

**Can You "Stand Your Ground" If You Are Hmong?  
Revisiting Wisconsin v. Vang In Light of Florida v. Zimmerman**

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**Abstract**

The 2012 shooting death of Trayvon Martin is widely seen as an unintended outcome of prejudice and misperception and therefore frequently is called a "tragedy." That is also the interpretation that the Hmong American media had of events in Wisconsin in 2004 when Chai Vang shot eight white hunters who surrounded, taunted, and blocked his path as he attempted to walk away. This article analyzes 96 *St. Paul Pioneer Press* articles on the Wisconsin hunting shootings to evaluate how key words in headlines defined the event for readers. The results show that within the first nine days of coverage the newspaper developed a contradictory vocabulary that included the terms "dispute," "rampage," "tragedy," and "homicide." After creating this lexicon the newspaper then introduced the highly sensationalized terms "massacre" and "slayings." The article concludes that the Hmong American media had the correct interpretation and that mainstream media bias prevented the deeper message of the Wisconsin hunting shootings from being learned: guns + prejudice = tragic violence.

**Keywords:** Hmong, media bias, gun violence, Trayvon Martin

## Introduction

On July 13, 2013, a jury found George Zimmerman not guilty of second degree murder and manslaughter for the shooting death of unarmed Trayvon Martin. The jury used Florida's "Stand Your Ground" law to determine that Zimmerman had a reasonable fear for his own safety and acted in self-defense. Zimmerman was a neighborhood watch coordinator. On the night of February 26, 2012, he spotted an African American male wearing a hooded sweatshirt, concluded he was a burglar, and began following him. In fact, Martin was a 17-year-old returning to a friend's residence with a bag of candy. When Martin confronted (and possibly hit) his pursuer, Zimmerman shot him through the heart. Because the violence was due to prejudice and misperception, and thus avoidable, the media frequently called it a "tragedy" (Horsey 2013; New York Times 2012). In his comments after the verdict, President Obama stated: "The death of Trayvon Martin was a tragedy. Not just for his family, or for any one community, but for America" (quoted in Knickerbocker 2013)

This article uses Zimmerman's shooting of Martin to re-examine media coverage of *Wisconsin v. Vang*, another case that captured national attention because it involved interpretations of self-defense in the context of racial prejudice. On November 21, 2004, a resident of St. Paul named Chai Soua Vang went deer hunting in Wisconsin and unintentionally trespassed onto unmarked private property. One of the landowners was out hunting, spotted him, and called a hunting party at a nearby cabin who quickly arrived on several all terrain vehicles and surrounded Vang. Soon six hunters were dead and two wounded. At his trial Vang claimed that they called him racist names, prevented him from walking away, fired a shot at him, and fearing for his life he shot back. One of the survivors agreed that Vang was angrily confronted, that Vang tried to walk

away, that one hunter blocked his path, but that Vang fired first. On September 19, 2005, after only three hours of deliberation, an all white jury found Vang guilty of six counts of first degree intentional homicide and three counts of attempted homicide.

*Wisconsin v. Vang* caused a wide range of reactions in St. Paul's Hmong American community (Hein 2006; Vang 2010). General Vang Pao, who was residing there at the time, denounced Chai Vang at a news conference for harming the community's reputation. The influential clan leaders of the Hmong 18 Council established a fund for the dead hunters' families. Hmong American media described the event as a "tragedy" to convey the series of human errors and mistakes that caused the shootings (Moua 2004; Xiong 2004; Yang 2004; Doeun 2010). Some Hmong Americans formed the Coalition for Community Relations and implemented the "court watch model" to monitor the fairness of Vang's trial. After the verdict, many Hmong Americans were dismayed because they believed Vang had defended himself against an obvious threat (Asianweek 2005; Rupnow 2005; Thao 2007; Thoj 2004; Vang 2004).

Rather than an evaluation of legal arguments in *Wisconsin v. Vang* and *Florida v. Zimmerman*, this article re-examines the hunting shootings to show that the mainstream media deliberately chose not to use the word "tragedy" when describing what happened in the Wisconsin woods on November 21, 2004. The article first reviews the facts. It demonstrates that Vang had no predisposing criminal record or psychological problems. It shows that like the shooting of Trayvon Martin, the hunting shootings resulted from mistaken social interaction that unnecessarily escalated into violence that could have been avoided.

