

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Infrastructure and Security

BILL: SR 214

INTRODUCER: Senator Rodriguez and others

SUBJECT: White Nationalism and White Supremacy

DATE: January 9, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	Pre-meeting
2.			JU	
3.			RC	

I. Summary:

SR 214 rejects and condemns white nationalism and white supremacy as hateful expressions of intolerance which contradict the values that define the people of Florida and the United States.

Legislative resolutions have no force of law and are not subject to the approval or veto powers of the Governor.

II. Present Situation:

White Nationalism

White nationalist groups espouse white supremacist or white separatist ideologies.¹ The term “white supremacist extremism” (WSE) describes people or groups who commit criminal acts in the name of white supremacist ideology. At its core, white supremacist ideology purports that the white race ranks above all others. WSE draws on the constitutionally protected activities of a broad swath of racist hate-oriented groups active in the United States ranging from the Ku Klux Klan to racist skinheads. Some of these groups have elaborate organizational structures, dues-paying memberships, and media wings. Additionally, many individuals espouse extremist beliefs without having formal membership in any specific organization.²

¹ Southern Poverty Law Center, *White Nationalist*, <https://www.splcenter.org/fighting-hate/extremist-files/ideology/white-nationalist> (last visited October 11, 2019).

² Congressional Research Office, *Domestic Terrorism: An Overview*, Report R44921, August 21, 2017, Jerome P. Bjelopera, available at <https://crsreports.congress.gov/product/pdf/R/R44921> (last visited October 11, 2019).

A large proportion of white supremacists dualistically divide the world between whites and all other peoples who are seen as enemies.³ Particular animus is directed toward Jews and African Americans.⁴

Scholars indicate that white supremacists believe in racial separation and that society discriminates against them. To them, whites have lost “ground to other groups and ... extreme measures are required to reverse the trend.”⁵ All of this has been encapsulated in a slogan known as the “Fourteen Words”: “We must secure the existence of our race and a future for white children.” This was coined by David Lane, a member of a violent terrorist group active in the 1980s. The Fourteen Words have been described as “the most popular white supremacist slogan in the world.”⁶

Seneca Falls Convention

The Seneca Falls Convention was the first women’s rights convention in the United States. Held in July 1848 in Seneca Falls, New York, the meeting launched the women’s suffrage movement, which more than seven decades later ensured women the right to vote.⁷ Originally known as the Woman’s Rights Convention, the Seneca Falls Convention fought for the social, civil and religious rights of women. The meeting was held from July 19 to 20, 1848 at the Wesleyan Chapel in Seneca Falls, New York.⁸ The convention discussed 11 resolutions on women’s rights. All passed unanimously except for the ninth resolution, which demanded the right to vote for women. Stanton and African American abolitionist Frederick Douglass gave impassioned speeches in its defense before it eventually passed.⁹

Florida State Constitution

Florida has been governed by six different constitutions since acceding to the United States. Before 1838, only the Spanish Constitution of 1812 was briefly enacted in Florida.¹⁰ The current Constitution of Florida was ratified on November 5, 1968, consisted of revised articles as proposed by three joint resolutions which were adopted during the special session of June 24 - July 3, 1968, and has been modified by initiative and referendum several times since.¹¹

³ *Id.*, citing Chip Berlet and Stanislav Vysotsky, “Overview of U.S. White Supremacist Groups,” *Journal of Political and Military Sociology*, vol. 34, no. 1 (June 2006), p. 13.

⁴ *Id.*, citing Leonard Zeskind, *Blood and Politics: The History of the White Nationalist Movement from the Margins to the Mainstream* (New York: Farrar, Straus, and Giroux, 2009), p. 40.

⁵ *Id.*, citing Rory McVeigh, “Structured Ignorance and Organized Racism in the United States,” *Social Forces*, vol. 82, no. 3 (March 2004), pp. 895-936.

⁶ *Id.*, citing Anti-Defamation League, *Guidebook*, p. 16. Lane died in 2007 while serving 190 years in prison for his involvement with a terrorist group named the Order. See “Founder of Terrorist Group Dies in Prison,” *Terre Haute Tribune-Star*, May 29, 2007, <http://tribstar.com/local/x1155692948/Founder-of-terrorist-group-dies-in-prison> (last visited October 11, 2019). Among other writings, Lane also drafted an influential racist ideological tract titled *The 88 Precepts*.

⁷ History.com, *Seneca Falls Convention*, available at <https://www.history.com/topics/womens-rights/seneca-falls-convention> (last visited January 2, 2020).

