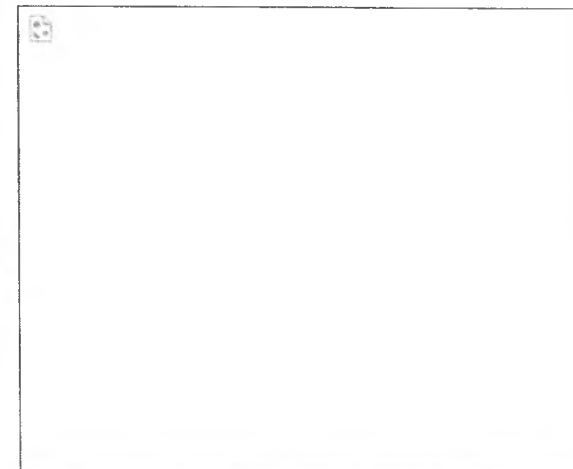
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ERIK HILL / Anchorage Daily News
Vongdeuane Vongthongdy was found guilty on all charges in the November 30, 2008, shooting death of off-duty Army Sgt. Evan Minnear, Thursday morning October 28, 2010, at Nesbett Courthouse in downtown Anchorage.

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Minnear was having a night out with friends. They were celebrating his return from a 15-month tour in Iraq that ended the previous spring, his mother, Julie Rushton, said this week. Rushton traveled from Indianapolis to attend the three-week trial.

When Vongthongdy fired a .40-caliber semiautomatic handgun into the air outside the bar, Minnear, a military policeman, approached him to diffuse the situation, prosecutors said. Some shoving occurred and Vongthongdy shot Minnear in the chest. Minnear later died in a hospital.

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It was unbelievable, Rushton said, that her son would survive a tour of duty in Iraq and get shot to death in Anchorage.

Rushton found out that her son was dead when a black car pulled into her driveway. An Army officer and a chaplain -- "just like on TV," she said -- broke the news.

Rushton was elated Thursday when the jury returned its verdict.

"I wasn't supposed to, but I was going, 'Yes! Yes!' Doing the old arm pump," she said outside the courtroom.

Still, the past two years have taken their toll on Rushton and her sister, Joni Breeden, who

also attended the trial. The crying often left them with red, puffy eyes, and Rushton's hand trembled whenever she reached for something in her bag.

"You don't ever get over this. It's closing a chapter, I guess," Rushton said. "Basically, I'll be living with this for the rest of my life."

"It's been constant, day in, day out, since the murder," she said. "I don't know what I'm going to do with myself. I'm so used to getting home and putting my dogs away so I could be on the phone (with court)."

"I guess I need to get a hobby now."

Assistant District Attorney Mara Michaletz leaned over the railing in the courtroom and hugged Rushton for a half-minute or so while they both cried after the verdict.

Breeden said, "Any person who has a child can put themselves in that situation of, 'What if that was my child?' "

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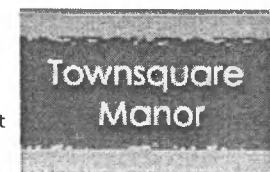


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It was a privilege to prosecute a case in which the Anchorage police caught the suspect within minutes of the shooting, said prosecutor James Fayette.

Fayette said "it was a heads-up play" by Anchorage detective Lt. Steven Hebbe, who happened to be driving by the Woodshed when the first reports came in of shots being fired. Hebbe stopped Vongthongdy's getaway car within minutes, Fayette said.

"There was no question about who the shooter was," Fayette said. The defense didn't dispute that but contended Vongthongdy's state of mind at the time indicated he either didn't know he would kill Minnear or that he didn't intend to.

"Eventually, the jury I think reached the common-sense conclusion that when you shoot a man in the chest with a .40-caliber pistol, you intend to kill him."

"I just hope it gives this lady some peace," Fayette said, gesturing toward Rushton.

Rushton said she didn't see any reaction from Vongthongdy during the trial.

"I never saw one ounce of emotion come from him during all of this," she said. "I don't feel like he's felt any remorse, and that's something he can work on now sitting in prison."

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Jury convicts Anchorage man in gang-related shooting

Man found guilty of assault in shootings near bar.

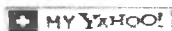
By CASEY GROVE
casey.grove@adn.com

Published: January 14th, 2011 12:08 PM
Last Modified: January 14th, 2011 12:09 PM

An Anchorage jury convicted a man Wednesday for what police testified was a gang-related shooting in September outside a downtown bar.

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Mavaega Brandon Tautua, 21, was convicted on three felonies: two counts of first-degree assault and a count of felony possession of a firearm. He faces up to 28 years in prison for the assault charges.

Tautua shot a man Sept. 12 twice with a .38 caliber revolver after a fistfight between rival gang members broke out at the corner of D Street and Fourth Avenue. Tautua then shot at the fleeing men and hit an innocent woman on the sidewalk, prosecutor James Fayette said.

"It was clearly gang-related conduct; this guy was picking a fight," Fayette said Thursday. Tautua claimed he'd shot in self-defense, but there are five different legal definitions for that defense that his story did not stand up to, Fayette said.

Tautua said he and his two friends were confronted by a group of five, and he testified Monday that,

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to defend himself, "I would have killed them all, I would have shot all of them."

"That's pretty chilling," Fayette said, especially considering Tautua answered in the affirmative later when asked if he would do the same thing if given another chance.

Police said the 19-year-old Angel Martin-Laura was shot in his left shoulder and buttocks. Friends took him to a hospital, where police said he was treated for his injuries and released.

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The innocent victim was shot in the shoulder and also has recovered.

Rookie police officer Jesus Rivera saw the shooting unfold from his patrol car and nabbed Tautua just after the shots were fired. Video cameras captured the shooting and arrest.

The Anchorage police officers' union referred to Rivera's police work in this incident during an ad campaign against officer layoffs by Mayor Dan Sullivan's administration.

Tautua testified in his defense, and denied being affiliated with a gang. He wore a bright red Boston Red Sox jacket and baseball cap the night of the shooting because the Sox are his favorite team, he said on the stand.

However, when a prosecutor cross-examined him, Tautua was not familiar with Fenway Park, the baseball club's home field, or famous players from its recent and past history, including David Ortiz or Ted Williams.

Gang intelligence detective Scott Lofthouse testified that stylized "B" logos and bright red Red Sox apparel are popular with gang members affiliated with the Bloods.

Tautua has a previous conviction for theft of a firearm from 2007. He is scheduled to face a judge for sentencing in May.

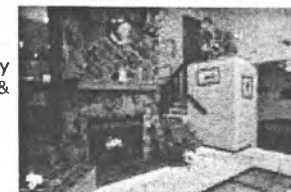
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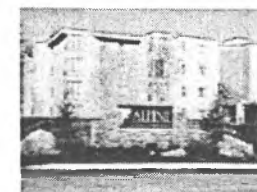
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LOCAL NEWS

Rossiter found guilty in murder case

by Maria Dudzak

January 24, 2012 7:42 PM



19-year-old Devin Rossiter was found guilty in Ketchikan Superior Court Tuesday afternoon of second degree murder in the stabbing death of 45-year old Nick Stachelrodt . Rossiter was also found guilty of tampering with evidence.