Then the article systematically analyzes 113 articles in the *St. Paul Pioneer Press* that reported on the Wisconsin hunting shootings. Word choice in headlines defined the event for

readers and the newspaper intentionally avoided the word "tragedy" in favor of the incendiary terms "massacre" and "slayings." Prior research has already analyzed media bias in the content of newspaper articles about Wisconsin v. Vang, which erroneously attributed the shootings to the Hmong's status as Southeast Asian refugees unfamiliar with American hunting rules (Badillo, Mendy, and Eng 2005; Schein and Thoj 2007; Wieskamp 2007). This article adds to that finding by pinpointing the bias in the headline words chosen to name the event.

## **Background**

### Biographical Overview of Chai Vang

Chai Vang wrote an autobiographical letter to a Chicago reporter and subsequent media reporting corroborated that it was factually correct (Star Tribune 2005a). He had no prior criminal record nor mental health problems. Instead, his life up to November 21, 2004, was typical of the successful adaptation made by most Hmong refugees in the US during the 1980s and 1990s.

Vang was born in 1968 and his father fought in the Secret Guerilla Unit (SGU) organized by the US CIA during the Vietnam War. The Vang family fled Laos in 1975, were admitted to the US as refugees in 1980, and resettled in St. Paul. Vang was twelve-years-old and for the next five years attended school and worked delivering the *St. Paul Pioneer Press*.

In 1985 Vang moved to Stockton, California. He continued attending high school, where he founded and served as the president of the Hmong Student Association. He also participated in his school's California Cadet Corps and became a U.S. citizen. After graduating high school in 1987, he worked for several social service agencies assisting Hmong American youth. From 1989-1995 he served in the 236th Medical Brigade of the California National Guard and received an honorable discharge. In 1995 he received an A.A.

degree in Business Administration and the next year moved to Sacramento for truck driver training. For the next four years he was an owner-operator for long distance road driving. He subsequently returned to St. Paul in 2000 and worked for a parcel delivery company.

By the time of the shooting Vang had been married three times. His first marriage was arranged for him in 1983 when he was fifteen years old. Vang and his wife had five children before divorcing in 2002. Vang remarried that year and had one child with his new wife. He divorced in 2003, remarried in 2004, and had one child who was five months old by November of that year.

Like many people in Wisconsin and Minnesota, Vang was an avid hunter. During the 2004 Minnesota bow hunting season he had killed a 9 point buck. To continue hunting that season he purchased a Wisconsin deer hunting license. On Saturday November 20 Vang and four friends drove from St. Paul to an area near Rice Lake, Wisconsin. They were among the 600,000 people in the state hoping to shoot a deer but were unsuccessful the first day. That night they camped on public land.

#### Overview of Wisconsin v. Vang

Rather than a result of Vang's biography, the violence that occurred on November 21, 2004, was entirely due to mistaken social interaction during the event. The following information is taken from a second letter Vang wrote to a Chicago reporter (Star Tribune 2005b, 2005c) and a survivor's testimony at Vang's trial (St. Paul Pioneer Press 2006; for trial footage see Tang and Lippold 2010).

There is a consensus that on November 21 Vang went hunting alone on public land. He spotted a deer, shot and missed, and then trailed the deer for about one mile. He was about to shoot

again but noticed two white hunters in blaze orange nearby. He did not shoot and instead asked for directions back to his camp. They were unsure but pointed southwest. Vang headed off in that direction, found a deer stand, and climbed into it and waited for about one hour. The stand was on unmarked private property but since some hunters build stands on public land to use next season Vang thought he was still on public land. One of the land owners was out hunting with a friend, spotted Vang, and called a hunting party at a nearby cabin. Four men arrived on two all terrain vehicles (ATVs).

There is a consensus that the landowners and their hunting party turned the social interaction into a conflict. When told to leave because he was on private land Vang claimed he apologized. One of the landowners complained that Hmong hunters frequently trespassed on his land and several men called Vang a "gook, chink, and [expletive] Asian." A survivor agreed that Vang was "angrily confronted" and cursed at but the survivor did not remember any racial slurs. Vang claimed that he began walking away but one man moved in front of him, blocking his path, and another one came from behind and flipped around the license tag on his back in order to see the number. The survivor agreed that Vang "tried to walk away."

