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SENATE JOINT RESOLUTION NO. 297
AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the Senate Committee on Rules
 on February 1, 2019)

(Patron Prior to Substitute—Senator McClellan)

Acknowledging with profound regret the existence and acceptance of lynching within the Commonwealth.

WHEREAS, the year 2019 marks the 400th anniversary of the arrival to the Jamestown settlement of the first Africans in what would become the United States, where they were enslaved, marking the beginning of nearly 250 years of slavery in the British colonies and in the new nation; and

WHEREAS, throughout America's history of slavery, segregation, and inequality, thousands of African Americans were lynched across America, particularly throughout the southern United States, to perpetuate racial inequality and white supremacy and to terrorize African American communities; and

WHEREAS, during Reconstruction, the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution were ratified, abolishing slavery, granting citizenship to any person born or naturalized in the United States, and guaranteeing the rights to due process of law and equal protection under the law and the right to vote for African American men; and

WHEREAS, in outright defiance of the Reconstruction Amendments, people across the nation acted outside of the law, deliberately, violently, and brutally, against African American citizens in retribution for alleged or invented crimes and faced few or no consequences; and

WHEREAS, the Equal Justice Initiative has documented more than 4,000 lynchings that took place throughout the South between 1877 and 1950, over 80 of which took place in Virginia; other scholarship documents more than 100 lynchings in Virginia; and

WHEREAS, African American men, women, and children lived in fear that their lives and the lives of loved ones could end violently at any time and in any place; and

WHEREAS, lynchings were often widely known and publicly attended; some were witnessed by crowds that numbered in the thousands, reflecting community acceptance, and many leaders and authorities and much of society denied and enabled the illegal and horrific nature of the acts; and

WHEREAS, *Richmond Planet* editor John Mitchell, Jr., exposed lynchings in Virginia as they occurred and led the state's antilynching campaign; however, despite his efforts and other accounts, historians believe still more lynchings remain undocumented; and

WHEREAS, at the urging of *Norfolk Virginia-Pilot* editor Louis Isaac Jaffe and other antilynching activists, and to curtail mob violence in Virginia, the General Assembly passed an antilynching measure that was signed into law on March 14, 1928, declaring lynching a state crime; and

WHEREAS, the extreme racial animus, violence, and terror embodied in the act of lynching did not die with the criminalization of the act, and few, if any, prosecutions occurred under the measure; and

WHEREAS, the legacy of racism that outlived slavery, enabled the rise and acceptance of lynching, facilitated segregation and disenfranchisement, and denied education and civil rights to African Americans has yet to be uprooted in Virginia, the South, and the nation, and this dark and shameful chapter of American history must be understood, acknowledged, and fully documented and the seemingly irreparable breach mended; and

WHEREAS, the most abject apology for past wrongs cannot right them; yet the spirit of true repentance on behalf of a government and, through it, a people can promote reconciliation and healing and avert the repetition of past wrongs and the disregard of manifested injustices; and

WHEREAS, in 2010, the Equal Justice Initiative began investigating thousands of racial terror lynchings in the American South in an effort to understand the terror and trauma this sanctioned violence against the African American community created, resulting in the report *Lynching in America: Confronting the Legacy of Racial Terror* in 2015 and the opening of the Memorial for Peace and Justice on April 26, 2018, as the nation's first memorial dedicated to the legacy of enslaved black people, people terrorized by lynching, African Americans humiliated by racial segregation and Jim Crow, and people of color burdened with contemporary presumptions of guilt and police violence; and

WHEREAS, the Equal Justice Initiative created the Community Remembrance Project to create greater awareness and understanding about racial terror lynchings and to begin a necessary conversation that advances truth and reconciliation by working with communities to commemorate and recognize the traumatic era of lynching by collecting soil from lynching sites across the country and erecting historical markers and monuments in these spaces; and

WHEREAS, the General Assembly established the Virginia Dr. Martin Luther King, Jr. Memorial Commission in 1992 to continue the work of Dr. King, himself a victim of violence, as he sought to realize his dream of a "Beloved Community" in which love, peace, and justice prevail over hatred and

60 fear; now, therefore, be it

61 RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby
62 acknowledge with profound regret the existence and acceptance of lynching within the Commonwealth
63 and call for reconciliation among all Virginians; and, be it

64 RESOLVED FURTHER, That the Virginia Dr. Martin Luther King, Jr. Memorial Commission make
65 as complete a record as possible of each documented lynching that occurred in the Commonwealth of
66 Virginia, including the names of the victims and the locations and circumstances of each occurrence, to
67 be preserved on the Commission's website, and develop programming to bring awareness and
68 recognition of this history to communities across the state, that such awareness might contribute to the
69 process of healing and reconciliation in Virginia's still-wounded communities and for families and
70 descendants affected by lynchings; and, be it

71 RESOLVED FURTHER, That the Virginia Dr. Martin Luther King, Jr. Memorial Commission
72 coordinate with the Department of Historic Resources to identify sites for historic markers to recognize
73 documented lynchings and assist the Equal Justice Initiative in its Community Remembrance Project in
74 the Commonwealth; and, be it

75 RESOLVED FINALLY, That the Clerk of the Senate transmit a copy of this resolution to the
76 Virginia Dr. Martin Luther King, Jr. Memorial Commission, requesting that it further disseminate copies
77 of this resolution to its constituents so that they may be apprised of the sense of the General Assembly
78 of Virginia in this matter.