The jury of six men and six women began deliberations at about 2:30 Friday afternoon, continued deliberations on Monday, and reached a decision late Tuesday morning.

Rossiter looked straight-ahead and showed no visible reaction when the verdicts were read by Superior Court Judge Trevor Stephens. After reading the verdicts, Stephens asked the defense and prosecution if either party wanted the jury to be polled. Assistant District Attorney James Scott said the State did not wish to poll the jury. Defense attorney Sam McQuerry requested that Stephens poll the jury.

All 12 jurors affirmed their verdicts were true and correct. Stephens then thanked and excused the jury.

Asked his reaction to the verdict, Scott said this is just one step in the process.

"And the only appropriate thing for me to say is to thank the jury very much for their service in what I'm sure was a difficult case, and to thank the entire community. The process will continue and thank you for inquiring."

McQuerry declined to comment.

On March 12th of last year, Rossiter, then 18, was knocking on the back doors of homes in the Vallendar View Trailer Park asking for cigarettes. Rossiter was twice refused cigarettes at the home of John and Mary Stachelrodt, the victim's elderly parents. When their son, Nick Stachelrodt returned home, he found Rossiter searching in his parent's vehicle, and asked him to leave. When Stachelrodt tried to pull Rossiter from the vehicle, Rossiter stabbed Stachelrodt twice in the upper chest, fatally wounding him. Rossiter fled, and Stachelrodt died minutes later.

Rossiter's sentencing hearing has been set for April 5th at 8:30 am in Ketchikan Superior Court. In the meantime, Rossiter is being held at the Ketchikan Correctional Center without bail. Murder in the 2nd degree carries a sentence of ten to 99 years.



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Jurors fail to reach verdict in Michael Bostic stabbing case; judge sets new trial for end of January

by Sam Friedman / sfriedman@newsminer.com

Dec 21, 2011 | 15264 views | 138 | 10 |



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FAIRBANKS - The jury in the Fairbanks road-rage murder trial returned a not guilty verdict Wednesday for the most serious charge of first-degree murder, but a mistrial was declared on the lesser charge of second-degree murder after the jury was unable to reach a unanimous decision. A new trial date has been set for late January.

Defendant Michael Bostic, 45, remains jailed on \$1 million bail on the second degree murder charge, although his attorney asked for hearing to discuss bail in early January.

Bostic is accused of stabbing Tim Lund, 55, to death this spring near Frontier Outfitters. Defense attorneys said it was self-defense; prosecutors made the case that Bostic followed Lund to his job at Frontier Outfitters after a near car accident and that Bostic instigated a fight and intended to kill Lund.

The jurors were given instructions that, beyond a reasonable doubt, they needed to find Bostic's actions did not fit the legal definition of self-defense in order to convict him of first-degree murder, second-degree murder or even manslaughter. In a note to the court during deliberations,

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the jury indicated it wanted clarification about the self-defense law, in particular, clarification about whether the aggressor in a fight can be said to be using self-defense.

After a week-long trial, the jury of nine men and three women deliberated Thursday afternoon and all day Friday and Monday.

They went home early Tuesday because a juror needed to go to a medical appointment. On Wednesday morning, the jurors indicated they were unable to reach a unanimous verdict and did not believe more deliberations would help. Superior Court Judge Paul Lyle sent them back the jury room to deliberate for three more hours.

He then asked them in writing if they might be able to issue a verdict without resolving the self-defense issue. The jury indicated they would be able to issue a verdict for the first-degree murder charge but not the second-degree murder charge. Before Lyle declared a mistrial on the lesser charge, he asked the jurors whether they thought their differences of opinion were "genuine and irreconcilable." By a show of hands, all the jurors indicated they did not believe they could come to a verdict.

Before sending the jury home for the last time, Lyle told them they were the "the most diligent" jury he had ever worked with.

The partial verdict and mistrial were declared about 6 p.m. The courtroom gallery was empty at the conclusion of the case except for a small group of Bostics' friends and two local TV reporters.

Contact staff writer Sam Friedman at 459-7545.

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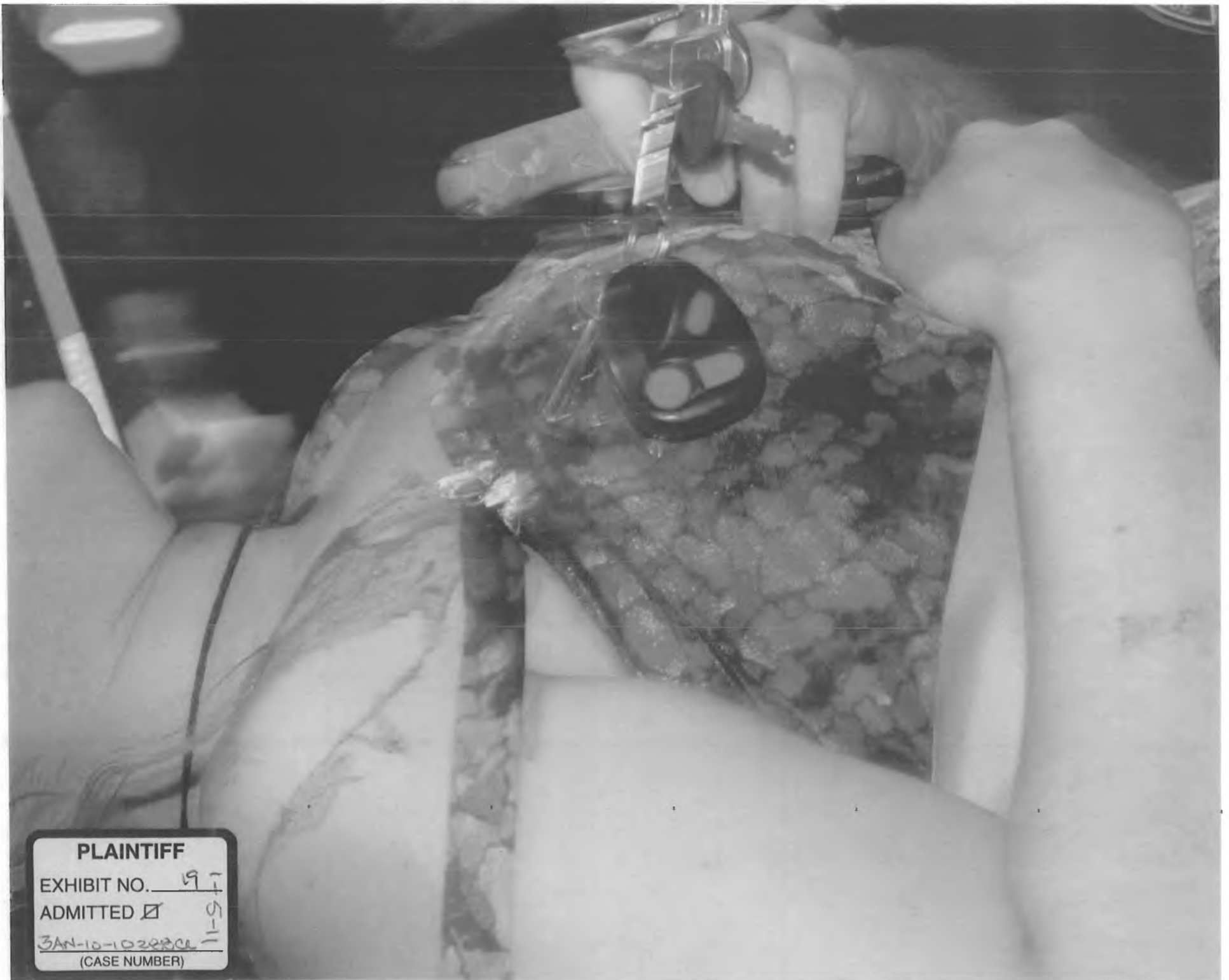