There is disagreement about who fired first. Vang claimed he walked another ten feet, looked back, saw one man point a rifle at him, and heard a shot. He then fired back hitting one hunter. The survivor said the hunters were walking away, Vang fired first, and one hunter returned fire.

There is also disagreement about how many rifles the remaining hunters had. Vang claimed he shot the five other hunters when they reached for rifles on the ATVs. He said that when a third ATV arrived one of two occupants had a rifle and began to point it at him. The survivor agreed that when he radioed the third ATV for help he asked the occupants of the cabin to bring their

rifles. The police found only one rifle at the scene, which belonged to a landowner, and none on the ATVs.

There is a consensus that some hunters were killed when they attempted to leave the scene. Vang admitted that he chased after several of them as they fled because he thought they were returning to the cabin for guns. Forensic evidence showed that four hunters were shot in the back.

There is also a consensus on the outcome of the shootings. Of the eight white hunters at the scene, five died immediately, one the next day, and two were wounded. Vang was unharmed. He walked away from the site with his rifle, met a WI Department of Natural Resources officer, and turned himself in.

This review of the facts on which there is and is not consensus shows that the Hmong American media was correct to use the term "tragedy" to describe the hunting shootings (Moua 2004; Xiong 2004; Yang 2005; Doeun 2010). There was a series of social interactions based on human errors and misperceptions that led to a violent outcome that was unplanned and entirely avoidable. While the term "tragedy" is now widely invoked by the media and others to describe George Zimmerman's shooting of Trayvon Martin in 2012, in 2004 the mainstream media used much more incendiary terms and rarely used the neutral term "tragedy."

### **Method**

The *St. Paul Pioneer Press* (SPPP) is Minnesota's oldest newspaper and began publication under the name *The Minnesota Pioneer* in 1849. It covers the Twin Cities East Region and Western Wisconsin with a circulation of approximately 190,000 daily and 250,000 on Sundays. The city of St. Paul has a population of about 280,000 while the larger Minneapolis-St. Paul Metro Area has a population of about 3.2 million.

The Wisconsin hunting shootings is one of the most intensely reported events in the recent history of the *SPPP*. Beginning on November 22, 2004, it published one or more front page articles on the story for 11 consecutive days. By contrast, it had front page headlines for 13 consecutive days for coverage of the collapse of the I-94W bridge on August 1, 2007. Apparently, Chai Vang's shooting of eight white hunters was deemed almost as newsworthy as a disaster which killed 13 people, injured 145, and brought President Bush to Minneapolis within 48 hours of the incident.

To obtain articles about the 2004 Wisconsin hunting shootings, the on-line archive of the *SPPP* was searched with a start date of November 22, 2004. The terms "hunter," "hunting," "Vang," and "Hmong" were searched separately in the field "in lead" (the first paragraph of a story). This search produced a total of 691 articles. The lead paragraph in each article was read (the *SPPP* archive requires payment for full text) to determine if it was about the November 21 hunting shootings. Articles that did not mention this event were excluded. A sample of 113 articles remained.

The *SPPP* publishes a special Wisconsin section in its Wisconsin edition. To replicate the reading experience of St. Paul area readers the articles that appeared only in the Wisconsin section were excluded. Including both Minnesota and Wisconsin readers would confound the sample since Wisconsin readers had other sources of media information available besides the *SPPP*. Residents of the St. Paul Metro West region would have relied primarily on the *SPPP* (although the Minneapolis *Star Tribune* is available). Removing the Wisconsin section articles left a sample of 96.

The 96 articles were arranged in chronological order by date of publication. For articles published on the same date the order was determined by the alphabetized section it was in (A main, B local, or G outdoors). When articles were published on the same date and the same section, they were ordered by page number (e.g., A1 before A6). Because the event was deemed so newsworthy, a few articles were published on the same date, section, and page (such as two articles on A1). Micro-film copies of the actual page were then inspected to determine the order of these articles with page position determining which a reader would read first. An article on the top of the page was ranked ahead of one on the bottom.

