

APPENDIX TO CMD TESTIMONY FOR THE SENATE JUDICIARY COMMITTEE

STAND YOUR GROUND AND THE ZIMMERMAN CASE

BACKGROUND TO THE CASE

Early on a rainy evening on February 26, 2012, George Zimmerman shot and killed Trayvon Martin in a gated community in Sanford, Florida. Martin, an African American teenager who was 17 years old had been walking home to his father's place, talking on his cell phone, after buying Skittles and juice at a nearby 7-11. Zimmerman, a 28 year-old man, who had called police numerous times to report people in his neighborhood he considered suspicious, called police dispatch that night after spotting Martin walking near the clubhouse.ⁱ

Zimmerman, whose wife had left him the night before, had reportedly been in marriage counseling to curb his "anger management issues" and his wife had not returned home the night he shot and killed Martin.ⁱⁱ Zimmerman had also been taking the prescription drugs Adderall and Temazepam, which have been reported to have side effects of agitation and mood swings in some patients.ⁱⁱⁱ

Zimmerman also had a history of violence.^{iv} He had been charged with felony assault on a law enforcement officer and violent resisting of arrest. When an undercover officer showed Zimmerman his badge and asked him to step away from a friend under arrest, Zimmerman reportedly said, "I don't care who you are." When the officer asked him to leave, Zimmerman reportedly said, "F*#@# you."^v

The officer stated that when he "attempted to escort Zimmerman away from the interview area, he shrugged away from me, and then pushed my arms away with his hands. After a short struggle with Zimmerman he was placed in handcuffs and detained" for transportation to jail.^{vi} He ended up pleading down the charges stemming from an altercation with an undercover officer, and he was required to apologize to him and take anger management classes to get the case dismissed.^{vii}

Additionally, Zimmerman's former girlfriend had filed a complaint with a Florida court alleging that he had watched her, had refused to leave her

home, taken her phone, and assaulted her, that he had previously hit her in her face, and that another time he had thrown her down on the bed despite her repeated objections.^{viii} Zimmerman counter-claimed after a domestic violence protection order was issued against him alleging that his ex started their fights, and ultimately the court ordered them both to stay away from each other.^{ix}

None of that history was known to police the night Zimmerman shot Martin.

During the call with police dispatch, Zimmerman used expletives in discussing his observations of Martin, saying things like “these a@#%\$#@s they always get away,” stating “s#&t, he’s running,” adding either “f@#&%g goons” or “f@#&%g coons,” a matter in dispute.^x Zimmerman also told the dispatcher there had been break-ins in the complex (although he knew an African American man had been arrested for burglary).^{xi}

When he told the police dispatcher that he was following the person later identified as Martin, the dispatcher told Zimmerman “we don't need you to do that,” but moments later Zimmerman hung up with the dispatcher and went looking for Martin.^{xii} Zimmerman did not tell the dispatcher he was armed with a semi-automatic handgun that night.

What happened in the 80 seconds between the time Zimmerman hung up to pursue Martin (at 7:15 and 23 seconds)^{xiii} and the time of the first 9-1-1 call from a neighbor concerned about a loud and violent fight (at 7:16 and 43 seconds)? Only two people know and one of them was killed that night. (This timeline is based on a timeline prepared by the police that was filed with the court.)

Zimmerman shot and killed Martin 37 seconds later (at 7:17 and 20 seconds), according to police records. Minutes earlier Martin had been talking with two friends on his cell phone on his way home from the store and trying to stay out of the rain.

Zimmerman claimed -- not under oath or subject to cross-examination in court -- that Martin jumped him and hit him, causing him to fall down and allowing the 158-lb teenager to sit on his stomach, with his legs astride Zimmerman's body, banging his head against the ground, and putting his hand on Zimmerman's mouth.

He also claimed that somehow Martin saw the black gun that Zimmerman wore in a black holster on his back underneath his jacket and other clothing and grabbed the gun out from under the 200-lb Zimmerman, but that Zimmerman was able to get the gun, pin Martin's hand to Zimmerman's side and shoot Martin at an angle that was straight through his heart, a scenario disputed by prosecutors and others.^{xiv}

There was no DNA from Martin and there were no fingerprints from Martin found on Zimmerman's gun.