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- Department of Labor and Workforce
Development

Representative Mark Neuman

Rep.Mark.Neuman@legis.state.ak.us

HB 80 Expected Witnesses

In Person: Brian Judy – NRA

Offnet:

ALASKA STATE LEGISLATURE

Member:

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600 E. Railroad Ave
Wasilla, AK 99654
Phone: (907) 376-2679
Fax: (907) 373-4745

Representative Mark Neuman

Rep.Mark.Neuman@legis.state.ak.us

January 19, 2012

Dear Senator French

Subject: HB 80 An Act relating to self defense in any place where a person has a right to be.

Please consider scheduling this legislation for a hearing during the week beginning February 6, 2012. Joining me will be a leading national advocate to help in answering any questions the committee may have. Scheduling the hearing during that time will allow for the necessary travel arrangements to be made. Attached is a committee package.

Included are the following:

- Letter of Request
- Current version of the bill.
- Sponsor statement.
- 2012 Fiscal Notes
- Names of persons expected to testify (noting any off-net lines needed).

Please feel free to contact myself or my aide Rex Shattuck (465-2696) with any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Neuman".

Representative Mark Neuman

Alaska State Legislature

Senator Hollis French, Chair
State Capitol, Room 417
Juneau, Alaska 99801
Phone: (907) 465-3892
Fax: (907) 465-6595



Committee Members:
Senator Bill Wielechowski
Senator Lesil McGuire
Senator Joe Paskvan
Senator John Coghill

Senate Judiciary Committee

March 1, 2012

Mr. James Fayette
310 "K" Street, Suite 520
Anchorage Alaska 99501

Dear ~~Mr. Fayette~~, *Jay*,

The Senate Judiciary Committee has a bill under consideration, House Bill 80, which would significantly alter the law of self-defense in Alaska. Your experience as a veteran homicide prosecutor would be very valuable in helping the committee to understand the nuances of self-defense especially with respect to its application in actual cases.

I am inviting you to testify before the committee on Friday, March 16, 2012, starting at 1:30 p.m.

Sincerely,

A handwritten signature in black ink, appearing to read "Hollis French".

Senator Hollis French



Alaska State Legislature

Please enter into the record my testimony to the House Finance Committee

Committee on HB 80 Date: March 30, 2011
Bill/subject

02 (4) protecting a child or a member of the person's
household; or
03 (5) in any place where the person has a right to be.

The underlined portion of HB 80 (see above) extends the Castle Doctrine. I support this bill. It is a common sense addition to the Alaska law defining and supporting self defense.

Some of my reasons include:

- 1. Alaska is a huge state with many remote and rural off-road areas. Self defense is a necessity when police are not available.
- 2. Alaska has the highest rate of domestic violence in the U.S. Women need to know that they can defend themselves without going to prison.
- 3. Child molestation is very high in Alaska. Children need to know that they can defend themselves against attacks by larger, stronger adults without fear of reprisal.

Thank you for considering these reasons.
Peace through strength,

Barbara J Struble
Maranatha Learning for Living

Signed: Barbara J Struble

 Testifier

Representing (Optional)

Address

barbjst@gmail.com _____
 Phone number

Rex Shattuck

From: Adam Rushing [adam.rushing@gmail.com]
Sent: Monday, March 28, 2011 2:41 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Subject: HB 80

To whom it may concern:

I will keep this short as I understand each and everyone's time constraints. Please vote in favor of a citizen's right to protect themselves wherever they may be - so long as they can legally be there. Thank you all for your dedicated service.

Adam Rushing
Fairbanks, AK.

Rex Shattuck

From: alaskaspecialties@gci.net
Sent: Wednesday, March 30, 2011 9:02 AM
To: Rep. Mark Neuman
Subject: house bill 80

Please vote yes on House Bill 80.

Debra Lighthart

Rex Shattuck

From: Ali M. Martinez [amm@eeiteam.com]
Sent: Friday, April 01, 2011 3:25 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg; Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Cc: Ali M. Martinez
Subject: Please support HB 80
Attachments: image001.jpg

Hello Alaskan Representatives,

Please support HB 80.

I believe responsible citizens should have the right to defend themselves anywhere they have a legal right to be, without requirement for retreat.

Thanks,

Ali Martinez, Alaskan resident and voter since 2002.

Ali M Martinez, PE

Project Engineer - Mechanical
API 570 & API 653 Certified Inspector
Enterprise Engineering, Inc.
amm@eeiteam.com
080.6745.3709

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Rex Shattuck

From: Andrew and Marcy [amerrill@gci.net]
Sent: Wednesday, March 30, 2011 5:39 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Les Gara; Rep. David Guttenberg
Subject: HB 80

I am writing in regards to House Bill 80 "*An Act relating to self defense in any place where a person has a right to be.*" and would encourage you to support the bill.

Thank you

Andrew Merrill

Alaskan resident, husband and father of 3, raised in Southeast (Ketchikan), lived in the interior (Fairbanks), worked in Southwest (Bethel) and living in Northwest (Nome)

Rex Shattuck

From: Barry Corbin [barry.corbin@hotmail.com]
Sent: Wednesday, March 30, 2011 3:31 PM
To: Rep. Mark Neuman
Subject: Support HB 80

I urge you to support HB 80.

Respectfully,

Barry D. Corbin

**MP 289.5 Parks Highway
Clear, AK 99704
378-8269**

Sent from my iPhone

Rex Shattuck

From: Barry White [bqc_03@yahoo.com]
Sent: Monday, March 28, 2011 3:25 PM
To: Rep. Mark Neuman
Subject: retreat

I hope that each and every one of you on the finance committee approve this bill. I am an Alaskan that chooses to carry for the protection of my family and self. I am a resident, property owner, business owner, and I vote.

