

MEDIA CONTACT

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Federal Judge Blocks Key Portion of Florida’s Anti-Protest Law

TALLAHASSEE, FL – Today, in a major victory for civil rights and racial justice advocates, a federal judge [granted](#) a request made by civil rights groups to preliminarily enjoin enforcement of a key provision of H.B.1, Florida’s anti-protest law. The enjoined provision re-defines the crime of “riot” and imposes harsh penalties for those arrested under the law. Prior to the injunction, Plaintiffs 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 were chilled from exercising their First Amendment right to protest out of fear that the law re-defining “riot” would allow them to be arrested while peacefully protesting. In a powerful opinion that evokes Florida’s history of leveling charges of incitement and rioting against racial justice advocates, Northern District of Florida Chief Judge Mark Walker enjoined Governor DeSantis and three Florida Sheriffs from enforcing the riot definition created by Section 15 of the law.

On May 11, 2021, the NAACP Legal Defense and Educational Fund, Inc. (LDF), the American Civil Liberties Union (ACLU) of Florida, the Community Justice Project (JCP), and Akin Gump Strauss Hauer & Feld LLP filed a lawsuit on behalf of Plaintiffs challenging H.B.1. The suit argues, among other things, that the law violates the First and Fourteenth Amendments to the United States Constitution by chilling protected speech and criminalizing protest activity. The Plaintiffs filed a motion for preliminary injunction in July 2021. In response to the judge’s decision today, the coalition of Black-led Plaintiff organizations released the following joint statement:

“Today’s decision enjoining enforcement of a key provision of H.B.1 will greatly contribute to the safety of Black organizers and others affected by this unjust law. H.B.1 effectively criminalizes our constitutional right to peacefully protest and puts anyone – particularly Black people demonstrating against police violence – at risk of unlawful arrest, injury, and even death. This targeting of protesters is shameful and directly contradicts our Constitution. We are glad the court has agreed to suspend enforcement of this key provision while we continue to advocate to ensure that protesters in Florida can safely exercise their right to speak out against injustice.

“H.B.1 was passed as a direct response to racial justice protests in 2020 and appears designed to target those who protest police violence. Among other concerning provisions, the law risks criminalizing peaceful protest and shields those who injure or kill protestors — for example, by ramming their vehicles into protestors — from civil penalties. As states around the country threaten to pass similar legislation, today’s decision serves as a powerful reminder that such unjust and unconstitutional efforts cannot stand.”

Read Judge Walker’s decision enjoining enforcement of H.B.1 [here](#).

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