



**BILL NO. 19-02**

**RESOLUTION NO. 4707-19**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA CALLING FOR THE ENACTMENT OF LEGISLATION ADDRESSING HATE CRIMES IN THE STATE OF INDIANA**

*Whereas*, the City of South Bend is proud of, and celebrates, the diversity of its citizens; and it is a priority for our community to welcome and promote diversity among its citizens, visitors, and businesses; and

*Whereas*, the South Bend Common Council desires to publicly declare its condemnation of discrimination in any form and to encourage people of varying and diverse backgrounds to call South Bend in St. Joseph County within the broader South Bend Elkhart region in the State of Indiana their home; and

*Whereas*, by definition, hate crimes cause damage more extensive than the suffering of the specific victim, because they serve to terrorize entire groups of people. Therefore, the terror associated with hatefully motivated speech, actions, and/or crimes targeting groups based on characteristics that include, but are not limited to, religion, national origin or ancestry, citizenship status, color, race, age, sex, gender identity, sexual orientation, disability, medical condition, status as a public safety official or service in the armed forces of the United States, or association with any recognizable group or affiliation, or similar factors is such that these crimes should be addressed specifically in Indiana's criminal code; and

*Whereas*, forty-five (45) states and the District of Columbia have enacted hate crime legislation, and Indiana is one (1) of only five (5) states in the United States that does not have such legislation; and

*Whereas*, being one (1) of only five (5) states without such legislation diminishes the reputation of the State of Indiana in general, along with the reputations of each of its political subdivisions, damaging the ability to attract and retain the best individuals, businesses, and workforce to reside in and enhance our state; and

*Whereas*, state-wide legislation addressing hate crimes will promote a welcoming and safe environment for every resident and visitor of our state, allowing Indiana to signal its commitment to diversity and freedom through the advanced protections and increased penalties associated with comprehensive hate crime legislation; and

*Whereas*, the South Bend Common Council maintains that the future success of South Bend and its surrounding cities and towns depends upon promoting a secure, safe, and diverse environment for all residents and visitors, free of the fear associated with hatefully motivated speech, actions, and/or crimes; and

*Whereas*, the South Bend Common Council desires to join with the legislative bodies of other cities and towns who have already passed, or will soon pass, resolutions in support of enacting state-wide legislation addressing hate crimes; and wishes to align with the growing number of over seven-hundred (700) plus businesses, not-for-profits, educational institutions, and faith communities across Indiana calling for this needed change; and



*Whereas*, the South Bend Common Council agrees with Indiana Governor Eric Holcomb who has stated that "No law can stop evil, but we should be clear that our state stands with the victims, and their voices will not be silenced. . . it is my intent that we get something done this next legislative session, so Indiana can be one (1) of forty-six (46) states with hate crimes legislation- and not one (1) of five (5) without it"; and

*Whereas*, the purpose of this Resolution is to express the policy and/or intent of the Common Council.

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. The South Bend Common Council supports the need for clear, inclusionary, and comprehensive state-wide hate crime legislation and urges the Indiana General Assembly to pass such legislation in the 2019 legislative session.

Section II. The Clerk of the City of South Bend is directed to cause this resolution to be delivered to all members of the Indiana General Assembly and Governor Holcomb upon passage.

Section III. The Mayor of South Bend is invited to join in this resolution by affixing his signature hereto.

*Approved this 1<sup>st</sup> day January 2019*

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Tim Scott, 1<sup>st</sup> District Council Member

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Oliver J. Davis, 6<sup>th</sup> District Council Member

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Regina Williams-Preston., 2<sup>nd</sup> District Council Member

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John Voorde, At Large Council Member

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Sharon L. McBride, 3<sup>rd</sup> District Council Member

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Gavin Ferlic, At Large Council Member

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Jo M. Broden, 4<sup>th</sup> District Council Member

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Karen L. White, At Large Council Member

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Jake Teshka, 5<sup>th</sup> District Council Member

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Robert J. Palmer, Council Attorney

*Attest:*

*Approved this 1<sup>st</sup> day of January 2019*

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Kareemah Fowler, City Clerk

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Pete Buttigieg, Mayor of South Bend, Indiana