Thank you for your service,

Barry White

Rex Shattuck

From: Bert Maupin [bermaupin@yahoo.com]
Sent: Monday, March 28, 2011 3:51 PM
To: Rep. Mark Neuman
Subject: HB 80

Sir: I would like to see HB 80 become law. I believe that wherever we have the right to be, we also have the right to self protection. Your vote for HB 80 would be appreciated. Thank you. Bert Maupin

Rex Shattuck

From: Bert Thomas [thomasb@mosquitonet.com]
Sent: Friday, April 01, 2011 11:22 AM
To: Rep. Mark Neuman
Subject: HB 80

Please support HB 80 – it is common sense.

Bert Thomas

Rex Shattuck

From: Beth Schneider
Sent: Wednesday, March 30, 2011 10:05 AM
To: Rep. Mark Neuman
Subject: Support for HB 80 --
Attachments: image001.jpg

Resident of Palmer, Douglas Kinnel (sp) – wanted to say he supported HB80 – 947-5019

Beth Schneider

Legislative Aide
Office of Representative Neuman
(907) 465-2679
(800) 505-2678

Rex Shattuck

From: Bob Ourso [bobourso@yahoo.com]
Sent: Monday, March 28, 2011 7:44 PM
To: Rep. Mark Neuman
Subject: YES on HB 80 - Thank you for this legislation

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Neuman,
Thank you for HB 80. You have my full support, and I am honored to support you and this effort. Below is the text I have been sending your colleagues, as I have been a victim of weapons violence - hopefully, never again. Thank you for your understanding of this important issue.

To Mr. or Ms. XXXXXX,
I strongly and respectfully request that you approve HB 80 extending the right to use force, including deadly force, for self-defense anywhere a person has a legal right to be. Responsible gun owners respect the law. Criminals don't care about laws, and thus will not be swayed by this one way or the other. When I had the several occasions to have been accosted by weapons-wielding criminals, I was unable to protect myself due to criminal-friendly laws on the books in MN. Had I been able to carry and defend myself, I feel sure that I would not have been a victim, and even though I could have shot, I probably would not have, should they have complied with my command to lay down their weapon and surrender, allowing me to wait for law enforcement assistance. It is a different story when it actually happens to you or your loved one, or your friend, and God willing, it never will. This will send a clear message to criminals in AK and hopefully elsewhere - threatening bodily harm will not be tolerated. We will not just hope everything turns out well if we run or submit to their demands. If someone does not want to carry and possibly protect themselves in such manner, that is their right. May they never experience what I have. Thank you. Respectfully,
Bob Ourso

Bob Ourso
Stream Ecologist, Informaticist
Anchorage, AK, USA

Rex Shattuck

From: byron davis [byrondavis747@hotmail.com]
Sent: Friday, April 01, 2011 11:11 AM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Subject: House Bill 80: No-Duty-to-Retreat Legislation

Dear Representatives,

HB 80 would remove the duty-to-retreat in Alaska.

Under existing law, there is no-duty-to-retreat if a person is in their home, business, or on their own property. Introduced by state Representative Mark Neuman (R-15), HB 80 would extend the right to use force, including deadly force, for self-defense anywhere a person has a legal right to be.

I strongly support HB80. Extending this right is a common sense concept which is already the law in many States.

Please vote in favor of this bill.

Byron Davis
Anchorage, AK 99517

Rex Shattuck

From: CH [spotmom@mtaonline.net]
Sent: Monday, April 04, 2011 6:55 AM
To: Rep. Bill Stoltze
Cc: Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Subject: SUPPORT HB 80 No-Duty-to-Retreat

Please support HB 80 extending the right to use force, including deadly force, for self-defense anywhere we have a legal right to be.

A person's ability to protect themselves and others should extend beyond the property line. Crime occurs everywhere and being forced to "run away" as a first choice only makes it easier (safer) for criminals to ply their trade.

Sincerely,
Rod and Cathy Herrin
Wasilla

Rex Shattuck

From: Charles Bohart [cbohart@alaska.edu]
Sent: Tuesday, March 29, 2011 12:42 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg; Matthew Billings; David Weisensel
Subject: Response to HB 80

House Finance Committee:

As a law abiding citizen the laws and regulations need to protect and defend the people who stand up to defend the innocent, the weak, our families, in the act of protecting justice, freedom, and right living. By protecting the good Samaritan we reduce the crime and the work load placed on the public safety officers and state troopers because the criminal must watch out for the common citizen exercising his duty to uphold the law and repress lawless behavior. The repression of lawless behavior is as simple as protecting the person who stands up against perpetrators of crimes. This is freedom, where the responsibility is transferred to the good people who choose to protect themselves, their families, and surroundings. Thank you for your time and consideration. Please be very careful in the wording of requiring "retreat". I believe we should not retreat from criminal's because this implies it is wrong to stand up for what is right and gives argument to prosecute both citizen and law enforcement officials when deadly force is used to defend oneself, ones family, ones friends, the old lady being mugged....

Thank you

Charles Bohart

Rex Shattuck

From: charlie@xyz.net
Sent: Monday, March 28, 2011 5:06 PM
To: Rep. Mark Neuman
Subject: HB 80

Honorable Representative Neuman,

I encourage you to support HB 80 when it comes before the Finance Committee this week. Law-abiding Alaskans should not have to run from criminals.

Respectfully,

Charlie Franz COL, USA (Ret)
Homer

Rex Shattuck

From: CORDELL GRAY [cords180@yahoo.com]
Sent: Monday, March 28, 2011 7:49 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Subject: House Bill 80 Support

Dear Representative,

I encourage you to support Representative Neuman by voting to support House Bill 80 which allows honest, tax paying citizens to defend themselves and their property anywhere at any time. I am a gun owner and also have a concealed carry permit and very rarely do I go out without my weapon because of the increase in the amount of unstable people and criminals who can/will go off without any notice. The road rage murder in Fairbanks this weekend is a prime example. If the judicial system refuses to keep these people behind bars where they belong, then people need to have the right to defend themselves at all times, in all locations and at any cost.

Please take a look at the stats in Florida and what has happened with crime since they passed their liberal concealed carry bill. The horror stories of shooting sprees never happened, the crime rate had plummeted and there are fewer criminals on the street. On the fiscal side, the permanent removal of a dangerous person saves the State money which can then be used to support those who pay taxes. To prosecute the road rage person referenced above is going to cost the State hundreds of thousands of dollars and then the tax payers will have to pay \$50-70,000 a year for the rest of his life. Had the other gentleman carried a concealed weapon, the State would be looking at a few thousand dollars to bury the criminal.

If the State, who is charged with the responsibility to protect its citizens, continues to fail in this obligation, every citizen has the right, and responsibility, to defend themselves. Take a few minutes and put yourself in the Fairbanks Road Rage victim's position. Ask yourself the following question. Would I be better off lying dead on the street, a victim of a deranged, knife wielding criminal, or would I be better off permanently ending his reign of criminal activities and terror? If you need help with the answer or a second opinion, read the article to your family and ask them what you should if you were caught in that same position and had the opportunity to defend yourself. I think the answer will be obvious so vote for yourself, your family, and give all of Alaska the opportunity to defend themselves.

Thanks for your time.

