

# Testimony in support of HB 1443

## Sixty-seventh Legislative Assembly of North Dakota

Thomas D. Isern\*  
3803 Willow Road  
West Fargo ND

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This testimony is in support of HB 1443, a bill to amend 54-12 of the Century Code, strengthening our capacity as people of North Dakota to discourage, prevent, and respond to crimes of bias. The writer speaks as a fourth-generation prairie farmer; a lifelong Republican; and a scholar of the history of the northern plains, all of which elements factor into what is said here.

In this time and place, we have both a public responsibility and a historic opportunity to bridge cultural divides and act for justice. Like many North Dakotans, until quite recently I believed we were making progress. I was aware that the scholarly literature of the Dakota War of the 1860s, the genesis story of Dakota Territory, establishes the racially motivated animus parcel to that conflict; likewise I knew of the many racially motivated acts of discrimination and violence committed here against persons of color, including the alarming rise of the Ku Klux Klan in twentieth-century North Dakota; and I knew from personal observation the racially motivated abuse heaped upon persons of color, Native and newcomer, by people of the historic settler society, my own society. To acknowledge these happenings is not to express any hostility to North Dakota. It is, rather, to express that love of North Dakota that calls upon its better angels. And as I said, I believed that our better angels were bending us in a good direction.

Events of the past five years have proven otherwise. I was naive and complacent. I have witnessed illegal acts of physical violence committed against persons of color, including ones by officers of the law; I have witnessed demonstrations of race hatred in such public places as cafes, taverns, and basketball tournaments; and I have heard--including during the present legislative session--profoundly racist statements emanating from members of the majority party, my party. I am not ashamed of North Dakota. I am ashamed of these acts, and so I speak in favor of HB 1443, asking that my representatives enact legislation directly countering the recent rise of race hatred. This is an American problem, and a North Dakota problem. It is a responsibility for America, and an opportunity for North Dakota.

HB 1443 delineates the seriousness of racially motivated crimes and proposes actions to discourage and prevent them. I am particularly pleased to read clauses touching upon crimes committed under color of law. I work at an institution that trains professionals in criminal justice. We need this law on the books as a clear signal to them. I might add that over the past five years I have observed an alarming rise in student tolerance for, even adherence to, organizations propounding race hatred. So we need this law for all of us.

HB 1443 does no harm to anyone who does not engage in criminal acts. It reclaims the majority party's historic role of opposition to racial violence and injustice. It accepts the responsibility of our settler society to do right by Natives and newcomers. And it begins the process of getting back on the right side of history.

Thank you for considering my testimony, and for your service to North Dakota.

\*Professor of History & University Distinguished Professor, North Dakota State University. The statement of this position and affiliation in no way implies that Dr. Isern is here speaking on behalf of the university; rather, inasmuch as the statement hearkens to historical circumstances in our state and region, the statement merely indicates that the writer has knowledge and capacity to speak to such matters.