



Tennessee Black Caucus of State Legislators

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Rep. G.A. Hardaway, Sr.
*Chairman, Memphis
District 93*

Sen. Raumesh Akbari
*Chairwoman-Emeritus, Memphis
District 29*

Rep. Rick Staples
*Vice Chairman, Knoxville
District 15*

Rep. London Lamar
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Rep. Vincent Dixie
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Rep. Harold M. Love, Jr.
Nashville - District 58

Sen. Katrina Robinson
Memphis - District 33

Rep. Yusuf Hakeem
Chattanooga - District 28

August 2, 2020

Governor Lee,

The Tennessee Black Caucus of State Legislators (TBCSL) is writing to request an emergency meeting this week with you and TBCSL leadership, to address concerns regarding troubling events involving peaceful protestors at the Tennessee State Capitol. According to reports from media, local activists and observers, allegations include unlawful arrests, unlawful seizures, assaults, and mistreatment of minors resulting in physical injuries to citizens. Clearly, these upsetting allegations are alarming and worthy of our immediate attention.

Recently, local citizens have recounted disturbing events to TBCSL members, other legislators and the media, including the troubling account of Tennessee State Troopers forcing a frightened eleven-year-old to jump down from a high Capitol wall. In another matter of considerable concern, a fourteen-year-old was reportedly arrested for "felony vandalism" after using impermanent chalk on the sidewalks and doors of the Capitol, which was later washed away by rain or the activists themselves.

Generating arrest records for young people with frivolous charges is counterproductive to cultivating a peaceful understanding and cooperation between the public and law enforcement officials. Tennessee youth should be lauded for their active civic involvement, not punished for it. Minors should not be treated as felons when their freedom of expression can literally be washed away by the next gentle rain shower.

The July 4th Teens Rally protest gathered a crowd of around 200 peaceful protestors. This protest was met with the presence of around 150 troopers, which is seemingly an excessive use of resources. This, of course, begs the questions: What is the total budget for guarding peaceful protestors and activists? What is the statewide impact of the Capitol Hill deployment on THP personnel and resources? The common theme of these protest reports appears to be a disproportionate response from your Administration to engage predominately peaceful protests.



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Governor Lee, let us also express our concern for the health and safety of our THP Troopers and our TN National Guard personnel, whose lives and families are being placed in perilous harm during this unprecedented pandemic.

Your request of our Troopers to work excessive hours guarding peaceful protesters and nonviolent activists for almost two months stretches THP capacity to carry out its mission, and stresses our men and women, and appears to any reasonable person to be an unnecessary and risky proposition at best.

We fear that in some cases, these unwarranted, close quarter police actions will lead to physical injuries, and possibly illnesses or even deaths of our Troopers and Guardsmen from the COVID 19 virus.

Additionally, your request of our citizens to bear the extra tax burden of the unsustainable expenses of your Capitol Hill policing campaign, demonstrates poor financial stewardship and unconscionable fiscal irresponsibility in the midst of a recession with drastically declining revenues and a devastated State budget.

Actively listening to the discontented voices of the public is the very foundation upon which our American democracy was built. It is crucial that we offer sincere consideration to the concerns of our constituents as they peacefully exercise their First Amendment rights. At present, the questionable conduct and enforcement protocols by the Administration do not suggest a desire to foster goodwill and respect for constitutional rights. We cannot expect to mend societal tensions when peaceful citizens, merely asking for a listening ear, are instead met with hostility and violence.

We respectfully ask that we convene to discuss these concerns and craft a cease and desist agreement in order to establish mutually satisfactory guidelines for future interactions with peaceful protestors. A mutual understanding represented in written protocols for managing Capitol grounds demonstrations and written rules of engagement will allow all participants to stay safe and to go home to their loved ones.

It is my hope that we can move forward with no further instances of unlawful seizures and highly questionable arrests of protestors engaging in nonviolent demonstrations. Deescalating the Administration's response to nonviolent protests is necessary if we

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are to heal as a society, and respect our nation's principles and values as expressed in our founding document for governance, the Constitution of the United States of America.

All of this on the Capitol grounds, of the state which killed the Dreamer, Rev. Dr. Martin Luther King, Jr., and in doing so, guaranteed that the Dream live forever.

All of this on the Capitol grounds, in the very city which birthed the human rights career of the young student activist and future civil rights leader, Congressman John Lewis .

All of this on the Capitol grounds, while the world is in mourning of the passings of towering civil rights icons, Congressman John Lewis and Rev C.T. Vivian.

All of this on the Capitol grounds, while the citizens of the world community simultaneously mourn the death and celebrate the courageous and convicted life of the beloved John Lewis; whose existence was dedicated to nonviolent protests which challenged our collective national conscience and affected changes in public policy in America.

All of this on the Capitol grounds, while America commemorates the 100th year of women's suffrage, realized only with the ratification of the 19th Amendment by the Tennessee General Assembly.

Again, the TN Black Caucus of State Legislators requests a meeting with you, next week, at your earliest convenience to discuss and resolve these urgent matters before more injuries or God forbid, deaths occur.

Governor Lee, our moment to change Tennessee for the better is fleeting and fragile; and rests in the willingness of our leaders to aggressively engage the challenges posed by the cultural crisis, as well as the health crisis and the ensuing crises in economics, education, housing, elections, civil justice and of course criminal justice.

Together, we must embrace this opportunity to be better and do better for the Great State of Tennessee.



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Thank you in advance, Governor, for your immediate attention and timely response.

Sincerely,

Rep G.A. Hardaway, Chairman

TN Black Caucus of State Legislators

Senator Brenda Gilmore, Chairman

TBCSL COVID-19 Crisis Committee

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