Cordell Gray
Eagle River, AK

Rex Shattuck

From: DEC Engineering Inc. [don_carlson@hotmail.com]
Sent: Monday, March 28, 2011 9:54 PM
To: Fam-Don Carlson
Subject: I support HB 80

Hello,

I urge you to support HB 80 which would extend the no-duty-to-retreat, the right to use force, including deadly force, for self-defense, that we enjoy on our private property, to anywhere a person has a legal right to be. Please remember that criminals by definition do not care if their action is against the law and police are rarely there to protect you when you need it. This law will help protect law abiding citizens. I do not believe it will foster rampant vigilantism as some anti-gun lobbies propose.

Sincerely,

Donald E. Carlson, 688 Senate Drive, Fairbanks, AK 99712, 907-378-8151

DEC Engineering, Inc. - River Engineering, Floodplain Modeling, Culvert & Bridge Hydraulics, SWPPP

Rex Shattuck

From: Dennis Adamson [dbafox07@gci.net]
Sent: Monday, March 28, 2011 5:02 PM
To: Rep. Mark Neuman
Subject: HB 80 No-Duty-to-Retreat Legislation
Attachments: Dennis Adamson.vcf

Dear Representative Neuman:

As a member of the House Finance Committee, I wanted you to know that I strongly support HB 80, the No Duty-to Retreat Legislation being considered this coming Wednesday. I have a daughter and three granddaughters living here and in the Matnauska Valley that I worry about 24/7. This legislation will increase the likelihood that they would defend themselves from predators without fear of legal repercussions. This is a right every citizen of Alaska and the United States should have.

Please do everything within your power to pass this legislation into law. You will be doing something that will benefit all Alaskan's relative to their personal defense and the defense of their families. I firmly believe that this legislation fully supports and enhances the protections provided in the 2nd Amendment of the U.S. Constitution. Good luck in your efforts to best serve Alaska.

Sincerely,

Dennis B. Adamson
9255 Endicott Street
Anchorage, AK 99502-1300
907-243-2004

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Rex Shattuck

From: dwallace1epro@netscape.net
Sent: Wednesday, March 30, 2011 2:08 PM
To: Rep. Mark Neuman
Subject: HB 80

Under existing law, there is no-duty-to-retreat if a person is in their home, business, or on their own property. Introduced by state Representative Mark Neuman (R-15), HB 80 would extend the right to use force, including deadly force, for self-defense anywhere a person has a legal right to be.

I support this legislation, and I urge you to do so also.

Thanks

Rex Shattuck

From: Ettelt, Mark E CTR USAF PACAF 3 OSS/OSK [mark.ettelt.ctr@elmendorf.af.mil]
Sent: Friday, April 01, 2011 8:49 AM
To: Rep. Mark Neuman
Subject: HB 80

I respectfully urge you to support HB 80.

Mark Ettelt

Rex Shattuck

From: Gary Porter [gary@tech.engr.uaf.edu]
Sent: Tuesday, March 29, 2011 12:32 PM
To: Rep. Mark Neuman
Subject: HB 80

Dear Representative Neuman,

I know you obviously support this bill but wanted to thank you and pass this along to you as well. I'm writing to as many as I can to support this very important bill.

I am writing to address the current House Bill 80, Self Defense bill.

I don't believe it goes quite far enough but is a very good start.

I've yet to talk to anyone here in Fairbanks that does not support such a bill. I work at the University of Alaska and talk to many people Conservative and Liberal alike.

I was once a medic for Chena Goldstream Fire and Rescue , during our training we were told that as EMTs we were obligated to render help if we could when needed. The problem I see with our current law is that you are obligated to retreat when there is trouble. This should be changed such that you are obligated to help if you have the ability to do so. Example, someone being attacked or whatever in a grocery store parking lot or anywhere for that matter. Should we run away or should we help if we can? If we can we should help and not be held liable for doing so. Of

course this would also apply to defending ourself and or family. It is my opinion that we have a God given right to defend ourself and to whatever extent is required. At times it may be prudent for us to retreat if we so choose but in no case should there ever be a law that requires us to do so. No one should ever be required to run away if they can. That is what we have now. Florida has recently passed what I think is a very good approach to this issue. (See below) Its just a little embarrassing to have them realize the common sense wisdom before we do here in the State of Alaska. Please do not buy into the rhetoric that such a bill will cause an increase in violent crime. There are no statistics that I've found anywhere that would support such a statement plus as the law is now it virtually puts innocent law abiding citizens at risk.

While it is not as extensive as I would like it to be I would encourage and ask you to please support the passage of HB 80 self defense bill. I thank for you and for your time and consideration in this matter.

Gary Porter
Fairbanks Alaska

Florida 'Stand Your Ground' Law Explained http://www.cfif.org/htdocs/freedomline/current/in_our_opinion/florida-self-defense-law.htm

Rex Shattuck

From: GGREEN18@aol.com
Sent: Tuesday, March 29, 2011 4:12 AM
To: Rep. Mark Neuman
Subject: RE#80 HB

Rep. Mark Neuman;

Please be informed that I am in favor of HB #80 and urge it's passage.

Perry Green

Anchorage Alaska.

Rex Shattuck

From: huggsc@alaska.net
Sent: Tuesday, March 29, 2011 10:41 PM
To: Rep. Bill Stoltze
Cc: Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Representative_Tammie_Wilson@legis.state.ak.us; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Subject: No-Duty-To- Retreat legislation, HB 80

We respectfully urge you to support HB 80, the No-Duty-To- Retreat legislation. This is an Act relating to self-defense in any place where a person has a right to be. It is long overdue.

Clifford and Sondra Hugg
37091 Tiny Rd.
Soldotna, AK
907-260-5871

Rex Shattuck

From: husholdog@acsalaska.net
Sent: Tuesday, March 29, 2011 12:24 AM
To: Rep. Mark Neuman

Dear representative Neuman,

I am a fellow Ak. resident and I respectfully urge you to support HB 80. Thank you sincerely, Mark Jonas

Rex Shattuck

From: idbogue1955 [idbogue1955@yahoo.com]
Sent: Monday, March 28, 2011 10:27 PM
To: Rep. Mark Neuman
Subject: Thank you for HB 80

Thank you for HB 80, I fully support passage of this bill.

As a lifelong Alaskan and supporter of the US Constitution and the Alaskan Constitution, I believe the right to protect oneself is consistent with our Second Amendment rights under the US Constitution. As a woman, I am especially cognizant of the need for lawful protection from lethal force without worrying that I may be sued or considered a criminal for protecting myself.

Alaska is a strategic location for protection of the USA, and as a coastal state Alaskans have a duty to be prepared to protect our state and country if the need should arise as it did in WWII.

