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AJR-5 Expulsion of Tennessee state representatives. (2023-2024)

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Assembly Joint Resolution No. 5

CHAPTER 174

Relative to the expulsion of Tennessee state representatives.

[Filed with Secretary of State September 20, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 5, Gipson. Expulsion of Tennessee state representatives.

This measure would denounce the actions of the Tennessee House of Representatives in expelling two African-American Democratic Representatives.

Fiscal Committee: no

WHEREAS, On March 27, 2023, a shooting occurred at The Covenant School, a private religious school in Nashville, Tennessee that resulted in the death of three nine-year old children, Evelyn Dieckhaus, William Kinney, Hallie Scruggs, and three staff members, Katherine Koonce (60), Cynthia Peak (61), and Mike Hill (61); and

WHEREAS, News of this tragedy devastated many people and started a movement to highlight a persistent issue in this nation: gun violence and mass shootings; and

WHEREAS, More than 1,000 peaceful protesters rallied around Tennessee's State Capitol on March 30, 2023, calling for more restrictive gun laws and gun control. The rally then made its way to the Capitol Floor; and

WHEREAS, Three Democratic members of Tennessee House of Representatives, Gloria Johnson, Justin Pearson, and Justin Jones were threatened to be expelled from office for their roles in the protest; and

WHEREAS, On April 6, 2023, the Tennessee House of Representatives voted on whether or not these three Representatives should stay in office after it was determined that they violated decorum. Of these three Representatives, Justin Pearson and Justin Jones, who are African-American, were expelled; and

WHEREAS, The only Democratic Representative to be exonerated after the initial resolution was passed was Gloria Johnson, who said, "It might have something to do with the color of our skin"; and

WHEREAS, The expulsion of Pearson and Jones was undemocratic. The resolutions to expel the Democratic Representatives were filed by three Republican Representatives, Andrew Farmer, Gino Bulso, and Bud Hulsey; and

WHEREAS, The expulsion of the Representatives caused national uproar. Vice President Kamala Harris said on Friday, April 7, 2023, that the state House's act "wasn't about the three" Democrats. "It's about whose voices they were channeling. Understand that"; and

WHEREAS, The actions of the Tennessee Legislature were further unjust because the Constitution allows for freedom of speech and freedom of protest, rights that the Representatives were penalized for exercising; and

WHEREAS, President Joe Biden thanked the three Democratic Representatives for their leadership. In an earlier statement on Thursday, April 6, 2023, President Biden called the expulsions “shocking, undemocratic, and without precedent.” “Rather than debating the merits of the issue [of gun control], these Republican lawmakers have chosen to punish, silence, and expel duly-elected Representatives of the people of Tennessee,” the President said; and

WHEREAS, Issues that the Representatives were protesting continue to be a prevalent problem in this country. We are suffering from a mass shooting epidemic. We continuously have to mourn the loss of babies, children, adults, and the elderly. Enough is enough; and

WHEREAS, Representatives Johnson, Pearson, and Jones were within their rights to testify in favor of tighter gun control measures; and

WHEREAS, Under the Tennessee Constitution, Section 27 of Article 2, any member of either House of the general Assembly, has liberty to dissent from, and protest against, any act or resolve which they may think is injurious to the public or to any individual, and to have the reasons for their dissent entered on the journals; and

WHEREAS, We reside in a nation where our constitutional rights ought to be guaranteed, but despite our best efforts, we continue to experience the same issues that others have struggled to resolve. These recurring concerns were fought for by civil rights leaders such as Dr. Martin Luther King, Jr., Thurgood Marshall, and Rosa Parks; and

WHEREAS, The actions of the Tennessee House of Representatives threaten our democracy and nation because injustices like this one continue to be committed; and

WHEREAS, We as a nation should fear that other states will follow in the steps of Tennessee, and remaining silent could perpetuate the same issues of injustice. As Dr. Martin Luther King, Jr. proclaimed, “A time comes when silence is betrayal”; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the California Legislature joins in denouncing the actions of the Tennessee House of Representatives during the week of April 3 to April 6, 2023, in expelling two African-American Democratic Representatives for no justifiable reason; and be it further

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