

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 135

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND DENOUNCING RACISM AND HATE SPEECH.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, last week, while visiting Idaho, the University of Utah women's basketball team experienced an incident of racism that may have constituted, according to law enforcement, malicious harassment and disorderly conduct; and

WHEREAS, the Aryan Nations and other hate groups have existed in Idaho in the past; and

WHEREAS, the racist incident that the University of Utah women's basketball team experienced is not a protected speech issue; and

WHEREAS, for the same reason that one cannot yell "fire!" in a crowded theater, one cannot yell racial slurs at a group of young Black women while attempting to intimidate them; and

WHEREAS, yelling a racial slur in a manner meant to symbolize hatred towards a particular race at a person of such race while acting in a confrontational manner was likely to incite genuine fear in the victims of such speech; and

WHEREAS, inciting genuine fear in an attempt to intimidate a person jeopardizes such person's health and safety and is, therefore, not protected speech; and

WHEREAS, the racist incident involving the University of Utah women's basketball team reflects negatively on Idaho and is harmful to the state's reputation and interests; and

WHEREAS, to positively affect change, Idaho's leaders must do more than issue public statements denouncing racist acts after they occur; and

WHEREAS, Idaho's citizens have a proud history of combating violence and hatred; and

WHEREAS, people of color who are citizens of Idaho or who visit Idaho do not always feel safe; and

WHEREAS, all people, regardless of race, deserve to feel safe in Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature hereby denounces acts of racism and commits to eradicating the conditions that allow racial animus and undue prejudice to persist in Idaho.