A review of the chronologically ordered articles reveals a significant framing shift on December 20, 2004. Framing refers to the way media discourse organizes information to shape the meaning of events by highlighting some attributes and hiding others (Gamson 1994; Ryan and Gamson and 2006). Before that date the articles were still probing the facts of what happened and its meaning for various groups, such as the Hmong American community in St. Paul, Vang's family, the Rice Lake community, and the families of the victims. For example, a front page headline on December 2 stated: "'Something Must Have Happened'; Friends and Family Struggle to Reconcile Image of Chai Soua Vang--a Friendly Community Leader--with that of a Killer."

On December 20 the first of many articles on Vang's upcoming trial appeared under the headline: "What Trials Lie Ahead for Vang? Defense Attorneys Could Argue Self-Defense or Insanity for St. Paul Man." That same day the *SPPP* published the first legal documents under the headline: "The Events of Nov. 21 According to Court Documents." Thus after December 20, 2004, the facts about the hunting shootings came from the legal system. The *SPPP* had ended its initial investigation frame and entered its trial reporting frame until the guilty verdict was reached on

September 17, 2005. Including only those articles that attempted to explain "what happened?" for readers between November 22, 2004, and December 19, 2004, leaves a sample of 40.

Of the 40 articles during the 28 days when the *SPPP* was still defining "what happened?" some had a headline that used a noun to name the events of November 21, such as "Wisconsin Shooting *Rampage*" (November 23, italics added). Many articles did not have headlines that defined the event and instead focused on the impact of the event, such as: "Victims Had Links in Home, Work Lives" (November 23).

The remainder of this paper analyzes the word choice in sixteen headlines that used a noun to define the events of November 21 (see table 1). This focus on headlines is necessary in order show that the *SPPP* could have used the neutral term "tragedy" as Hmong Americans newspapers did (Moua 2004; Xiong 2004). Instead, the opposite happened. As the facts became clearer the *SPPP* increasingly used inflammatory terms.

Table 1. *St. Paul Pioneer Press* Headlines Naming the Event on Nov. 21 2004

Date/Page	Headline (event name underlined)
Nov. 22 A1	Five Fatally Shot in Hunting <u>Dispute</u>
Nov. 22 A1	<u>Collision</u> of Cultures
Nov. 23 A1	Wisconsin Shooting <u>Rampage</u>
Nov. 23 A10	Shooting <u>Deaths</u> Stun Close-Knit Rice Lake
Nov. 23 A10	Hunting Etiquette Expected to Resolve Trespass <u>Problems</u>
Nov. 24 A8	Hmong Say <u>Clashes</u> Common
Nov. 25 A1	Sunday's Hunting <u>Tragedy</u> Has the Rev. David Oberts Looking for Right Words
Nov. 26 B10	Shrinking Land Access Leading to More <u>Disputes</u>
Nov. 27 A1	First of the Funerals for the Six Victims of Sunday's Hunting <u>Rampage</u>
Nov. 29 A1	Vang's Attorneys Speak on " <u>Tragedy</u> "
Nov. 30 A1	Vang Charged with Intentional <u>Homicide</u>
Dec. 1 A1	First Court Hearing Held in Hunting <u>Deaths</u>
Dec. 5 G8	Sawyer County <u>Killings</u> May Change the Way Hunters View One Another
Dec. 9 A1	Wisconsin Shooting <u>Massacre</u>
Dec. 10 B1	Community Members Talk About Aftermath of Deer Hunter <u>Slayings</u>
Dec. 18 B14	Forum Airs Views After <u>Shootings</u>

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## Results

The *SPPP* invoked a wide range of names to define the events of November 21 for readers. On the first day of coverage (November 22) it chose the terms "dispute" and "collision." Readers would not have reacted strongly to these terms. Dispute is a synonym for disagreement. For example, on November 21, 2004, the *SPPP* printed an article entitled: "Waterway Project Embroiled in Dispute; Drainage-Ditch Fix Not Easily Agreed On." Similarly, collision implies that events were accidental. For example, on October 7, 2004, the *SPPP* printed an article with the headline: "Three Lakeville Residents Killed in Collision; Family Members Were Struck by Truck." The pairing of collision with the term culture, however, is not neutral because it suggests that the Hmong caused the accident because they were newcomers.