⁸ *Id.*

⁹ *Id.*

¹⁰ Department of State, *The Constitution of the State of Florida* (revised 1968 and subsequently amended November 2016), available at <https://dos.myflorida.com/media/693801/florida-constitution.pdf> (last visited January 2, 2020).

¹¹ *Id.*

Abraham Lincoln

Abraham Lincoln became the United States' 16th President in 1861, issuing the Emancipation Proclamation that declared forever free those slaves within the Confederacy in 1863. On Good Friday, April 14, 1865, Lincoln was assassinated at Ford's Theatre in Washington by John Wilkes Booth.¹²

Dr. Martin Luther King, Jr.

Dr. Martin Luther King, Jr. is widely regarded as America's pre-eminent advocate of nonviolence and one of the greatest nonviolent leaders in world history.¹³ Dr. King led a nonviolent movement in the late 1950's and '60s to achieve legal equality for African-Americans in the United States, always maintaining fidelity to his principles that men and women everywhere, regardless of color or creed, are equal members of the human family.¹⁴ On the evening of April 4, 1968, while standing on the balcony of his motel room in Memphis, Tennessee, where he was to lead a protest march in sympathy with striking garbage workers of that city, he was assassinated.¹⁵

Ronald Reagan

Ronald Reagan, originally an American actor and politician, became the 40th President of the United States serving from 1981 to 1989. His term saw a restoration of prosperity at home, with the goal of achieving "peace through strength" abroad.¹⁶

Hate Crime Frequency

The Federal Bureau of Investigations (FBI) collects data annually through the Uniform Crime Reporting (UCR) Program.¹⁷ The UCR Program's primary objective is to generate reliable information for use in law enforcement administration, operation, and management; over the years, however, the data has become one of the country's leading social indicators. The program has been the starting place for law enforcement executives, students of criminal justice, researchers, members of the media, and the public at large seeking information on crime in the nation.¹⁸

Four annual publications are produced from data received from more than 18,000 city, university and college, county, state, tribal, and federal law enforcement agencies voluntarily participating

¹² Whitehouse.gov, *Abraham Lincoln*, available at <https://www.whitehouse.gov/about-the-white-house/presidents/abraham-lincoln/> (last visited January 2, 2020).

¹³ The King Center, *About Dr. King Overview*, available at <https://thekingcenter.org/about-dr-king/> (last visited January 2, 2020).

¹⁴ *Id.*

¹⁵ The Nobel Prize, *Martin Luther King Jr. Biographical*, available at <https://www.nobelprize.org/prizes/peace/1964/king/biographical/> (last visited January 2, 2020).

¹⁶ Whitehouse.gov, *Ronald Reagan*, available at <https://www.whitehouse.gov/about-the-white-house/presidents/ronald-reagan/> (last visited January 2, 2020).

¹⁷ Federal Bureau of Investigation, *Uniform Crime Reporting (UCR) Program*, available at <https://www.fbi.gov/services/cjis/ucr> (last visited January 3, 2020).

¹⁸ *Id.*

in the program. The crime data is submitted either through a state UCR program or directly to the FBI's UCR Program.¹⁹ The UCR Program consists of four data collections: The National Incident-Based Reporting System (NIBRS), the Summary Reporting System, the Law Enforcement Officers Killed and Assaulted Program, and the Hate Crime Statistics Program.²⁰

The Hate Crime Statistics Program provides information on crimes motivated by offenders' bias against race, gender, gender identity, religion, disability, sexual orientation, and ethnicity. This data is collected via NIBRS.²¹ The total number of hate crimes reported through the FBI's Hate Crime Statistics Program for the last six years of data is:

- 2013: 5,928²²
- 2014: 5,479²³
- 2015: 5,850²⁴
- 2016: 6,121²⁵
- 2017: 7,175²⁶
- 2018: 7,120²⁷

III. Effect of Proposed Changes:

The resolution contains “Whereas” clauses relating to:

- A 2006 assessment by the Federal Bureau of Investigation (FBI) which found that white supremacists believe that the white race is superior to all other races, that nonwhites are subhuman, and that the white race was created to rule over other races.
- White supremacy and white nationalism being contrary to the ideals of the United States, established in the Declaration of Independence that all men are created equal, a principle that was updated in 1848 in Seneca Falls, New York, to include women.
- White supremacy and white nationalism being contrary to the ideals of the State of Florida as expressed in the State Constitution, which declares that “all natural persons, female and male alike, are equal before the law and have inalienable rights.”²⁸
- A speech by Abraham Lincoln, in 1858 about the founders of our nation and their wisdom expressed in the Declaration of Independence.
- Comments by Dr. Martin Luther King, Jr., related to white supremacy and racial prejudice.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² U.S. Department of Justice, *2013 Hate Crime Statistics*, available at https://ucr.fbi.gov/hate-crime/2013/tables/1tabledatadecpdf/table_1_incidents_offenses_victims_and_known_offenders_by_bias_motivation_2013.xls (last visited January 3, 2020).