There was conflicting evidence about who was on top during various parts of the fight in which “Mixed Martial Arts” style punching was observed and whose screaming for help was heard on the 9-11 tapes before the screams abruptly stopped along with the sound of the gunshot. There was also conflicting evidence about the words spoken by each of them on the path to the home of Martin’s father. The fistfight that ensued after Zimmerman chased after Martin ended in Martin being shot to death.

When police arrived, Martin was lying face down with his hands under his body.^{xv} First responders noted that a cold can of Arizona brand juice was found still sitting in the pocket of Martin's hoodie when first responders tried to revive him (it had not been used as a weapon against Zimmerman). Zimmerman refused any medical treatment that night.

Martin’s body later tested positive for a trace amount of marijuana, and he had been staying with his father after being suspended for school for graffiti and having a baggie with marijuana residue. Unlike Zimmerman, Martin had never been charged with committing a violent crime or subject to a protective order for violence. (A majority of high school seniors in the U.S. have experimented with marijuana.)

Investigators later learned that Zimmerman had been taking Mixed Martial Arts classes, although he was no expert, and he had been taking criminal justice classes including classes that discussed Florida’s SYG law. Zimmerman had obtained a permit to carry a concealed firearm.

HOW SYG WAS INVOKED IN THE ZIMMERMAN CASE

It is difficult to imagine the fear of Martin's parents when he did not come home that night and the immense sorrow his father experienced upon arriving at the police station to report his son missing only to learn that his son had been killed. It is hard to imagine the shock of Martins' parents, Tracy Martin and Sybrina Fulton, in the midst of their grief at learning that their son's killer had been set free and would not be charged with any crime for shooting their beloved son to death.

Florida's SYG law was initially cited to prevent the arrest and prosecution of George Zimmerman for killing Trayvon Martin. After national outrage that Zimmerman's claim of justifiable homicide would not be allowed to be heard by a jury, the county decided to charge Zimmerman with murdering or killing Martin.

Before the trial, Zimmerman's attorneys made a public announcement that they would not be invoking the SYG laws provisions for criminal immunity, but they announced that they might invoke the SYG's civil immunity if he were sued.

During the trial, the jury was instructed that it had to consider the following in considering whether Zimmerman's shooting of Martin was justified, based on SYG:

"If George Zimmerman was not engaged in an unlawful activity and was attacked in any place where he had a right to be, he had no duty to retreat and had the right to stand his ground and meet force with force, including deadly force if he reasonably believed that it was necessary to do so to prevent death or great bodily harm to himself or another or to prevent the commission of a forcible felony."^{xvi}

Zimmerman was acquitted in July 2013. Here is what one of the jurors said shortly after the verdict about what they were told the law required them to consider:

"The law became very confusing. It became very confusing,' she told Cooper Monday night. 'We had stuff thrown at us. We had the second-degree murder charge, the manslaughter charge, then we had self defense, Stand Your Ground.'

“Juror B37 mentioned Stand Your Ground a second time of her own accord, saying the jury ultimately made its not-guilty verdict Saturday night based on the evidence and ‘because of the heat of the moment and the Stand Your Ground.’”^{xvii}

Notably, the jury was not instructed whatsoever about Trayvon Martin’s rights that night, under the law, to stand his ground and meet any force with force.

HOW THE ALEC/NRA SYG HAS AFFECTED OTHER SHOOTING VICTIMS

Since Florida's SYG law became effective in 2005, the rate of homicides claimed to be legally “justifiable” in Florida has jumped by 300 percent. Below, are descriptions of seven^{xviii} of the many victims of the NRA-conceived bill, which ALEC had deemed a “model” way to change the law in all states.

1) Demetrius (“DT”) Thompson,^{xix} 21, was near the house of a woman who was reportedly his step-father's ex-girlfriend in Jefferson County, Alabama, one morning in May 2013. The woman, whose name was not released, was walking her dog and saw someone run by her home and went inside to get a gun. She told police later that she was concerned because her boyfriend had been robbed recently. She walked back outside, and saw a man walk towards her that she says she did not recognize. She told police that she told him to stop, and that she was armed, but he continued to approach. She fired, and Thompson died at the end of her driveway.

