(Continued)

Allen claimed that he was afraid and that "I have a right . . . to keep my house safe."

The case came down to a "swearing contest" between Rosenbloom and Allen. Allen claimed that the unarmed Rosenbloom "unlawfully" and "forcibly" attempted to enter his home. Rosenbloom's entry created a presumption that Allen acted under reasonable fear of serious injury or death, and the prosecutors did not pursue the case. Under the previous law, the prosecution may have attempted to establish that Allen unlawfully resorted to deadly force because he lacked a reasonable fear that the unarmed Rosenbloom threatened serious injury or death.

The Florida stand your ground law became the topic of intense national debate when George Zimmerman, a neighborhood watch coordinator, was acquitted of the second-degree murder of seventeen-year-old Trayvon Martin. The controversy over stand your ground was further fueled by the conviction of Michael Dunn for the killing of seventeen-year-old Jordan Davis stemming from Dunn's complaint that Davis and his friends were playing music too loudly. Judge Russell Healey in sentencing Dunn to life imprisonment stated that this "exemplifies that our society seems to have lost its way. . . . We should remember that there's nothing wrong with retreating and deescalating the situation."

Despite the controversy over the provisions of the Florida law, a Florida gubernatorial task force reported in 2012 that the Castle Doctrine law has been effective in protecting citizens and in inspiring confidence in the criminal justice system and should be retained as part of the Florida criminal code.

Stand your ground cases have been equally controversial in other states. In 2015, Wayne Burgarello, seventy-four, was acquitted by a Nevada jury for firing five shots and killing one intruder and seriously wounding another intruder, both of whom were breaking into a vacant rental unit. Burgarello was tired of the burglary and vandalism of the empty rental unit and had lain in wait for the intruders.

A Nevada jury rejected a stand your ground defense by Markus Kaarma who baited an intruder by placing a purse in an open garage. After being alerted by motion sensors that an intruder was entering the garage, Kaarma killed the seventeen-year-old burglar with four shots from a pump action shotgun. The jury rejected Kaarma's defense that he was protecting his home, and he was sentenced to seventy years of imprisonment.

In Montana, in September 2012, Dan Fredenberg was fatally shot by Brice Harper. Fredenberg suspected that Harper was having an affair with Fredenberg's wife. The unarmed Fredenberg decided to confront Harper and was shot dead by Harper as he entered Harper's garage. Dan Corrigan, the local prosecutor, concluded that Harper had been justified in killing Fredenberg under the Montana stand your ground law and decided against pressing charges. Corrigan explained, "You don't have to claim that you were afraid for your life. You just have to claim that he [the assailant] was in the house illegally. If you think someone's going to punch you in the nose or engage you in a fistfight, that's sufficient grounds to engage in lethal force." Do you believe it is time to reconsider stand your ground laws?