

Regular Session, 2014

HOUSE RESOLUTION NO. 149

BY REPRESENTATIVE WESLEY BISHOP

A RESOLUTION

To urge and request the Louisiana State Law Institute to evaluate Louisiana's "stand your ground" laws, compare them to the laws of other states on this issue, and make recommendations regarding any changes to Louisiana law resulting from that evaluation.

WHEREAS, the common law principle of the "castle doctrine" means that individuals have the right to use reasonable force, including deadly force, to protect themselves against an intruder in their home; and

WHEREAS, this principle has been codified and expanded by state legislatures; and

WHEREAS, laws in at least twenty-two states provide that there is no duty to retreat an attacker in any place in which one is lawfully present; and

WHEREAS, for over one hundred years, Louisiana law has provided that the use of force or the commission of a homicide is justified if it is committed in self-defense or is committed to prevent a homicide or violent offense committed against another person; and

WHEREAS, Act No. 141 of the 2006 Regular Session of the Legislature introduced a new concept into Louisiana law by enacting R.S. 14:19(C) and 20(C), known as Louisiana's "stand your ground law" which provides that, "[a] person who is not engaged in unlawful activity and who is in a place where he or she has a right to be shall have no duty to retreat before using [deadly force, force, or violence] and may stand his or her ground and meet force with force."; and

WHEREAS, it is appropriate that the laws regarding "stand your ground" be reviewed in comparison to the laws of other states and with respect to court decisions interpreting those laws.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to evaluate the provisions of Louisiana law regarding "stand your ground" provisions, as well as the provisions of law from other states regarding this issue, and make any recommendations regarding any changes to those laws which may result from that evaluation.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES