



**For Immediate Release**  
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**Preliminary Injunction Blocking Florida Anti-Protest Law Remains in Effect as  
Federal Appeals Court Seeks Guidance From Florida Supreme Court**

*Appeal will be heard before the Florida Supreme Court following oral arguments at the  
Eleventh Circuit Court of Appeals*

Today, the Eleventh Circuit Court of Appeals left in place an injunction against Florida's anti-protest law, otherwise known as H.B. 1, while inviting the Florida Supreme Court to express its views on the law's proper interpretation.

A federal trial court had previously issued a preliminary injunction blocking Governor DeSantis and certain local officials from enforcing key provisions of the anti-protest law. This injunction was appealed by Governor DeSantis and former Duval County Sheriff Mike Williams. While today's decision seeks assistance from the Florida Supreme Court in interpreting the law's scope, the injunction remains in place while the Florida Supreme Court takes up the question.

"This means that I can continue to exercise my Constitutional right to protest and not worry about being arrested under the unfair provisions of H.B. 1," said Ben Frazier, founder of plaintiff organization the Northside Coalition of Jacksonville. "This is a step in the right direction."

The law, enacted in April 2021, was passed in response to national protests against police violence and targets Black organizations and protesters demanding racial justice. In May 2021, The Dream Defenders, The Black Collective, Chainless Change, Black Lives Matter Alliance of Broward, the Florida State Conference of the NAACP, and the Northside Coalition of Jacksonville filed a lawsuit alleging that the anti-protest legislation violates the First and Fourteenth Amendments of the United States Constitution by chilling protected speech and criminalizing protest activity in an effort to suppress the voices of Black-led organizations seeking racial justice. The Eleventh Circuit's order validates the concerns expressed by Judge Mark Walker of the Northern District of Florida, who previously deemed the legislation's broad definition of rioting to arguably criminalize expressive activity protected by the U.S. Constitution. The Eleventh Circuit also unanimously agreed, over the Governor's objection, that the Governor is a proper party in the lawsuit and that the plaintiff organizations were entitled to sue him.

Plaintiffs will next make their case to the Florida Supreme Court. They are represented by the Legal Defense Fund, (LDF), American Civil Liberties Union (ACLU) of Florida, Community Justice Project (CJP), and Akin Gump Strauss Hauer & Feld LLP.

"The Eleventh Circuit recognized the capacity of this anti-protest law to be read broadly and endanger the liberty of peaceful protesters," the civil rights groups jointly stated. "Florida's anti-protest legislation is an attempt to censor and intimidate Black organizations and others who

are demanding justice, calling out police misconduct, and seeking to protect their communities. We look forward to engaging with the Florida Supreme Court in this matter and continuing to protect the rights of Black organizers and organizations across the state.”

Read the Eleventh Circuit Court of Appeals’ decision [here](#).

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*Founded in 1940, the Legal Defense Fund (LDF) is the nation’s first civil rights law organization. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.*