

Lawmakers push legislation seeking to criminalize protest throughout the US

By Nick Barrickman
8 February 2017

As mass protests grow internationally against the anti-democratic measures enacted by President Trump, Republican state legislators in the US are preparing a raft of bills intended to restrict demonstrators' right of free speech and ability to peacefully assemble.

At least 10 state legislatures are planning to vote on bills attacking the right to protest in various ways. "I've never seen a coordinated attack on protesters' rights anywhere near this scale," stated the American Civil Liberties Union's senior staff attorney Lee Rowland to the *Washington Post*. "What all of these bills have in common is they may be dressed up as being about obstruction or public safety, but make no mistake about it: These are about suppressing protests with draconian penalties so that the average person would think twice before getting out on the street and making their voice heard."

The bills range from the overtly reactionary to the "merely" anti-democratic. In North Dakota, where ongoing protests against construction of the Dakota Access Pipeline (DAPL) are occurring, state Republicans have sponsored House Bill 1203, which grants legal exemption to motorists who "negligently [cause] injury or death to an individual obstructing vehicular traffic on a public road..." The bill is in response to anti-DAPL protesters that have snarled traffic on major roadways.

Indiana's Senate Bill 285 empowers law enforcement to "use any means necessary to clear the roads of the persons unlawfully obstructing vehicular traffic" once a gathering has been determined to be unlawful. In Missouri, a bill would target anyone "wearing a mask, hood, or covering that conceals the person's identity during an unlawful assembly or riot."

In Washington state, lawmakers wish to increase the

amount of jail time for an individual engaged in an "economic disruption," while forcing those convicted to pay up to three times the cost of damages incurred by a protest. In Minnesota, which has been wracked by protests against police brutality, in addition to the anti-Trump demonstrations, Republicans have authored a bill which would force protesters convicted of blocking roadways to pay for the incurred costs of law enforcement and security at the event.

Last year the Michigan House of Representatives passed a bill that would fine a person \$1,000 a day and an organization (such as a union) up to \$10,000 a day for picketing.

Numerous liberal commentators have noted the implications of such laws for free speech. "As someone who is a direct beneficiary of the civil rights movement and all the gains that were the direct result of civil disobedience, I strongly oppose this effort to further criminalize dissent," said Virginia State Senator Jennifer McLellan to *The Intercept* in response to state legislation which would increase fines for someone refusing to disperse from an unlawful gathering.

"The way the bill is worded is very broad: Take the student sit-in leaders — you could put those protesters in jail for up to a year," McLellan added, referring to the student protests that occurred against segregated lunchrooms in the 1960s.

The legislative attacks against free speech come as President Trump has issued executive orders and made statements asserting near-dictatorial powers. In late November, the president-elect attacked the Constitutionally-protected act of flag burning, declaring in a Twitter comment "Nobody should be allowed to burn the American flag—if they do, there must be consequences—perhaps loss of citizenship or a year in jail!"

In a Thursday message on social media, Trump tweeted threats to cut federal funding to the University of California, Berkeley campus after protests against ultra-right lecturer and editor at the “alt-right” Breitbart News, Milo Yiannopoulos, forced the fascistic provocateur to cancel his speech last week.

The largely peaceful protests, which were broken up when a small group of “black bloc” anarchists sought to confront police and physically assault Trump supporters, have been seized upon by the president and his sympathizers in order to present all opposition to his administration as violent and illegitimate.

The campaign has inspired the more deranged elements within the Republican Party to encourage violence against anti-Trump protesters. In a particularly crude example, Dan Adamini, the secretary of the Marquette County Republican Party and a local Michigan right-wing radio host, drew outrage for comments he made on social media in response to the UC Berkeley protests.

Tweeting a day after the protests forced Yiannopoulos to cancel his engagement, Adamini mused, “Violent protesters who shut down free speech? Time for another Kent State perhaps. One bullet stops a lot of thuggery.” Adamini followed this comment with a Facebook post that declared “I’m thinking that another Kent State might be the only solution...They [protesters] do it because they know there are no consequences yet.”

Adamini’s “Kent State” comments refer to the May 4, 1970 shootings at Ohio’s Kent State University, where National Guardsmen opened fire on an anti-war protest, killing 4 students and injuring 9 others. Adamini has since shut down his social media accounts due to the slew of hostile commentary his posts have received.

To contact the WSWS and the
Socialist Equality Party visit:

<http://www.wsws.org>