The Jefferson County District Attorney's Office ruled woman had acted in self-defense and that killing Thompson was justifiable under the state's SYG law. “I wished we knew what his intent was and why he didn't stop, but those are questions that will go unanswered,” said Chief Deputy Randy Christian. According to Think Progress, “Unfortunately, little else is known about the case, and likely never will be now that the inquiry has ended with the state's Stand Your Ground law.”

2) Daniel Adkins, Jr.,^{xx} 29, was the only son of Daniel and Antonia Adkins of Phoenix. He was mentally disabled and lived with his parents. In April 2012, on his evening walk with his dog, he stepped in front of a car in a Taco Bell drive-thru.

The driver, Cordell Jude, 22, claims he mistook the bright green dog leash in Adkins' upraised hand for a bat or a pipe, according to the police report. Jude, who carried a Smith and Wesson .40-caliber handgun at his hip, shot him once in the torso and killed him. He stayed at the scene afterwards because Adkins' dog on his leash was still was apparently in the way of the car. But police did not arrest Jude.

John Roman, a fellow with the Justice Policy Center at the Urban Institute, called the shooting a prime example of the trouble with "Stand Your Ground," which Arizona made law in 2006, with the NRA's support. He told USA Today that, because of the law, police couldn't arrest the shooter and question him in detail, although the police recommended second-degree murder charges against Jude.

Adkins was unarmed.

3) Bo Morrison^{xvi} was a 20 year-old graduate of Milwaukee Area Technical College who worked at a local home improvement store, according to his family.

According to the Milwaukee Journal Sentinel and the report of the Washington County District Attorney, on the early morning of March 3, 2012, Morrison was at a party with about 20 other young people in a detached garage adjacent to a house in the village of Slinger, Wisconsin.

A next door neighbor, Mark Kind, was awoken by loud music playing inside a car parked in the driveway adjacent to the garage, had a verbal confrontation with those inside the car, and went back inside to call the police. The police arrived, but were unable to gain entry to the garage, and withdrew to wait nearby. An adult, who had been asleep in the house, emerged about an hour after the initial disturbance, telling the young people that the police had the garage surrounded.

Several people, including Morrison, ran from the garage. Morrison, who had been drinking and had a blood alcohol content of .19, was under a bail bond condition of sobriety. He ended up on Kind's back porch, where friends said he had gone to hide from police. Kind heard noise on the porch and, despite knowing that police were less than 300 feet away, chose to get a gun and investigate. The Milwaukee Journal Sentinel reported, "When police arrived, they found Morrison still crouched between the dresser and

refrigerator, but found a bullet hole in the wall 49 inches from the floor. Morrison had been shot through the heart and lung.”

District Attorney Mark Bensen said in his report, “Various individuals made poor decisions that night which contributed to the sequence of events which ultimately resulted in the shooting death of Mr. Morrison.” Bensen concluded that Kind shot Morrison in self-defense and that prosecution was barred by Wisconsin's new Castle Doctrine/SYG law, which included key elements of the ALEC/NRA model bill and was signed by Governor Scott Walker in December 2011, applied.

Morrison was unarmed.

4) Brandon Zeth^{xviii} was 24 years-old, a mechanic and outdoorsman in Altoona, Pennsylvania. In early 2012, he was inebriated and tried to return to his girlfriend's house late at night, but accidentally ended up on the back porch of the nearly identical house next door, pounding on the window of a stranger rather than his girlfriend, according to WTAJ News.

The homeowner Timothy Lepore, who is in his early sixties, reportedly shot him five times, twice in the arms and three times in the chest, with a .22 caliber gun. Police report there is no evidence that Zeth tried to break in to the house.

“We don't know if he is going to live or if he is going to die, just because this man shot him outside on his porch,” Zeth’s father Don told WTAJ News, who said he wanted everyone to see, “what he did to that boy for being at the wrong place at the wrong time.” Zeth later died of complications from the gun shot wounds after spending a month at a Pittsburgh hospital, according to the Associated Press.

Lepore’s attorney, Steve Passarello, told WTAJ News that “his client was legally in the right to shoot him to keep him out of his home according to the new Castle Doctrine.” The Blair County District Attorney's office announced that it would not press charges because “it is legally prohibited” from doing so by the “current State of Pennsylvania law,” even though Lepore's actions were “regrettable.”

Zeth was unarmed.

