

By: Senator S. Flowers
By: Representative Richey

SENATE CONCURRENT RESOLUTION

TO COMMEMORATE THE NINETY-FOURTH ANNIVERSARY OF THE
UNITED STATES SUPREME COURT RULING IN MOORE V.
DEMPSEY.

Subtitle

TO COMMEMORATE THE NINETY-FOURTH
ANNIVERSARY OF THE UNITED STATES SUPREME
COURT RULING IN MOORE V. DEMPSEY.

WHEREAS, the Elaine Massacre was a riot that began on September 30, 1919, at Hoop Spur near Elaine, Arkansas; and

WHEREAS, an estimated one hundred (100) to two hundred thirty-seven (237) African Americans were killed, along with five (5) white men; and

WHEREAS, the Elaine Massacre is considered the deadliest race riot in the State of Arkansas and among the deadliest racial conflicts in all of United States history; and

WHEREAS, the Elaine 12 were twelve (12) African American men who were sentenced to death, some of whom for murder and others as accessories to murder of Clinton Lee, a white man; and

WHEREAS, following the convictions of the Elaine 12, the National Association for the Advancement of Colored People filed two (2) lawsuits, one of which resulted in the United States Supreme Court decision in Moore v.



Dempsey; and

WHEREAS, on February 19, 1923, the United States Supreme Court declared in Moore v. Dempsey that state rulings could be challenged in federal court to determine if criminal defendants had been denied their federal constitutional rights; and

WHEREAS, Moore v. Dempsey was the first in a string of United States Supreme Court rulings that expanded the meaning of the Due Process Clause over the Twentieth Century; and

WHEREAS, in recognition of this landmark decision, the new Legacy Center in Elaine, Arkansas, honored the Elaine 12 at its inaugural event in Elaine on Friday, February 17, 2017, just days before the ninety-fourth anniversary of the Moore v. Dempsey case,

NOW THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Ninety-First General Assembly recognizes the historical importance of the Elaine Massacre and commemorates the ninety-fourth anniversary of the United States Supreme Court ruling in Moore v. Dempsey, a landmark ruling that changed the nature of the Due Process Clause of the Fourteenth Amendment.

BE IT FURTHER RESOLVED THAT upon adoption of this resolution, the Secretary of the Senate transmit a copy to the Legacy Center in Elaine, Arkansas.