

A RESOLUTION OF THE SOUTH CAROLINA REPUBLICAN PARTY

TO PREVENT THE ESTABLISHMENT OF HATE CRIME LAWS IN THE STATE OF SOUTH CAROLINA.

Whereas, the Department of Justice defines a hate crime as a crime committed against a person based upon their specific characteristics, such as race, gender, or sexual orientation; and

Whereas, data suggests that Hate Crime legislation does not reduce or deter hate crimes; and

Whereas, we believe that Hate Crime legislation is unconstitutional and redundant, motivated by the media and politics, and rarely ever prosecuted; and

Whereas, Hate Crimes require intent and determining a Criminal Defendant's State of Mind in a hate crime case seems almost impossible; and

Whereas, Hate Crimes legislation can violate the First Amendment, Double Jeopardy, Equal Protection Rights; and

Whereas, Hate Crimes laws not only punish acts but also punish beliefs or opinions. Beliefs and opinions are protected by the First Amendment to the U.S. Constitution. The First Amendment literally protects free speech and opinion; and

Whereas, Hate Crimes laws also violate the 14th Amendment's Equal Protection Rights. Hate Crime law punishes some people while valuing other people more under the law; and

Whereas, Hate Crimes laws exacerbate divisions in society and are unconstitutional. Hate crime laws cause reverse discrimination and result in greater charges against a white person who assaults a black man over a black man who assaults a white man. Our criminal justice system is meant to be color-blind;

Therefore Be It Resolved, the South Carolina Republican Party firmly believes in the U.S. and SC Constitution's Equal Protection Rights and Declaration of Rights, respectively, and reject all attempts by the South Carolina General Assembly to pass a feel-good Hate Crimes law to be imposed on the Citizens of our state;

Be It Further Resolved, the South Carolina Republican Party requests the state of South Carolina to adhere to our Constitutions and take action to end its pursuit of a Hate Crimes bill.

Be It Further Resolved, that copies of this resolution be transmitted to each member of the South Carolina General Assembly, the Governor of South Carolina, the SCGOP, and the major state newspapers.