Sincerely,
Irene Bogue
PO Box 4106
Palmer, AK 99645

Rex Shattuck

From: J Gillette [loggiemonster@hotmail.com]
Sent: Tuesday, March 29, 2011 7:40 PM
To: Rep. Wes Keller; Rep. Tammie Wilson; Rep. Steve Thompson; Rep. Mike Hawker; Rep. Mike Chenault; Rep. Mia Costello; Rep. Mark Neuman; Rep. Eric Feige; Rep. Bob Lynn; Rep. Craig Johnson; Rep. Bill Stoltze; Rep. Kurt Olson
Subject: Support of House Bill 80

Dear Representatives,

Thank you for sponsoring House Bill 80, Self Defense. As an Alaskan living in an area outside of regular police response, I rely on the ability to protect myself and my family. Even though I am driving distance from Wasilla, with few troopers in our area, the response time to a 911 emergency call is 25 minutes. I know this because I have had to call in the past.

In 2006, I was alone at home with a 3 year old daughter. Shortly before midnight in early April, I had a car park in front of my house and the occupants were not part of the neighborhood. Five young men stood out in front of my yard and passed around something that resembled a bong. I saw the lighter ignite in front of each one of them. I called to report this incident. These people sat in a dark car on a dark night for 15 minutes in front of my home. I had no idea what their intentions were. When they drove off, they proceeded at about 10 mph with no lights on. It was 10 minutes after they departed before a trooper came through the neighborhood. He drove around a few minutes and did not find them. After this incident, I had an alarm system installed, but I know I may still need an additional way to protect myself in the event someone actually does breach the entrance of my house.

This protection may also be necessary outside my home. We travel to some pretty remote locations to camp and fish. Still having a young child traveling with me, I am relieved to know that if someone were to break into our camper with ill intentions, I can defend our lives and property.

Alaska is the Last Great Frontier and our citizens live here not just for the beauty of the state, but for the freedoms it offers. I truly appreciate your efforts to maintain those freedoms for law abiding citizens.

Respectfully,

Julie Gillette

4301 S. Well Site Rd.

Wasilla AK 99654

907-376-5455

Rex Shattuck

From: Jack Cripe [jackcripe@yahoo.com]
Sent: Wednesday, March 30, 2011 2:18 PM
To: Rep. Mark Neuman
Subject: HB 80

Representative Neuman

I find it a bit difficult to understand why this bill has not passed out of finance. After all, criminals never follow these laws anyway, only honest law abiding people like me do. I am a retired Master Chief USN, also a retired Alaska State Trooper. If I were to see an event where I or others lives were endangered I am not trusted by our State Congress to act to prevent this crime from taking place other than on my property and in my home. I am well aware of when to and when not to use deadly force when absolutely necessary, as are many retired police officers living in Alaska. It appears some in our state congress think just because a peace officer has retired we turned dumb. Not so. Your efforts along with other clear thinking representatives to get HB 80 moving would be much appreciated.

Jack Cripe
Palmer

Rex Shattuck

From: James M Carson [carsonjamesm05@gmail.com]
Sent: Wednesday, March 30, 2011 2:20 PM
To: Rep. Mark Neuman
Subject: HB 80

Please pass this bill as we need to be able to legally defend ourselves.

--

James M Carson

Rex Shattuck

From: Jarrett Crawford [jocrawford3936@gmail.com]
Sent: Monday, April 04, 2011 8:19 AM
To: Rep. Mark Neuman
Subject: HB 80

Please support this bill, HB 80. We deserve the right to defend our loved one. Thank you.

J.O. Crawford

Rex Shattuck

From: Jim Gilbert [JGilbert@udelhoven.com]
Sent: Monday, March 28, 2011 2:31 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson
Subject: Alaska: House Finance Committee to Hear No-Duty-to-Retreat Legislation

I support this and I hope you do too!

Jim Gilbert
Udelhoven Oilfield System Services, Inc.
184 E. 53rd Ave.
Anchorage, AK. 99518

Rex Shattuck

From: John Smith [naherr@gmail.com]
Sent: Wednesday, March 30, 2011 9:53 AM
To: Rep. Mark Neuman
Subject: Re: Please pass HB 80

Sir, thank you again for taking the time to respond. It really means alot to me when my representative makes that time available. I do receive NRA alerts, as well as alerts from many other organizations I'm affiliated with, and I share them with other groups supportive of your efforts and we are all truly grateful. Thank you again and please keep me posted if you need my/our help.

Nick

On Wed, Mar 30, 2011 at 8:02 AM, Rep. Mark Neuman <Representative_Mark_Neuman@legis.state.ak.us> wrote:

Colonel Herrera,

Many more people are becoming aware of what is happening locally and nationally. We need more folks to become informed and involved and I am glad that you are making that step.

HB80 does not currently appear to have too much opposition in the House, but we may need the support when it goes through the Senate (which is likely to happen next session between January and April). If you aren't receiving the NRA alerts, I would recommend signing up for them as they are an excellent source for those wanting to keep abreast of legislation affecting our 2nd Amendment rights.

Thanks again for writing and be sure to contact me if you have questions or other concerns.

Mark

From: John Smith [mailto:naherr@gmail.com]
Sent: Tuesday, March 29, 2011 5:50 PM
To: Rep. Mark Neuman
Subject: Re: Please pass HB 80

Representative Neuman, thank you for your quick response. I was made aware of your bill at a recent CPG meeting where they showed a 9-11 video. I also researched your website and the bill and found you and your co-sponsors. Although I'm new to being politically active, and I am still working full time at Ft Richardson, I'm learning as much as possible what actions I can take with my local representatives to support initiatives that will improve our Borough and State and protect us from not only "domestic threats", but "foreign threats" as well. If there's ever anything I can do to assist, please feel free to contact me. Although I lack experience, I am well motivated.

Nick Herrera

On Tue, Mar 29, 2011 at 4:34 PM, Rep. Mark Neuman <Representative_Mark_Neuman@legis.state.ak.us> wrote:

Dear Colonel Herrera,

Thank you for writing in support of this legislation. I agree and that is why I sponsored this bill. I am attaching a list of legislators that have also signed on as co-sponsors. We greatly appreciate your support!

SPONSOR(s): REPRESENTATIVE(s) **NEUMAN**, FEIGE, LYNN, COSTELLO, Hawker, Chenault, Olson, Keller, T.Wilson, Stoltze, Thompson, Johnson

Sincerely,

Mark Neuman

From: John Smith [mailto:naherr@gmail.com]

Sent: Tuesday, March 29, 2011 8:44 AM

To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg; Rep. Mike Hawker; LIO Mat-Su

Subject: Please pass HB 80

Dear Ladies/Gentlemen, my name is LTC (Ret) Nick Herrera, and I'm a resident of Wasilla, and a retired Army officer. I served in the Army for 23 years fighting to protect this great country of ours and defend our rights. Even now, as a retiree, I am able to enjoy those rights in this great state of ours, but all too often there are elements in our State who choose the path of crime. It is incumbent on us to always be able to continue to protect those rights given to us by God to care for our fellow man and our families against those who would do us harm. HB 80 extends those rights to protect us against those criminal elements who would violate our rights and seek to destroy the peaceful lives we seek to live within our communities and endanger those we love and

hold dear to our lives. I strongly urge you to please pass HB 80 and strengthen the rights of good American law abiding citizen against those who seek to disrupt our peaceful communities. Far too long have criminals' rights been advocated while victims rights have been trampled upon. HB 80 gives US, law abiding citizens, our rights back and empowers us to rightfully use deadly force (as a last resort) if we deem it necessary and further protects us when and if we must make this difficult and life changing decision. I am too familiar with having to make this decision while serving in my Army and on deployments and it is a decision I NEVER EVER take/took lightly and without great thought and responsibility, nor is it a decision anyone of us should ever have to make, BUT if we have to make this to protect ourselves or those we love, we should be empowered with the necessary tools to effectively make that decision.

