

The League of Women Voters opposes NC HB 805 (passed in the NC House and now in the Senate Rules Committee) which potentially criminalizes protests and suppresses free speech. Implying that protests are dangerous, the law authorizes law enforcement to make arrests when they perceive an "imminent threat of disorderly and violent conduct," even if no such activity has occurred. While the League condemns rioting that involves trespassing and endangering people or property, this bill is unnecessary because there are existing laws covering destruction of property and acts of violence.

HB805 does not seem to be about protecting citizens against riots but rather about silencing dissent. It allows for serious charges to be brought against someone who is merely present, and by requiring a judge, not a magistrate, to set bail, it all but guarantees that someone arrested in an afternoon protest will spend at least one night in jail.

The effect of HB805 would be to stifle citizens' ability to influence government through peaceful protests. If citizens can be arrested and charged with vaguely-defined rioting, they will be discouraged from exercising their First Amendment rights. The League believes that lawmakers should be protecting--not stifling-- free speech and expression.

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