5) Pedro Roteta was 26-years old, a young barber who loved his nephews. But in early 2012, he tried to steal a radio out of Greyston Garcia's truck in Miami, Florida. Garcia's roommate alerted him to the attempted theft, and according to the Miami Herald, he grabbed a large knife and ran outside towards Roteta.

Roteta ran, and Garcia chased him for more than a block, according to the Huffington Post. He then stabbed him in the back, killing him.

A Miami-Dade County Judge recently threw out the murder charge against Garcia, citing Florida's SYG law. Miami police sergeant Ervens Ford, who supervised the case, called the law and the decision a “travesty of justice” and said to the Miami Herald, “How can it be Stand Your Ground? It's on [surveillance] video! You can see him stabbing the victim”

Roteta was unarmed, except for a pocketknife that remained unopened in his pocket. Garcia admitted to homicide detectives that he attacked Roteta even though “he actually never saw a weapon.”

6) Billy Kuch^{xviii} was 23 years-old in 2009. His parents say he was bipolar and had a drinking problem. One night, he stumbled to the front door of the wrong house in a neighborhood of identical houses in Land O'Lakes, Florida.

According to the Tampa Tribune, the homeowner, Gregory Stewart, “opened the door and told Kuch to leave, then went outside and searched the area to make sure he did. Kuch returned later and again tried to open the front door. This time, Stewart grabbed his .40-caliber semiautomatic handgun and told his wife to call 911.” But Kuch “had an unlit cigarette in one hand and a shirt in the other. He wanted to borrow a lighter.” Kuch put his hands up in the air, palms facing forward. According to the Tribune, “He was mumbling incoherently and swaying. But he took a few steps toward Stewart before Stewart fired one shot.”

According to the Times, “The bullet ripped into Kuch's chest, nicked his heart, shot through his liver, in and out of his stomach, through his spleen, then out his back. He felt like his body was on fire.” He was hospitalized in an intensive care unit for more than a month, spending much of that time in a coma, but he survived.

Stewart was originally charged with aggravated battery, but two months after the incident, the state decided the shooting was “justified by Florida’s SYG law.

Kuch was unarmed.

7) Christopher Cote^{xxiv} was 19 years-old in 2006 when his family moved to a neighborhood in West Palm Beach, Florida. In the early hours of September 17, 2006, according to the Florida Sun Sentinel, Cote confronted his neighbor, Jose Tapanes, over whether or not Cote was walking his dog on Tapanes’ property.

The two had apparently argued earlier in the day, and according to the Palm Beach Post, Cote had thrown a beer bottle at Tapanes that night.

Tapanes shot Cote with his shotgun. According to Assistant State Attorney Andrew Slater, the first bullet grazed Cote's abdomen, and he was incapacitated, but Tapanes still shot a second time. “Cote is stumbling. He is no longer a danger, and the defendant can see what is going on,” Slater said. “Why fire a second time?”

Cote died in his mother’s arms. Due to a mistrial, Tapanes was tried twice for first degree murder. He was convicted of manslaughter the first time, and faced 15 years in prison. At the second trial however, he was acquitted based on the SYG law.

Cote, like six other victims above, was unarmed.

III. APPENDIX

ALEC’S LONG AND DEADLY LEGACY ON GUNS AND OTHER ISSUES

ALEC’S GUN AGENDA FLOURISHED WITH KOCH INDUSTRIES ON ITS BOARD^{xxv}

Aside from SYG, ALEC has advanced numerous other extreme gun laws over the years and these bills have been pushed during the watch of Koch Industries as a leader and funder of ALEC. Koch Industries has had a seat on

ALEC's board for almost two decades, as many NRA bills became ALEC models. An exploration of other entities funded by David or Charles Koch shows that this is no outlier and that other Koch-backed groups have also helped advance the gun agenda in various ways.

The earliest reported reference connecting Koch to ALEC is almost two decades old. In 1994, Charles and David Koch were singled out for ALEC's highest award for corporate titans, the "Adam Smith Free Enterprise Award."

Perhaps ALEC's leaders did not read far enough into Smith's "Wealth of Nations" to see his admonition against the instruments of the free market getting involved in lawmaking. Smith expressly urged that any law proposed by businesses "ought always to be listened to with great precaution . . . It comes from an order of men, whose interest is never exactly the same with that of the public, who have generally an interest to deceive and even to oppress the public, and who accordingly have, upon many occasions, both deceived and oppressed it."

