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HR-63 (2017-2018)

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AMENDED IN ASSEMBLY MARCH 21, 2018

AMENDED IN ASSEMBLY MARCH 07, 2018

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

HOUSE RESOLUTION

NO. 63

Introduced by Assembly Member Gallagher

(Principal coauthors: Assembly Members Travis Allen, Brough, Chen, Choi, Cunningham, Dahle, Flora, Fong, Harper, Melendez, Patterson, Steinorth, and Waldron)

September 05, 2017

Relative to the exercise of free speech rights on campus.

LEGISLATIVE COUNSEL'S DIGEST

HR 63, as amended, Gallagher.

WHEREAS, In these times of turmoil and division it is ever more important to have reasoned and civil debate. Hateful or racist speech and violence should always be soundly and universally condemned; and

WHEREAS, The best way to counter hateful and racist speech is to bring it into the light and expose it to reasoned and civil debate where it can be condemned and where it will ultimately be discredited in the marketplace of ideas; and

WHEREAS, Dr. Martin Luther King, Jr., and the heroes of the Civil Rights Movement peacefully demonstrated and were physically and verbally attacked by violent counterprotesters who espoused hate and racism, but consistently reacted to such physical and verbal attacks with reasoned debate, peaceful protest, and nonviolence; and

WHEREAS, Public colleges and universities have a duty to provide a safe environment for speech and the expression of opinions that are protected by the First Amendment, even when opinions are provocative and offensive, and are obligated to protect the safety of groups and individuals who express controversial and offensive views; and

WHEREAS, Activists who oppose free speech rights have targeted people holding ~~conservative~~ beliefs with which they disagree and have used intimidation tactics and violence to shut down and suppress ~~conservative~~ speech protected by the First Amendment to the United States Constitution; and

WHEREAS, Activists who oppose free speech rights have disrupted a number of events by showing up in large numbers, masking their faces, and then using clubs, rocks, Molotov cocktails, and other weapons to carry out violent assaults on not only supporters of the groups or individuals they are targeting, but also on police, bystanders, and peaceful protesters; and

WHEREAS, Activists belonging to the group Antifa, which opposes free speech rights, have carried out attacks on the campus of the University of California, Berkeley, against those gathering to hear persons holding viewpoints with which Antifa disagrees, and in one incident in February of 2017 they carried out violent attacks on spectators and caused \$100,000 worth of damage when they set fire to a building on campus where Breitbart editor Milo Yiannopoulos was scheduled to speak; and

WHEREAS, These antifree speech activists have carried out violent attacks in many cities throughout the nation and have become increasingly more violent in recent months; and

WHEREAS, The Mayor of the City of Berkeley has called on Berkeley Chancellor Carol Christ to cancel ~~conservative~~ events that attract violent counterprotesters in order to avoid violence, which may embolden groups that advocate violence and further suppresses the speech rights of students and California citizens; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly condemns violent tactics that interfere in the exercise of free speech rights and urges all of its citizens to commit to expressing their beliefs in respectful, reasoned, and civil debate; and be it further

Resolved, That the Assembly calls on the University of California, the California State University, and community college campuses and the cities in which they are located to commit to and secure the rights of individuals to free speech and specifically to take actions to ensure that groups do not use violence and intimidation to suppress the free speech rights of others; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.