

## SENATE RESOLUTION NO. 86

Senators Theis, Runestad, Victory, McBroom, Outman, Barrett, LaSata, Daley, Johnson, VanderWall, Bumstead, Bizon and Schmidt offered the following resolution:

1           A resolution to condemn the U.S. Department of Justice  
2 memorandum on intimidation and harassment against school board  
3 members for inhibiting parents' constitutional right to free  
4 speech.

5           Whereas, On October 4, 2021, the U.S. Attorney General  
6 released a memorandum directed at employees of the Department of  
7 Justice (DOJ) concerning threats against school administrators,  
8 board members, teachers, and school staff across the country. The  
9 memo cites an increase in "harassment, intimidation, and threats of  
10 violence" and calls for the Federal Bureau of Investigation (FBI)  
11 to coordinate with local law enforcement to facilitate a discussion

1 of strategies for addressing and responding to these threats; and

2       Whereas, While there is no debate regarding the need to  
3 protect public servants from all credible threats of violence, the  
4 vague language used in the memo is likely to obstruct another  
5 vitally important public interest - the freedom of speech. It is  
6 unclear what types of speech may be considered to be "intimidation"  
7 or "harassment," and the uncertainty is likely to have a chilling  
8 effect on school board participation. Parents with legitimate  
9 concerns about school issues may be hesitant to passionately  
10 advocate for their children under the threat of federal  
11 intervention; and

12       Whereas, The memo also sends an insulting message that  
13 inaccurately characterizes the concerns of many parents. The memo  
14 implies that parents who oppose a particular agenda are expected to  
15 be violent and that federal intervention is needed to protect  
16 others from their viewpoints. This type of statement demonizes  
17 invested parents who share the goal of educating students and  
18 protecting them from harmful policies. The associated stigma will  
19 further impede the ability of parents to voice their concerns; now,  
20 therefore, be it

21       Resolved by the Senate, That we condemn the October 4, 2021  
22 U.S. Department of Justice memorandum for inhibiting parents'  
23 constitutional right to free speech; and be it further

24       Resolved, That copies of this resolution be transmitted to the  
25 U.S. Attorney General.