At the time, in 1994, ALEC said it was singling out the Kochs as "two of the nation's foremost advocates of the American free market system." ALEC's corporate board chairman, Ron Scheberle, then with GTE, a predecessor of Verizon, handed this award to the Kochs. Scheberle is currently the Executive Director of ALEC.

Starting in the 1970s, the Kochs had started to invest in groups to promote expanded corporate power under a "free market" mantle that called for the privatization of modern American innovations, like Social Security and universal public education. By the late 1970s, the Kochs had spent enough money seeding such groups that insiders dubbed their operation the "Kochtopus" long before it was given that name by outsiders a few years ago.

Charles Koch co-founded the CATO Institute, which began assailing Social Security in the 1970s, and he also funded academic programs to advance his agenda at the University of Kansas and George Mason University. David ran unsuccessfully for Vice President in 1980 on a similar platform and was able to get campaign donation limit rules that would otherwise apply by bankrolling his campaign. After losing, he turned his attention to other ways to accomplish his agenda, such as through the group Citizens for a Sound Economy (CSE). As of the time ALEC gave its highest corporate award to the

Kochs in 1994, David was on the Board of the Reason Foundation and CATO, and was Co-Chairman of the Board of CSE.

ALEC'S GUN AGENDA SINCE KOCH JOINED ITS BOARD^{xxvi}

Although Koch Industries has sought to distance itself from NRA's gun agenda (pointing out that it opposed legislation to allow guns in the workplace), the facts tell a different story, as it is one of several corporations that helped fund and lead ALEC while it pushed for numerous extreme bills on the NRA's wish list.

ALEC has also emphasized that only the public sector members of its board can vote to approve model bills, even though ALEC's corporate members vote on bills through its task forces. That is true, but it is incomplete because Koch Industries has had a seat on ALEC's corporate board while ALEC's legislative agenda on guns flourished. And, an untold sum of Koch Industries and Koch family foundation money has also funded ALEC operations over the past nearly two decades. Here are some of these ALEC bills.

BARRING CITIES FROM SUING GUN MANUFACTURERS FOR HARMS CAUSED^{xxvii}

In 1995, after Koch Industries joined ALEC's board in the person of Michael M. Morgan of its government affairs shop, ALEC issued its annual legislative scorecard touting its success in having its model bills introduced or enacted in state legislatures that spring. ALEC noted that its crime task force had the most bills echoing the ALEC agenda introduced, 199 bills in all that year.

One of the bills highlighted by ALEC in its legislative scorecard for 1995 was the "Consistency in Firearms Regulation" Act. This bill would bar cities from enacting their own gun regulations if a state did not agree. This ALEC bill passed in Georgia and Utah that year, and it had been introduced in eight other states.

Kansas was one of the states where the NRA's effort to bar cities from suing gun manufacturers was introduced in 1995. Who was one of the private sector co-chairs for ALEC's agenda in Kansas in 1995? Koch Industries, as represented by Morgan. There is no indication Morgan lobbied in the Kansas State House for that ALEC bill and there are no public records indicating that

he lobbied against this part of the ALEC agenda from becoming binding law in Koch Industries' home state, which it ultimately did.

A BOUNTY OF ALEC GUN BILLS IN THE MID-1990S, SUCH AS OPPOSING THE ASSAULT WEAPONS BAN^{xviii}

When Koch became a leader of ALEC back in 1995, ALEC's publications also proudly touted its gun agenda and the Second Amendment right to bear arms, in contrast to ALEC's recent attempts to distance itself from this agenda.

That year, ALEC opposed state efforts to ban “assault weapons,” through its resolution on “semi-automatic” firearms, which was disseminated that year. In that ALEC resolution, the organization acknowledged the bar on machine gun sales in existence since 1934. This stands in sharp contrast to the ALEC Public Safety and Elections Task Force amendments at its meeting in Arizona in December 2011, where the NRA obtained unanimous support from its corporate and lawmaker members to revise the Consistency in Firearms Regulation Act to expressly bar cities from banning “machine guns.”

