

The People's House



In 1977, Justice William J. Brennan Jr. — one of the most liberal justices ever to sit on the United States Supreme Court — delivered a warning worth heeding today. Writing in the *Harvard Law Review*, Brennan argued that the legal revolution bringing federal law to the fore "must not be allowed to inhibit the independent protective force of state law — for without it, the full realization of our liberties cannot be guaranteed."

It is a thought provoking statement from a justice known for expansive federal jurisprudence. But Brennan understood something that transcends ideology: rights are only as secure as the state laws that protect them. When state legislators abdicate that responsibility, no other branch of government will pick it up.

That warning has particular relevance in District 30 right now, where some are advocating for a standard that fundamentally misunderstands the role of a state legislator.

My opponent has said publicly, pointing to his NO votes on legislation prohibiting vaccine mandates and on legislation prohibiting men from entering women's private spaces, that he will not support legislation that might cost money to defend in court. On its surface, this sounds like fiscal prudence. In practice, it is an abdication of legislative responsibility.

History makes the consequences clear. The Civil Rights Act of 1964 was immediately challenged in court. Title IX faced decades of litigation. Every significant expansion of individual rights — of any kind, across the political spectrum — has required lawmakers willing to write, pass, and defend legislation despite legal uncertainty. The willingness to bear that cost is not wasteful. It is the price of representative government.

A state legislature that declines to act whenever litigation is foreseeable is not protecting taxpayers. It is ceding the responsibility of the People's House to operate as a check and balance on the other branches of government — and leaving those they represent without the legal protections they were elected to provide.

When I came to the Idaho Legislature in 2019, Idaho had lost a significant court case involving the definition of biological sex on Idaho birth certificates — not because the underlying legal principle was wrong, but because the legislature had never defined "male" or "female" in law, and the attorney general at the time conceded the case without a real fight. The consequence was years of legal vulnerability across multiple areas of state policy.

It took six years, new legislation carefully drafted to withstand judicial scrutiny, and a new attorney general committed to defending it, to prevail. That legislation provides a legal foundation for every subsequent protection built on a biological definition of sex — women's sports, women's shelters, women's prisons, and the legal definitions of "mother" and "father."

This is one of the reasons Idaho Attorney General Raúl Labrador has endorsed my campaign. He will be at North Bingham County Park in Shelley this Saturday at 1 p.m. to speak at a family friendly public event celebrating America 250. That kind of partnership — between a legislature willing to write the law and an attorney general committed to defending it — is exactly what effective representation looks like.

That partnership is a model, not an anomaly. My legislative work has consistently earned supermajority support across party lines — not by avoiding controversy, but by being prepared to win. That does not happen by accident — it happens when legislators do the homework, build the coalitions, and take the long view.

The deeper issue here is one of institutional responsibility. The legislature is the branch of government closest to the people. It is where the values and priorities of communities are translated into law. Courts interpret that law. The executive branch enforces it. But if the legislature fails to write it — if lawmakers treat legal challenge as a reason to stand aside rather than a reason to prepare — the people have no voice.

Voters do not send legislators to Boise to manage budgets and avoid controversy. They send them to fight for the things that matter — and they deserve representation with the skill and preparation to win those fights.

Justice Brennan understood this from the other side of the ideological aisle. The independent protective force of state law is not a conservative value or a liberal value. It is an American value — and on May 19th, it depends entirely on whether the people of District 30 elect someone willing to wield it.