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LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

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Ben Toews

Idaho
Senator, SD-004 (R)

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ID Legislative Scorecard 2025

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. S1198 Prohibiting DEI in Higher Education (passed 23 to 12 on 4/4/2025). Prohibits "diversity, equity, and inclusion" policies or activities at public institutions of higher education.			YES ★
2. H135 Ending "Public Benefits" to Illegal Aliens (passed 26 to 9 on 4/1/2025). Makes illegal aliens ineligible for certain "public benefits."			YES ★
3. S1199 "Morning-After" Pill for Minors (passed 26 to 9 on 3/31/2025). Would exempt informed parental consent for health care in situations that involve a minor child who is "pregnant or has a child," has a "psychological illness or injury," or is "accessing the services of the Idaho crisis and suicide hotline."			NO ★
4. H96 Ban on LGBTQ+ "Pride" Flag (passed 20 to 11 on 3/26/2025). Bans state and local governmental entities from displaying the LGBTQ+ "Pride" flag and other non-official flags.			YES ★
5. H37 Execution by Firing Squad (passed 28 to 7 on 3/5/2025). Designates execution by firing squad as the primary method of administering the death penalty.			YES ★
6. H40 Reducing State Income Taxes (passed 27 to 8 on 3/4/2025). Reduces Idaho's income tax rate on individual and corporations to 5.3%, while eliminating the calculation of capital gains or losses for precious metals.			YES ★

Estimated benefit per household: **+\$365.00/year.**

Scorecard Votes: 100%

Why do these votes matter?

1. Prohibiting DEI in Higher Education

S1198 prohibits “diversity, equity, and inclusion” (DEI) policies or activities at public institutions of higher education.

The DEI movement promotes divisive myths and false historical narratives propagated by critical race theorists, feminists, and LGBTQIA+ activists. It is nothing but an effort by neo-Marxist radicals to alter or destroy the American way of life through a “long march through the institutions.” The goal is a complete disruption of our moral, social, political order—the *modus operandi* of totalitarian regimes for centuries. Justice in the hands of “social justice” warriors will only lead to tyranny. DEI must die, along with any other vain attempts to compel “equal outcomes.” Our Constitution was written to promote the “general Welfare” of all Americans by securing each person's “unalienable Rights.”

2. Ending "Public Benefits" to Illegal Aliens

H135 makes illegal aliens ineligible for certain “public benefits.”

Illegal aliens ought to be deported. They should not be given sanctuary or residency in Idaho or elsewhere in the United States, let alone receive any federal, state, or local “public benefits.” Moreover, taxation in the name of “social welfare” is neither just nor charitable. Rather than pursue blatantly anti-American policies that undermine the rule of law and erode the true privileges and value of citizenship, each of the several States should use its sovereign powers under the 10th Amendment to stop illegal migration and provide for the public safety.

3. "Morning-After" Pill for Minors

S1199 would exempt informed parental consent for health care in situations that involve a minor who is (or claims to be) “pregnant” or experiencing a “mental health crisis.”

This bill restricts a parent’s ability to make medical decisions for their minor child—no matter how young. In addition, it does not prevent the preemptive use of “contraceptives,” particularly high-dose “morning-after” pills (e.g., Plan B), which function as abortifacients, thereby resulting in “silent abortions.” Idaho ought to forbid all methods of abortion entirely, upholding the sanctity of life. Lawmakers must also secure the decision-making authority of parents. The right to life and parental rights are protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution.

4. Ban on LGBTQ+ "Pride" Flag

H96 bans state and local government from displaying the LGBTQ+ “Pride” flag and other non-official flags.

Public display of the LGBTQ+ “Pride” flag should be illegal. Flags are age-old symbols of sovereignty, allegiance, and honor. Unlike the United States flag and “the Republic for which it stands,” the rainbow-colored “Pride” flag represents the “abomination” of homosexuality and other sexual perversion. The anti-Christian LGBTQ+ movement is part of a rival global totalitarian and invading force that has openly mocked and declared war against the “Laws of Nature and of Nature’s God.” It seeks to stake a territorial claim over all of society, with a specific goal of targeting young children. “Pride goes before destruction,” and if “We the People” ever forget that we are “one Nation under God,” then we will be a “nation gone under.” The U.S. Flag Code has always and only required that the U.S. flag should be displayed “daily” at “every public institution” across the country, including “during school days in or near every schoolhouse.”

5. Execution by Firing Squad

H37 designates execution by firing squad as the primary method of administering the death penalty.

The firing squad is a quick, readily available, and cost-effective means of carrying out the death penalty, making it a better deterrent to capital crimes than lethal injection. Importantly, the U.S. Constitution’s Fifth Amendment makes mention of “capital” crimes, as justice is the overall purpose of government and certain “infamous” crimes (e.g., murder or rape), demand the death penalty. The earliest American criminal codes, such as the 1641 Laws of New England, confirm that no one should be allowed to violate the personhood of another or shed innocent blood, for mankind was created in the image of God. Thus, the “due process” and “equal protection” requirements in the Bill of Rights and the 14th Amendment justly follow the Common Law retributive principle that “the punishment should fit the crime.”

6. Reducing State Income Taxes

H40 reduces Idaho’s income tax rate to 5.3%, while eliminating the calculation of capital gains or losses for precious metals.

The income tax is an immoral, anti-constitutional act of government-imposed theft that takes from people the wages they have rightfully earned. It turns citizens into slaves. A person’s property, including their income, belongs solely to them—not the state. The Bill of Rights and the 14th Amendment expressly affirm that “No State” shall “deprive any person” of “liberty, or property.” Idaho must reject tyrannical, big government by protecting property rights and guaranteeing “equal protection of the laws.”