Thank you for supporting me, this State, and Representatives Neuman, Feige, Lyn, and Costello on passing HB 80.

Sincerely,

Nicolas Herrera

LTC (Ret), USA

Rex Shattuck

From: Kath Carlson [kath009@hotmail.com]
Sent: Monday, March 28, 2011 10:33 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg; Rep. Carl Gatto; Rep. Steve Thompson; Rep. Mike Chenault; Rep. Lindsey Holmes; Rep. Max Gruenberg; Rep. Lance Pruitt; Rep. Bob Lynn; Rep. Wes Keller
Subject: House Bills

Please support House Bills 80 and 88.

Thanks muchly!

Kath McCubbins-Carlson

Rex Shattuck

From: keith and bev [keithfromak@earthlink.net]
Sent: Monday, April 04, 2011 8:15 AM
To: Rep. Mark Neuman
Subject: HB-80

My name is Keith Elkins, I live at 1080 Leuthold Dr. Fairbanks 99712. My ph. (907)3893001 and Email is keithfromak@yahoo.com. I want to tell you that we as free people need the right to protect our selves wher ever we are. That is why I am in favor of HB-80 it needs to be there for use, the people and you if ever needed. Please vote for this bill.
Thank You!
Keith Elkins

Rex Shattuck

From: larrya2@alaska.net
Sent: Monday, March 28, 2011 2:50 PM
To: Rep. Mark Neuman
Subject: HB 80

I urge you to support HB 80. Thanks!

Rex Shattuck

From: Leslie, Mike [lesliegm@chevron.com]
Sent: Monday, March 28, 2011 3:59 PM
To: Rep. Mark Neuman
Subject: HB 80

Mr. Neuman,
As an Alaskan resident living on the Kenai Peninsula. I support the HB 80 Bill.

Mike Leslie
Kenai Drilling Rentals
Home -907-283-3302
Cell- 907-382-3057
glex@chevron.com

Rex Shattuck

From: Mdbrownn [mdbrownn@yahoo.com]
Sent: Tuesday, March 29, 2011 2:50 AM
To: Rep. Mark Neuman
Subject: HB 80

Dear Representative Mark Neuman,

Please pass House Bill 80.

If passed, it would be a shining example of a law that tells us what we CAN DO, rather than a law that states what we CAN NOT DO.

Sincerely,

Matthew Brown
District 24
5411 Mockingbird Drive #309
Anchorage AK 99507
(907) 230-4977

Rex Shattuck

From: Michael Gillis [mgillis5@hotmail.com]
Sent: Wednesday, March 30, 2011 10:45 PM
To: Rep. Mark Neuman
Subject: HR 80

Thank you for this legislation. I hope those voting on this don't follow Idaho's vote today. The republicans there voted down a campus carry initiative. Remind those voting, their votes are being watched more now than ever, and RINO's will not be tolerated. Lisa Murkowski got lucky and won, but the odds were against her. Democrats suck, but there is nothing as disgusting as a RINO.

A vote is like a rifle; its usefulness depends upon the character of the user.

Theodore Roosevelt

<http://obamaclock.org/>

Rex Shattuck

From: Mike Reeves [michaelr311@gmail.com]
Sent: Monday, March 28, 2011 2:43 PM
To: Rep. Mark Neuman
Subject: House Bill 80

03/28/2010

RE: House Bill 80

I am writing to urge your support for House Bill 80, many Alaskans have fallen victim to crimes were they have not been able to defend them self's against armed criminals, rather it has been in there home, place of work, or areas of recreation. This Bill would not only defend the lives and property of those being assaulted, and shall give defense against perpetrators that commit acts against others that have no way to defend themselves, such as child kidnapping or sexual assault.

Please I urge you to support this Bill; it may not only save or protect a life of an Alaskan, but could save yours, or your loved ones.

Respectfully
Mike Reeves
Wasilla Alaska

Rex Shattuck

From: Pamela Hodgson [pam@kitchencabinetsanddesign.com]
Sent: Monday, March 28, 2011 2:51 PM
To: Rep. Mark Neuman
Subject: HB 80
Attachments: Clear Day Bkgrd.JPG

Please support HB 80; it favors law abiding citizens versus criminals!

Kitchen Cabinets And Design

Pamela Hodgson; cell 223-3711

pam@kitchencabinetsanddesign.com

www.kitchencabinetsanddesign.com

Rex Shattuck

From: Paul Brown [pkbrown@alaska.edu]
Sent: Monday, March 28, 2011 4:36 PM
To: Rep. Mark Neuman
Subject: HB80

Representative Neuman

Please vote in support of HB80, though I dislike the wording and that the bill does not go far enough to protect the people of the great State of Alaska, I do agree with the intent of the bill and purpose. Again please vote in favor of HB 80.

Many thanks

paul brown

--

Paul Brown
306 Tanana Loop Duckering Bldg
College of Engineering and Mines rm 248
University of Alaska, Fairbanks AK 99775
907.474.5216 ph.
907.474.5454 fx.

Life is tough but it is even tougher if you are stupid - John Wayne

Rex Shattuck

From: Raymie Rushing [raymie@raymierushing.com]
Sent: Monday, March 28, 2011 2:49 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mia Costello; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Subject: HB80 - remove the duty-to-retreat in Alaska
Attachments: --static--sunsetonthelake_b.jpg; --static--sunsetonthelake_lb.gif

HB80

I will keep this short as I understand each and everyone's time constraints. Please vote in favor of a citizen's right to protect themselves wherever they may be - so long as they can legally be there. Thank you all for your dedicated service.

Adam Rushing
&
Raymie Rushing
www.RaymieRushing.com
www.RushingtoGetSomewhere.com

Rex Shattuck

From: Renfro, Erin (Anchorage) [Erin.Renfro@WorleyParsons.com]
Sent: Monday, March 28, 2011 3:00 PM
To: Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Anna Fairclough; Rep. Mia Costello; Rep. Bryce Edgmon; Rep. Reggie Joule; Rep. Mark Neuman; Rep. Tammie Wilson; Rep. Mike Doogan; Rep. Les Gara; Rep. David Guttenberg
Cc: Clint Renfro
Subject: Support for House Bill 80

House Finance Committee Members,

I would like to go on record as being in support of House Bill 80, the No-Duty-To-Retreat Legislation. I want to know that I can defend myself and my children, regardless of where we are, without fear of being made into a criminal.

