

RESOLUTION NO. 18-50

RESOLUTION ENCOURAGING THE STATE LEGISLATURE TO CLARIFY  
THE PROPER APPLICATION AND USE OF FLORIDA STATUTE CHAPTER  
776 PROVIDING FOR JUSTIFIABLE USE OF FORCE

WHEREAS, on July 19, 2018, Mr. Michael Drejka shot and killed Mr. Markeis McGlockton in Clearwater, Florida, in a dispute initiated by Mr. Drejka over the use of a handicap parking space; and

WHEREAS, a determination was made by the Pinellas County Sheriff's Office that Mr. Drejka was immune from arrest based on Sections 776.012 and 776.032(4), of the Florida Stand Your Ground Law; and

WHEREAS, this determination has resulted in uncertainty and concern in our community, as to the interpretation and application of the Stand Your Ground Law; and

WHEREAS, confusion as to application of the Stand Your Ground Law creates an atmosphere in which firearms may be used in an inappropriate manner and allow for disproportionate responses of self-defense, thereby creating a danger to the community as a whole; and

WHEREAS, the State Legislature is in position to address the confusion provided for in the law by clarifying its intended application regarding the party raising the stand your ground defense; and

WHEREAS, the State Legislature is also in position to clarify the process for making immunity determinations that arise under these circumstances; and

WHEREAS, providing such clarification would create a safer community by assuring proper implementation of the Stand Your Ground Law, and discourage disproportionate responses to minor

incidents as exemplified by the death of Markeiss McGlockton.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, in a meeting duly-assembled this 7th day of August, 2018, as follows:

Section 1. The Board supports Senator Darryl Rouson's call for a special session of the State Legislature in order to consider making changes to Chapter 776 of the Florida Statutes.

Section 2. The Board supports the State Legislature making changes to the Stand Your Ground Law in order to clarify its application, and to remove any protection for those who intentionally provoke confrontation, and/or respond disproportionately with deadly force.

Section 3. The Board supports making changes to the Stand Your Ground Law in order to clarify citizens' rights and responsibilities when exercising their rights under the Stand Your Ground Law.


In a regular meeting duly assembled on the 7<sup>th</sup> day of August, 2018, Commissioner Seel offered the foregoing Resolution and moved for its adoption, which was seconded by Commissioner Justice and upon roll call the vote was:

Ayes: Welch, Seel, Beyrouiti, Eggers, Justice, and Long.

Nays: None.

Absent and not voting: Gerard.

APPROVED AS TO FORM

By:   
Office of the County Attorney