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Federal Court Declines to Block Alabama's Harmful Censorship Law SB 129

Yesterday, the U.S. District Court for the Northern District of Alabama [declined to issue a preliminary injunction](#) to block the enforcement of Alabama's discriminatory censorship law, SB 129, in the state's public colleges and universities. The decision means that the law will remain in effect while the case moves forward — a disappointing outcome for Alabama students, educators, and campus communities already harmed by the law's sweeping restrictions.

Earlier this year, a group of Alabama students and educators filed *Simon v. Ivey*, the federal lawsuit challenging SB 129 and followed with a motion for preliminary injunction to urgently address the law's widespread harms. The plaintiffs in the case include Alabama public university faculty and students, as well as the Alabama State Conference of the NAACP, and are represented by the Legal Defense Fund (LDF) and the ACLU of Alabama. The plaintiffs noted the widespread harms caused to Alabama campus communities by SB 129 — including censorship of teachings and discussions involving race-based and sex-based inequalities, discriminatory restrictions on university funding for student organizations, and removal of inclusive campus spaces that had served historically underrepresented groups, including Black and LGBTQ+ university students, for several years.

"As a professor who has spent nearly 40 years educating students and supporting the wellbeing of our campus communities, I am disappointed that the Court has chosen not to grant a preliminary injunction on SB 129," said **Cassandra Simon, an Alabama professor who is a plaintiff in the case.** "This discriminatory legislation has upended the lives of Alabama students and educators, who should have the right to receive and provide the high-quality of education that all Alabamian learners deserve. We must, as a state, reaffirm that inclusive curriculum and campus spaces are a strength and necessity in higher education."

"I feel incredibly dismayed that SB 129 is allowed to continue going into the new school year," said **Sydney Testman, an Alabama college student and plaintiff in the case.** "As a senior at University of Alabama - Birmingham, I've seen firsthand how SB 129 has transformed my college campus for the worst. Voices have been silenced, opportunities have been revoked, and meaningful community engagement has faded. This decision undermines the need for students to properly feel a sense of belonging and inclusion on campus."

"As a University of Alabama student, even with this disappointment, I will continue to fight for students, professors, and campus communities as a whole," said **Ja'Kobe Bibbs, a member of the Alabama NAACP, which is a plaintiff in the case.** "I've witnessed the detrimental effects of this legislation on our student body and it can and should not stand. SB 129 is antithetical to the very essence of what higher education should mean in our state and country — a place where people across identities and walks of life can come to learn, build community, and grow together."

“The Court’s decision to allow SB 129 to continue is yet another step backwards for the University of Alabama system and fails to address the harms that Alabama students and professors have faced on account of this law,” said **Dana Patton, an Alabama professor who is a plaintiff in the case**. “SB 129 created a culture of fear that has severely hindered the ability of professors to provide comprehensive instruction in our areas of expertise. The law infringes on our academic freedom and our duty to students to provide a truthful and comprehensive education. As the case continues, I hope that the courts and the larger community unequivocally reject SB 129 and its harmful effects.”

“The Court’s decision to allow SB 129 to remain effective this upcoming school year is deeply disappointing,” said **Antonio L. Ingram II, LDF Senior Counsel**. “SB 129 poses a direct threat to the constitutional right of Alabama students and educators to learn, teach, and exist free from the fear of discrimination or censorship. All Alabamians are entitled to a high-quality, accurate, and comprehensive education that respects their full dignity and humanity—including Black, LGBTQ+, and other students of color who have suffered immensely due to SB 129. Despite this outcome, we will continue to work to challenge SB 129 and ensure Alabama campus communities are reflective of the equal opportunity and inclusive experiences that they deserve.”

“Yesterday’s decision is a setback for professors and students at Alabama’s public universities, but this fight is not over,” said **Alison Mollman, ACLU of Alabama Legal Director**. “Our clients remain committed to defending free speech on our campuses and we are honored to continue this fight against SB 129 to ensure that the constitutional rights of all professors and students are protected.”

[Access the full opinion](#) by the U.S. District Court for the Northern District of Alabama.

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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.

The ACLU of Alabama works to preserve and protect the civil liberties and civil rights guaranteed by the U.S. Constitution, specifically those principles contained in the Bill of Rights. Learn more at aclualabama.org.