Thank you,

Erin Renfro
627 Giroux Circle
Anchorage, AK 99515
Home: (907) 336-0980
erindee@yahoo.com
Work: (907) 273-4444
Erin.Renfro@NANAWorleyParsons.com

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Rex Shattuck

From: Richard Shear [badbushhog@att.net]
Sent: Wednesday, March 30, 2011 10:02 AM
To: Rep. Mark Neuman
Subject: HB 80

Mark thank you for bring this Bill to be voted on. I whole heartedly support this bill . I beleave we have a basic right to defend ourselves , Family and property as well as others no matter where we go. I think this will set a valuable precedence to the rest of the country .

Thanks for bring it to light. Rick Shear Talkeetna Ak

Rex Shattuck

From: Rick Ellis [spike9542003@yahoo.com]
Sent: Monday, March 28, 2011 4:21 PM
To: Rep. Mark Neuman
Subject: HB 80

Dear Representative Neuman,

As a fellow Alaskan and a law-abiding gun-owner, thank you for introducing HB 80. I am contacting the rest of the Representatives on the Finance committee to request their support of HB 80. Keep up the good work!

Rick C. Ellis
341 S. Gastman Ct.
Wasilla, AK 99654
907-376-6703

Rex Shattuck

From: Rodney and Shelly [fishingfools@alaska.net]
Sent: Sunday, April 03, 2011 3:39 PM
To: Rep. Mark Neuman
Subject: H-80

I respectfully urge you to support H-80. No-Duty-to-Retreat-Legislation.

Thank You
Rodney Small
Nikiski, Ak.

Rex Shattuck

From: Ryan [akleatherneck@mtaonline.net]
Sent: Wednesday, March 30, 2011 12:12 PM
To: Rep. Mark Neuman

I support HB 80
Ryan J Clark USMC Vet
907 746 7580

Rex Shattuck

From: Sandi Williams [knikhusky@mtaonline.net]
Sent: Wednesday, March 30, 2011 9:42 AM
To: Rep. Mark Neuman
Subject: HB-80

Dear Rep. Neuman,

I fully support this bill and urge its passage today. Self defense should not err on the side of the criminal.

Thank you,
Sandi Williams
Wasilla, AK

Rex Shattuck

From: steve ihde [btrnanook@yahoo.com]
Sent: Monday, March 28, 2011 2:24 PM
To: Rep. Mark Neuman
Subject: Duty to Retreat

Please pass HB80.
Thank you,

-Steve Ihde-

-Proverbs 16:9-
btrnanook@yahoo.com

Rex Shattuck

From: Susan Gibson [sbgibson@gci.net]
Sent: Monday, April 04, 2011 9:52 AM
To: Rep. Mark Neuman
Subject: House Bill 80

Dear Representative Neuman,

Please protect my right to defend myself and prevent me from becoming a possible government-induced victim. I urge you to vote for House Bill 80.

Thank you,
Susan Gibson

Susan Gibson
1712 Persinger Dr.
North Pole, AK 99705

t: 907-488-2709
e: sbgibson@gci.net

Rex Shattuck

From: taurusetursa [taurusetursa@yahoo.com]
Sent: Saturday, April 02, 2011 10:47 AM
To: Rep. Mark Neuman
Subject: Fw: HB 381 Support / HB 80 Support

Dear Mark ~

I was delighted to learn that you are a sponsor of HB 80: Self Defense.

Thank you again for attempting to codify an Alaskan's basic right to protect family, person and property wherever he or she has a lawful right to be.

Hopefully, this will be the year when the State of Alaska recognizes that right.

Mick

----- Forwarded Message -----

From: taurusetursa <taurusetursa@yahoo.com>
To: Rep. Mark Neuman <Representative Mark Neuman@legis.state.ak.us>
Sent: Tue, April 20, 2010 10:37:09 AM
Subject: Re: HB 381 Support

Mark ~

Thank you again for sponsoring HB 381.

I hope you will reintroduce the bill during the next session.

Mick

From: taurusetursa <taurusetursa@yahoo.com>
To: Rep. Mark Neuman <Representative Mark Neuman@legis.state.ak.us>
Sent: Thu, April 1, 2010 12:57:38 PM
Subject: Re: HB 381 Support

Mark ~

Thank you for acknowledging my note so promptly, the promising news and, again, your sponsorship of this important bill.

Mick

From: Rep. Mark Neuman <Representative Mark Neuman@legis.state.ak.us>
To: "taurusetursa@yahoo.com" <taurusetursa@yahoo.com>
Sent: Thu, April 1, 2010 9:22:22 AM
Subject: RE: HB 381 Support

Mick,

Thank you for your note of support. The legislation is picking up more sponsors as it heads to its next hearing in Finance. I hope that you have

contacted your local legislators as well.

Mark

-----Original Message-----

From: housemajority_email@housemajority.org [mailto:housemajority_email@housemajority.org]
Sent: Wednesday, March 31, 2010 10:22 PM
To: Rep. Mark Neuman
Subject: HB 381

+-----+
DO NOT REPLY DIRECTLY TO THIS EMAIL: your reply will go to enews@housemajority.org
To correspond with the author Hit 'Reply' or 'Forward'.
Then change the TO: address to taurusetursa@yahoo.com
If suspected Spam please forward to: support@housemajority.org
+-----+

From: taurusetursa@yahoo.com

Thank you for being the prime sponsor of HB 381. If passed, it may spare law-abiding Alaskans and their families from extreme personal duress and the often debilitating financial costs of defending themselves in criminal and civil proceedings for having protected themselves or their loved ones by the proper and timely application of deadly force. Thank you again for your leadership in sponsoring this important and reasonable legislation.

~ Mick Rosenberg
Zip Code: 99508
Voter ID: 00590359

+-----+
DO NOT REPLY DIRECTLY TO THIS EMAIL: your reply will go to enews@housemajority.org
To correspond with the author Hit 'Reply' or 'Forward'.
Then change the TO: address to taurusetursa@yahoo.com
If suspected Spam please forward to: support@housemajority.org
+-----+

Rex Shattuck

From: Troy & Heather Burns [toothdoc05@yahoo.com]
Sent: Wednesday, March 30, 2011 6:53 PM
To: Rep. Mark Neuman
Subject: HB-80

This is a note to urge you to support hB-80! It is very important that citizens have the ability under the law to protect themselves and their families against those who seek to bring harm to us! Thanks for your support in this matter!!

Best Regards,

Dr. Troy Burns
LT. 3rd Battalion
ALaska State Defense Force

Sent from my iPhone

Sent from my iPhone

Rex Shattuck

From: wess [wess@ptialaska.net]
Sent: Monday, April 04, 2011 7:48 AM
To: Rep. Mark Neuman
Subject: HB-80

Please vote yes on HB-80. Eugene Chambers

Rex Shattuck

From: William Gates [bgates80@gmail.com]
Sent: Tuesday, March 29, 2011 8:00 AM
To: Rep. Mark Neuman
Subject: HB 80

I certainly would like to encourage you to consider support of HB 80 tomorrow.

Thank you,
William Gates