In 1995, ALEC also promoted as model legislation a bill that would create state-based criminal background checks for firearms purchases different from the federal Brady Handgun Violence Prevention Act, which established the National Instant Check criminal background check system at the FBI. ALEC's bill expressly exempts firearms sales at gun shows from its background checks (creating a “gun show loophole”). It also exempts holders of “concealed carry” permits from a background check, but the federal provisions attempt to protect the public regardless of whether a person had previously obtained a permit to carry a gun, such as fugitives and persons adjudicated to be mentally unstable.

BLOCKING CITY SUITS AGAINST GUN MANUFACTURERS, AGAIN, BUT NOW WITH KOCH AS CORPORATE CHAIR^{xxix}

In 1996, ALEC reported to the legislators and corporations on its joint board that it was in a financial crisis, needing a half-million dollars immediately and over a million dollars in the near term to remain in existence. In 1997, the Kochs gave ALEC a loan for \$430,000. That year, Koch Industries became the First Vice-Chairman of ALEC's private sector board, second in its leadership behind Coors.

In 1999, ALEC reaffirmed its commitment to the “Consistency in Firearms Regulation, which barred cities from suing gun manufacturers. Notably, the preceding year, the City of New Orleans had filed the first municipal lawsuit against gun manufacturers based on the tobacco litigation, and other cities soon followed.

Who was the chairman of ALEC's governing corporate board? Koch Industries, represented by Morgan, was the chairman that year.

OPPOSING GUN MANUFACTURER CODES OF CONDUCT THAT PROTECT KIDS AND PREVENT GUN CRIME^{xxx}

In 2000, ALEC adopted the “Defense of Free Market and Public Safety Resolution,” as a national template for states across the country. That resolution was an effort to thwart law enforcement from using contracts to buy firearms for police officers to favor gun manufacturers that adhered to a code of conduct. Smith & Wesson (S&W) had become the first gun manufacturer to settle one of the municipal lawsuits.

Part of that settlement included requiring its retailers to sell all of its handguns with mechanical trigger locks to help protect kids from accidentally killing themselves or others. The settlement also penalized S&W retailers whose sold guns tended to end up used in crimes, barred S&W retailers from using the gun show loophole to avoid conducting criminal background checks on prospective buyers, and forbade dealers from releasing more than one handgun to a purchaser per day.

ALEC’s resolution sought to bar states from rewarding S&W with contracts for police weapons or creating an incentive for other gun manufacturers to adopt similar voluntary codes of conduct.

Who was the chairman of ALEC's corporate board in 2000? Koch Industries.

Koch continued as ALEC’s corporate chairman in 2001 and 2002, until PhRMA became the chairman of the board in 2003. With the Bush Administration in the White House and the nation dealing with the aftermath of the attacks of September 11th, gun legislation was not on the front burner in those few years.

ALEC PUSHED CONCEALED CARRYING OF GUNS ACROSS THE STATES AND THE CASTLE DOCTRINE/SYG^{xxx}

After the presidential election year in 2004, ALEC chose to bills to expand the rights of gun owners with concealed carry permits and bills to require reciprocity among states, in addition to the Castle Doctrine/SYG discussed above.

PUNISHING COPS FOR DISARMING PEOPLE IN RESTORING ORDER TO DISASTERS^{xxxii}

After the natural disaster of Hurricane Katrina in 2005 and the manifold failures of the Bush administration's emergency response team, stories arose that some guns were seized in the effort to restore order to the chaos that emerged during the disastrous storm and its more disastrous aftermath. In 2006, ALEC passed a resolution that would subject law enforcement officers to up to 10 years in jail if they seized firearms during an emergency like that natural disaster. Under ALEC's model, cops could also be sued for seizing guns, even in an effort to restore public order, and could lose their jobs for doing so.

ALEC publications from that year also touted the introduction and passage of the SYG/Castle Doctrine model bill in other states. Koch Industries was on ALEC's corporate board in 2006.

ARMING KIDS ON COLLEGE CAMPUS AFTER STUDENT MASSACRED HIS PEERS^{xxxiii}

In 2008, in the aftermath of the tragic gun massacre of students and teachers by a heavily armed Virginia Tech student in 2007, ALEC adopted a model bill to remove prohibitions of guns on college campuses and even to allow college students to have concealed carry permits to allow them to bring guns to class.