On the second day of coverage the *SPPP* chose a much more inflammatory term: "rampage." It had previously used the term on November 8, 2004, in the headline: "France Reinforces Ivory Coast Units as Mobs Rampage and Threaten Foreigners." On August 15, 2004, the headline "Convict Leads Cops on High-Speed Rampage" was used for an article about a convicted murder who was released after ten years, stole a car in Madison, Wisconsin, and evaded capture by 20 police officers for nine hours. These two events had nothing in common with the hunting shootings. Thus within the first two days of coverage the *SPPP* was already erratically using names to define for readers what happened in the woods near Rice Lake on November 21.

On November 25 the *SPPP* used the term "tragedy" for the first and last time. The story was about the funerals for the six dead hunters and the impact of the deaths on the Rice Lake community. On November 29 the *SPPP* used tragedy again but this time with quotation marks because Vang's attorneys were using the word to define the event as a series of unfortunate errors

of judgment that led to an unintended outcome. Then on November 30 the Wisconsin Attorney General brought the official charge of intentional homicide against Vang.

Thus within the first nine days of coverage (November 22 through November 30) the *SPPP* had constructed a contradictory vocabulary to define for readers "what happened?" during the hunting shootings. It had used the neutral terms "dispute" as well as "tragedy." It had twice used the inappropriate and sensationalized term "rampage." And then the legal system gave it the term "homicide." The test of the newspaper's bias or neutrality would start with the headlines beginning on December 1.

The December 1 headline seemed to promise that further coverage would be neutral. On the front page the newspaper used the term "deaths." People die for many reasons and the term does not point to a cause, only an outcome. For example, on November 19, 2004, the paper had an article with the headline: "It's a Sport that Thrills--And Kills; Base Jumps Linked to Dozens of Deaths."

But then on December 9 the paper used the most inflammatory term of all on its front page: "massacre." Contrast the emotional tone of the actual headline "Wisconsin Shooting Massacre" with the possible headline "Wisconsin Shooting Tragedy." The *SPPP* chose a word that would horrify readers given how massacre had been previously used.

In the preceding one year (November 22, 2003, through November 21, 2004) the *SPPP* had used the word massacre in headlines only three times. On January 18, 2004, it had run a story entitled: "'Bloody Sunday' Inquiry Nearing End; In 1972, 13 Irish Civilians Were Killed in Massacre." The article was about the investigation of British troops who opened fire on unarmed civilians in Northern Ireland who were conducting a protest march.

The two other articles with the word massacre in a headline appeared in December 2003. They were about the slaughter of over 8,000 Bosnian men and boys in Srebrenica in 1995 during the Yugoslavian civil war. The newspaper ran two stories about the event because Minnesota National Guard were still stationed in Bosnia and Governor Pawlenty went to visit them. One was entitled: "Massacre Site Points to Need for US Troops."

On December 10 the *SPPP* again chose a very inflammatory term for a headline on the front page of the local section: "slayings." Contrast the emotional tone of the actual headline "Community Members Talk About Aftermath of Deer Hunter Slayings" by substituting tragedy in place of slayings. Once again the *SPPP* chose a term that by its previous usage would shock readers and hide the mistakes and human errors that lead to the violence.

The word "slaying" had only been used 18 times in headlines during the preceding year. It had been used five times in headlines about premeditated acts of violence outside the US that had nothing in common with the hunting shootings. One story was about a shopkeeper in China who placed rat poison in the snacks of a rival store owner killing 38 customers. Others were about terrorists in Iraq and Afghanistan who kidnapped and killed foreigners to retaliate against the presence of US troops in their country.

The stories about US events which used the word "slayings" were also in no way comparable to the hunting shootings. One on November 12, 2004, described how two armed men robbed a fast food restaurant in Milwaukee of \$2,500 and used multiple gun shots to kill a manager and a worker. Another was about a New Jersey nurse who intentionally killed 40 patients over a period of 16 years. Three other articles were about domestic violence, including a Wisconsin teenager who admitted taking the hallucinogenic drug LSD and then shooting his parents and uncle. Finally,

"slayings" was used in four headlines to describe a gruesome home invasion on April 28, 2003: two men bound a mother and her two teenage children and then cut their throats.

