

**Written testimony in opposition to SJR 502 (Convention of States)
Senate State Affairs Committee hearing on January 17, 2025**

Dear Sen. Jim Mehlhaff, Chair; Sen. Carl Perry, Vice-Chair; and the honorable members of the Senate State Affairs Committee:

This written testimony is in *opposition to SJR 502*, which calls for an Article V convention to change our U.S. Constitution. Justice Scalia described holding such a convention to be *a “horrible idea”* the final year of his life, and South Dakota has properly rejected this.

The late Kitty Werthmann devoted much of her distinguished career as a citizen lobbyist in South Dakota, in opposition to an Article V convention. She was absolutely right and South Dakota has led our nation by adhering to the advice of this American hero: please defend our Constitution and reject any convention to rewrite it!

I worked with Kitty for many years on this and other issues. I vividly recall the compelling speeches she gave annually to college students in D.C., in which she described first-hand her personal experience facing tyranny in Austria at the outset of WW II.

There is no limit in scope or subject matter that can be placed on an Article V convention. It could rewrite our Constitution and then establish its own procedure for ratifying the changes, thereby bypassing state legislatures.

South Dakota would have virtually no influence if such a convention were held, as California and other large states would dominate the deliberations. Voting would be in proportion to population, as the U.S. Supreme Court has generally required in analogous circumstances. This is in sharp contrast with the U.S. Senate, where South Dakota has an equal voice and its Sen. John Thune (R-SD) is the Majority Leader today.

South Dakota has much to lose and little to gain from an Article V convention. It would be taking an enormous chance with the future of our country that could plunge our Nation into economic and social uncertainty, and chaos.

Billionaires on the East and West Coasts would have outsized influence, and there is no way to safeguard against possible corruption. The media would turn the convention into a circus.

Please defend our Constitution by voting NO on SJR 502. Thank you!

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