



“... the right of the people to keep and bear Arms, shall not be infringed.”

EXERCISING THE RIGHT

## “I Was in Fear for My Life”

The *Miami Herald* reported on February 9 about a self-defense shooting that showed the benefits of Florida’s Stand Your Ground law. The case involved a career criminal who tried to steal an SUV, but was shot when he drove the stolen vehicle toward a customer.

The shooting was caught on surveillance footage, and it showed the suspect, 58-year-old Jose Antonio Reyes Bermudez, attempting to drive away with a Mercedes SUV that had been just cleaned. Bermudez pretended to be the owner of the vehicle and took the keys from a car wash employee. The car wash manager recognized that Bermudez was not the man who brought the car in, and walked up to the vehicle and told Bermudez to get out of the car.

It was at that moment that Bermudez started the vehicle and tried to drive it from the car wash. Bermudez narrowly missed the manager with his car and turned toward the lot exit, but the man who had brought the Mercedes in for a cleaning, Stephen Allen Lott, stood near the exit. As Bermudez drove in Lott’s direction, Lott quickly pulled out a loaded pistol and fired two shots at the vehicle.

One of his bullets mortally wounded Bermudez. The Miami-Dade Medical Examiner’s Office later determined that one bullet penetrated the left side of Bermudez’ head. The fatally injured Bermudez lost control of the vehicle, which sped across the street and crashed into a nearby building. The local prosecutor’s office investigated the incident and released a memo explaining that under Florida’s Stand Your Ground law, Lott had no duty to retreat because, as Lott told responding officers, “I was in fear for my life and I shot.”

As the *Miami Herald* explained, Lott’s statement to police “helped make charging him legally untenable.” The paper reported that prosecutor Suzanne von Paulus wrote in her memo from the Miami-Dade State Attorney’s Office that Bermudez was driving the stolen SUV at “a high rate of speed,” which was a threat to others at the car wash. The *Herald* reported that “as the Mercedes SUV

approached, Mr. Lott stepped back and braced for impact, believing he was about to be hit by the vehicle.” She added that “Mr. Lott had the legal right to stand his ground and use deadly force to protect himself from death or great bodily harm while Mr. Reyes Bermudez was committing and escaping from committing a forcible felony.” In closing, she wrote that “after reviewing the thorough police investigation, statements of witnesses and the physical evidence, it is the conclusion of the undersigned that charges cannot be filed in this matter as the State would be unable to prove that this homicide was not the result of justifiable use of deadly force under all applicable laws in Florida.”

Leftists who want to ban guns were quick to seize on the case as evidence of why the Florida Stand Your Ground law needs to be repealed. Dustin Williamson, the general counsel at anti-gun group Everytown for Gun Safety, complained to the *Miami Herald* that the law encourages “shooters and other people who use deadly force when they could simply walk away.... Because there is no duty to retreat, this law encourages people to put themselves in harm’s way and then claim they had no choice but to use deadly force.”

The paper reported that Florida’s Stand Your Ground law, which was originally passed in 2005, was amended in 2017 by Florida lawmakers, making “prosecutors the ones to shoulder the burden of disproving a defendant’s claim of self-defense in a hearing before any jury trial takes place. Prosecutors must now prove by ‘clear and convincing’ evidence that someone was not acting in self-defense.” This change really helped buttress the legality of Lott’s actions.

As Lott told responding officers on the day of the shooting, “I fired because I thought I was about to be hit by the car.... I just knew I was going to die today.”

Lott’s defense attorney, Michael Grieco, also explained to the *Miami Herald* that it’s “not about what the car is doing, it’s about what the car could do.... A car is a deadly weapon and it’s appropriate to respond to deadly force when being faced with deadly force.”

## Ammo Manufacturer Refuses to Sell to Biden Voters

Townhall.com reported on February 15 about a small ammo manufacturer who used its website to send a message to gun owners who support anti-gun politicians. Michigan-based company Fenix Ammunition set up a giant pop-up window on their homepage that asks visitors if they voted for Joe Biden. If you click “yes,” the website redirects you to Joe Biden’s campaign website page, which states his draconian gun-control positions.

So, basically only people who answer “no” to voting for Joe Biden can view their website. In a series of tweets, the company explained on Twitter why they employed this web-based tactic. “We’ve had a few potential customers call this morning to ask why they have to check a box stating they did not vote for Joe Biden in order to purchase our ammunition.

“First question — are we serious? Yes, we are serious. Joe Biden ran on a campaign built on the most radical gun control platform a major party candidate has ever had, including banning the online sale of ammunition. Essentially, a plan to bankrupt our company. Second question — couldn’t I have voted for him for other reasons? Sure, that’s possible, but if you did, you should immediately sell any firearms you own out of solidarity. Third question — are you really willing to walk away from a paying customer simply because they voted for Joe Biden? Yes, yes we are. We’re dead serious. We don’t want your money, and you shouldn’t want us to have it because we’re going to use it to make more ammo, sell it to the citizenry, and do everything in our power to prevent Joe Biden’s administration from usurping the rights of Americans. We have no problem talking to Biden voters and educating them on what they did, but they have to be willing to acknowledge their ignorance at the very least. We’re not going to sit here and debate with you. We’re a 2A [Second Amendment] company and these are our first principles.” ■

— PATRICK KREY