If these international and domestic events define the meaning of "slayings" then it in no way applied to the hunting shootings in Wisconsin on November 21, 2004. Yet when the jury reached its verdict on September 17, 2005, a front page headline in the *SPPP* stated: "Vang Found Guilty; St. Paul Man Will Serve Life in Prison for Hunter Slayings."

### **Discussion and Conclusions**

The Wisconsin hunting shootings in 2004 were probably the most traumatic event for Hmong Americans since their arrival as refugees in 1975. It exposed the fact that many whites had intense racial prejudice towards them entirely different from the early ethnocentrism that can be expected when immigrants and refugees first arrive. It also revealed that Hmong Americans, despite their many successes in education, art, business, politics, and civic engagement, could still be subjected to grossly discriminatory treatment by the US media.

It is now routine to use the word "tragedy" to describe violent events that result from social interaction based on misperception, such as George Zimmerman's shooting of Trayvon Martin. But in 2004 it was only the Hmong American media who used "tragedy" to describe why Chai Vang ended up shooting eight white hunters who surrounded him, taunted him, and blocked his path as he walked away. In hindsight we can now see that the Hmong American media had the correct interpretation. When men, guns, and racial stereotypes are mixed someone is likely to get hurt. When members of a dominant group routinely harass members of a minority group someone from the latter will eventually retaliate. But Hmong Americans' framing of the event as an avoidable "tragedy" was met by a biased barrage of mainstream media coverage. Headlines defined the

hunting shootings in sensationalized terms that were a serious injustice against the Hmong American community.

These conclusions are not subjective or speculative but factual and empirical. Between November 22 and November 30 the *St. Paul Pioneer Press* literally groped for words to describe the unthinkable: hunters are supposed to shoot deer, not each other. On the first day its headline defined the event using the neutral term "dispute." On the second day a headline used an incendiary term ("rampage"). Day three was "clashes." On day four it used the term invoked by the Hmong American media: "tragedy." On day eight it distanced itself from the term tragedy by placing it in quotation marks. When the legal system began proceedings on day nine a headline used the technically accurate term "homicide." Thus within the first nine days of coverage the *SPPP* had created a contradictory vocabulary to define what happened.

Rather than choose to use a neutral term, on day 18 the *SPPP* added a new and even more sensationalized term: "massacre." Then on day 19 it added another new and sensationalized term: "slayings." In the preceding one year the *SPPP* had only used "slayings" in headlines to describe planned violence by serial killers and terrorists or the acts of criminals engaged in store robberies and home invasions. After day 19, "hunter slayings" and "slain hunters" became the most frequent way in which the newspaper described the event (December 28, 2004; January 13, 2005; June 6, 2005; June 14, 2005; October 13, 2005, September 15, 2005; September 17, 2005). When next year's hunting season started the *SPPP* had a front page headline which read: "Slayings Overshadow Opener" (November 11, 2005). This mainstream media bias prevented the deeper message of the Wisconsin hunting shootings from being learned: guns + prejudice = tragic

violence. That message is obvious in Florida v. Zimmerman and it is what the Hmong American media stated about Wisconsin v. Vang.

**About the Author:** Jeremy Hein has a Ph.D. in sociology from Northwestern University and is a Professor of Sociology at the University of Wisconsin-Eau Claire. He has been conducting research on Southeast Asian refugees and their descendants in the US since 1982. He is the author of three books and numerous articles in journals such as *Harvard International Review*, *Annual Review of Sociology*, and *International Migration Review*. As the literature on Southeast Asian refugees grew in complexity and depth, Hein chose to focus his research on Hmong Americans. He has chapters in both *Diversity within Diaspora: Hmong Americans in the Twenty-First Century*, edited by Mark E. Pfeifer, Monica Chiu, and Kou Yang, and *Hmong and American: From Refugees to Citizens*, edited by Vincent K. Her and Mary L. Buley-Meissner. His current research is on politics, protest, and civic engagement by the Hmong American community in Minneapolis-St. Paul.

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