²³ U.S. Department of Justice, *2014 Hate Crime Statistics*, available at <https://ucr.fbi.gov/hate-crime/2014/tables/table-1> (last visited January 3, 2020).

²⁴ U.S. Department of Justice, *2015 Hate Crime Statistics*, available at <https://ucr.fbi.gov/hate-crime/2015/tables-and-data-declarations/1tabledatadecpdf> (last visited January 2, 2020).

²⁵ U.S. Department of Justice, *2016 Hate Crime Statistics*, available at <https://ucr.fbi.gov/hate-crime/2016/tables/table-1> (last visited January 2, 2020).

²⁶ U.S. Department of Justice, *2017 Hate Crime Statistics*, available at <https://ucr.fbi.gov/hate-crime/2017/tables/table-1.xls> (last visited January 2, 2020).

²⁷ U.S. Department of Justice, *2018 Hate Crime Statistics*, available at <https://ucr.fbi.gov/hate-crime/2018/topic-pages/tables/table-1.xls> (last visited January 3, 2020).

²⁸ FLA. CONST. art. I, s. 2.

- A speech by President Ronald Reagan in 1988 regarding people from any corner of the Earth coming to live in America and becoming an American.
- FBI statistics showing that hate crimes nationwide increased in 2015, 2016, and 2017.²⁹
- The perpetrator of the shooting that killed nine African-American worshippers at Emanuel African Methodist Episcopal Church in Charleston, South Carolina, on June 17, 2015, being motivated by white supremacy and white nationalism.³⁰
- The perpetrator of the shooting that killed 11 Jewish worshippers at Tree of Life synagogue in Pittsburgh, Pennsylvania, on October 27, 2018, accusing Jewish people of waging a propaganda war and committing genocide.^{31, 32, 33}
- The suspected perpetrator of the shooting that killed at least 22 people in El Paso, Texas, on August 3, 2019, posting a document espousing white nationalist views and expressing racist hatred.³⁴

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IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²⁹ Additional data is available for calendar year 2018 at the U.S. Department of Justice, *2018 Hate Crime Statistics*, available at <https://ucr.fbi.gov/hate-crime/2018/topic-pages/tables/table-1.xls> (last visited January 3, 2020).

³⁰ Jason Horowitz et al, *Nine Killed in Shooting at Black Church in Charleston*, The New York Times, June 17, 2015, available at <https://www.nytimes.com/2015/06/18/us/church-attacked-in-charleston-south-carolina.html> (last visited January 2, 2020).

³¹ Rachel Rosenbaum, *Tree of Life shooting: One year later, Squirrel Hill residents committed to moving forward*, NBC News, October 24, 2019, available at <https://www.nbcnews.com/news/us-news/tree-life-shooting-one-year-later-squirrel-hill-residents-committed-n1070861> (last visited January 2, 2020).

³² Daniel Brown, *Here's what we know about Robert Bowers, the suspected Pittsburgh synagogue shooter*, Business Insider, October 27, 2018, available at <https://www.businessinsider.com/robert-bowers-pittsburgh-synagogue-shooting-2018-10> (last visited January 2, 2020).

³³ Andrew Marantz, *The Pittsburgh Shooting and the Dark, Specific Logic of Online Hatred*, The New Yorker, October 29, 2018, available at <https://www.newyorker.com/news/daily-comment/the-pittsburgh-shooting-and-the-dark-specific-logic-of-online-hatred> (last visited January 2, 2020).

³⁴ *El Paso shooting: Prosecutors to seek death penalty for "domestic terrorism"*, CBS News, August 5, 2019, available at <https://www.cbsnews.com/news/el-paso-shooting-victim-death-toll-rises-22-today-death-penalty-for-domestic-terrorism-in-walmart-shooting-2019-08-05/> (last visited January 2, 2020).

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This Senate resolution does not amend the Florida Statutes. If enacted, it will become an undesignated chapter law codified in the Laws of Florida.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.