

**MEDIA ADVISORY for:**

Wednesday, March 9, 2021

**CONTACT:**

news@alabamademcaucus.com

**Republican Bill Limiting Constitutional Right to Free Speech and Assembly Assigned to House Subcommittee**

**Montgomery, AL** – Today, the Alabama House Judiciary Committee assigned HB445, sponsored by Rep. Allen Treadway (R- Morris), to the House Subcommittee on Criminality. The bill, as currently written would provide for the following:

- Defines the crime “Assault Against a First Responder” as a felony and imposes mandatory jail time (Class B- one year/\$15,000 fine and Class C- 6 months/\$5,000 fine)
- Allows bystanders who have not engaged in criminal or violent behavior to be charged with a felony if others in their vicinity commit illegal acts.
- Severely penalizes local jurisdictions if they re-allocate more than 10% of their law enforcement budget to other public services by withdrawing all state monies to that municipality until the funding in question is restored. Also, any entity that “defunds” a law enforcement agency would become civilly liable for any violent crime that has been determined to be a result of that action.
- Purposely blocking an Interstate would become a crime with accompanying fines.
- Introduces new definitions for the term “Riot” and “Aggravated Riot”.
- If arrested on charges of Riot, Aggravated Riot, or Inciting a Riot, the bill would impose mandatory incarceration of 48 hours without possibility of bail.
- If a person is convicted of Riot, Aggravated Riot, or Inciting a Riot, they would be ineligible to hold public office in Alabama.

Alabama House Democrats strongly oppose this bill and believe it clearly violates the First Amendment of the United States Constitution by restricting the right to free speech and assembly.

As Rep. Christopher England (D- Tuscaloosa) remarked during the committee hearing, “This bill, as written, is loaded with unintended consequences. Further, it has the potential of weaponizing law enforcement to suppress protected free speech. The new definitions in this bill, particularly the term ‘riot’, are vague... they are unenforceable and unprosecutable. The problem with the definition is that it does not require an overt act for violating it.”

Rep. England made a motion that the bill be assigned to a subcommittee for further review and discussion and the motion was seconded by Rep. Allen Farley (R- McCalla). HB445 has now been placed with the House Judiciary Subcommittee on Criminality. After consideration by the subcommittee, the House Judiciary Committee will hear the bill again on March 17th.

House Democrats believe that this bill will have numerous negative unintended consequences to individuals and local governments and that, as currently written, it is a clear case of overreach.

###