Also that year, ALEC sought to weigh in on the pending Supreme Court case called *McDonald v. Chicago*, filed to challenge the handgun ban in the city of Chicago and elsewhere. In 2008, Koch Industries remained steadfastly on ALEC's corporate board of directors. It also held a seat on ALEC's corporate board in 2009.

KOCH JOINED ALEC'S PUBLIC SAFETY AND ELECTIONS TASK FORCE, CO-CHAIRING BY THE NRA; ALEC SAID CITIES SHOULDN'T BE ABLE TO BAR MACHINE GUNS^{xxxiv}

It is not clear when Koch first joined ALEC's crime task force because the public record is incomplete. What is known is that the first time a full roster of that task force becomes publicly available, Koch Public Sector was listed as a private sector member of that task force in 2010. The NRA was the task force's co-chair.

In 2011, Koch Public Sector was also listed on the roster of that task force. That same year, the NRA introduced amendments to expand the reach of the ALEC model bill on "Consistency in Firearms Regulation," to expressly stop cities from barring "machine guns" and "submachine guns." There is no public record, one way or the other, indicating whether Koch's reps attended that meeting and joined in the unanimous support the NRA's amendments received from the task force's private sector members in those closed door meetings.

In 2010 and 2011, Koch also remained on the corporate board of ALEC, a position it continues to hold through the present day.

THE KOCH-FUNDED ALEC IS NOT ALONE AMONG KOCH-FUNDED GROUPS THAT PUSH NRA VIEWS OR WORK WITH THE NRA^{xxxv}

ALEC is not the only group funded by Koch corporate money or the Koch family fortune that has pushed the NRA's positions on guns.

For example, the CATO Institute, which was co-founded by Charles Koch, has issued numerous papers siding with the NRA's view on guns in ways that echo ALEC's affinity for the NRA as well. Similarly, the Reason Foundation, where David Koch sits on the board, also has produced numerous articles favoring the NRA's position on guns through its Reason magazine. There is no public record showing whether the Kochs urged or opposed this work.

Dating back more than two decades, CATO has been involved in ALEC, advancing its agenda through ALEC. CATO representatives have also

been part of ALEC's secretive task force meetings where the private sector representatives vote as equals with state lawmakers on various model bills.

Additionally, the Institute for Humane Studies, which Charles Koch has long advanced and funded, has routinely offered students the opportunity to become a "Charles G. Koch Summer Fellow" and intern at one of a network of groups on "gun control/Second Amendment" issues, if the student makes it through the screening process to assure his or her right-wing bona fides.

Americans for Prosperity, which is chaired by David Koch, has also worked with the NRA to train and mobilize gun owners.

KOCH HAS DENIED ROLE IN CONTROVERSIAL SYG LAWS^{xxxvi}

Koch Industries notes that it "has no involvement whatsoever with the defense of George Zimmerman, the defendant in the Trayvon Martin case."

Its legacy tells a more complex story. In myriad ways over almost two decades, Koch has bankrolled ALEC's operations and led ALEC as a board member while ALEC advanced as "model" bills numerous extreme gun laws, including one based on the SYG law implicated in the Zimmerman case.

That is only one part of the ALEC agenda, which includes tax breaks for corporations and efforts to undermine holding corporations accountable in litigation and through regulations.^{xxxvii} ALEC legislation has made it harder for Americans to vote, made it harder for Americans to hold corporations fully accountable when their products kill or injure loved ones, made it harder for workers to organize and for unions to represent workers, blocked efforts to raise the minimum wage, thwarted efforts to address climate change, and spearheaded the privatization of schools, prisons, social security, infrastructure, and basic government services.^{xxxviii}

Although ALEC has sought to distance itself from its legacy on guns, voter restrictions, immigration, and prisons, ALEC's legislative agenda reaches into almost every area of American life: worker and consumer rights, education, the rights of Americans injured or killed by corporations, taxes, health care, immigration, and the quality of the air we breathe and the water we drink.

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- ⁱ <http://www.prwatch.org/node/12218>
- ⁱⁱ <http://www.ibtimes.com/george-zimmerman-wife-shellie-fought-over-his-alleged-affair-former-fiancee-report-1403901>
- ⁱⁱⁱ <http://www.taylormarsh.com/blog/2012/05/abc-report-george-zimmerman-injuries-described-prescription-drugs-also-cited-in-weeks-prior-to-shooting/>
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