

By Donna Martinez

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HB805, the anti-Black Lives Matter, anti-protest legislation intended to curb the First Amendment rights of North Carolinians — which passed the House in May and the Senate last week — returned to the House today for a concurrence vote in which the House voted to accept proposed changes made in the Senate. This harmful bill, a direct assault on our democracy, is now one step closer to becoming law.

While HB805 was originally purported to be a bill combatting “riots,” lawmakers have become increasingly explicit in saying the bill is a direct response to last summer’s protests and calls for racial justice and police accountability. The bill is a clear attempt to suppress free speech and the right to assemble. It also leaves the definition of a “riot” intentionally vague, thus granting police and prosecutors immense power to target Black, brown, and indigenous communities. By standing up for racial justice, those communities will be most hurt by the subjective legislation.

Many of our partner organizations throughout the state have been working tirelessly these past few months to stop HB805 from advancing. The Justice Center was honored to sign on the letter developed by our partners at Emancipate NC, ACLU of NC, Democracy NC, and others. Thanks to everyone’s advocacy, every Senate Democrat and all but two House Democrats voted against the bill, but there is still more work to be done to ensure HB805 does not become law.

“There is no question HB805 is an attack on the struggle for Black liberation and other social justice movements that challenge the oppressive status quo,” said Laura Holland, Director of the Fair Chance Criminal Justice Project at the North Carolina Justice Center. “This bill is not an anti-riot bill, but an attack on our right to assembly and protest. It proposes to again use the criminal code as a tool to maintain dominance and control over Black and brown bodies, by punishing dissent with the risk of a felony conviction.”

The result of such convictions can have disastrous consequences. “In North Carolina (and nationwide), a felony conviction can debilitate an individual by locking them out of meaningful employment, affordable housing, higher education, and other opportunities to meet their essential needs,” said Holland. “We call on Governor Cooper to veto HB805.”

This legislation is exactly what it appears to be: part of a divisive and transparent attempt to criminalize standing up for racial justice. We must work to ensure it is not signed into law.

# Justice Center Says Bill That Would Increase Penalties For Rioters Would Curb First Amendment Rights

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