

# Essay on trayvon martin case

Law, Evidence



In the Trayvon Martin's case, George Zimmerman shot 17 year-old Martin, an African American high school student. Zimmerman was the neighborhood watch coordinator for the gated community where the shooting took place and where Trayvon Martin was staying temporarily. The defendant, Zimmerman, was charged with second-degree murder and manslaughter. According to the Florida Law, the element for second degree murder charge, is that the state have to show that the defendant intended to kill the victim, whereas in the charge of manslaughter, it is not necessary for the state to prove that Zimmerman intended to kill the victim but prove that there was intent to commit a killing that was not justifiable. However according to the defense, Zimmerman was acting under the Stand Your Ground statute, where he was acting in self-defense.

The actus reus in this case is the criminal act of committing murder. Zimmerman committed the act of murder by shooting Trayvon Martin leading to the latter's death. As much as the defendant claimed to have acted in self-defense, the case falls under racial profiling. Some say that the defendant, who is Hispanic, thought Martin was a criminal because he was black. On the other hand, to prove the mens rea, it has to be shown that the defendant had an intention to kill the victim. Florida prosecutors originally charged the defendant with second degree murder in the killing of Martin. After presenting the state's case against Zimmerman, the prosecution asked the judge to instruct the jury on the charge of manslaughter and the judge granted the request. Under Florida law, prosecutors must convince the jury that the defendant had a 'morally corrupt mind regardless of human life', so that the former can convict the latter of second degree murder. Although, it

needed only to prove that he acted with reckless disregard of human life to convict him of manslaughter. This difference in the mens rea requirement makes it easier for the prosecution to win a manslaughter conviction than a second degree murder conviction. However, Zimmerman's self-defense argument also applied to the lesser charge and the jury accepted that defense to all charges. The prosecution in this case, in support of the charges filed an affidavit of probable cause, saying that the defendant profiled and confronted the victim and shot him to death, yet he was not committing any crime.

The evidence produced by the prosecution to prove mens rea of the charge of manslaughter and second degree murder was that the defendant shot the victim because he was black, and thus committed the act of murder.

Evidence that was brought before court was that just before the shooting, the victim was talking to his girlfriend over the phone and this was proven by the call records that were brought before the court. The girlfriend also allegedly confirmed that she heard the victim asking the defendant why he was following him and that was the last thing she heard. It was alleged that the call made to 911 by Zimmerman reported that he saw a "suspicious person" in the neighborhood. Identity was, therefore, an issue because the issue of racism was brought up; claiming that the defendant assumed the victim was a criminal because he was black and consequently shot at him. There was also evidence that the watch program that Zimmerman was working under had instructed participants not to follow suspects but call 911, the defendant did not do this.

The defense in this case was that the defendant was acting in self-defense

under the Stand Your Ground statute, which gave the defendant a right to a pretrial hearing by a judge and the defense needed to show that Zimmerman thought he was going to be killed or seriously injured. However, the Stand Your Ground defense was not used during the trial because the defendant had not had the chance to retreat. Evidence that was produced by the defense to support his case was that he had been raised in a multiracial family and would, therefore, be the last person to discriminate for any reason whatsoever and that he had even mentored black youths in the past. There was also evidence of him trying to defend a homeless black man from being beaten by the son of a Sanford policeman, and generally, witnesses said that he was not racist. He, therefore, did not shoot Martin because of his race but merely out of self-defense. Evidence received were in form of audio and video recordings, photos, witnesses' statement, Martin's autopsy report, forensic findings, evidence taken from the defendant after the shooting including his weapon, bullets, clothes, a DNA sample, medical records and his cell phone data.

During the trial, the defense attorney implied that the victim, Martin, had used a language that allegedly introduced the issue of race into the confrontation before the shooting. One of the witnesses, Rachael Jeantel, during cross-examination said that during his telephone call with her prior to the shooting, Martin had referred to the defendant as a "creepy ass cracker", which is considered a racial comment to mean he was a white man. When asked if she thought the case was racial because Martin raised it, she said that she believed race was involved because Martin was merely being followed by a white man but not because he had used that term. There was

also evidence that the victim referred to the defendant as “ nigga” in the same telephone conversation, to describe Zimmerman as being slang, when she was asked by the lead prosecutor.

The prosecution rebutted the defense argument by stating to the jury that in order to know what happened on the night of the incident, they needed to look into, as it was stated, “ the heart of a grown man and the heart of a child.” They also argued that if the defendant really wanted the police to get Martin, he would have remained in his car like he had been instructed and wait for the police to arrive. It was also argued to the jury that if Zimmerman had not shot at Martin, none of them would be there.

### **George Zimmerman, the defendant was eventually found not guilty to both charges of second degree murder and manslaughter.**

In my opinion, the verdict was unfair. This is because the defendant had been instructed by the police to wait in the car but he defied the instruction and went ahead to confront the victim. Had he waited in the car as instructed then the death of Martin would probably not have occurred. It is also obvious that the victim was only a child, it is, therefore, almost impossible that he would have a reasoning that is more maturely as Zimmerman would have.

### **Works Cited**

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