

Stop HB 805

PROTECT OUR FREEDOM TO PROTEST

North Carolina lawmakers have introduced a bill that will stifle free speech and discourage people from exercising their right to protest.

WHAT TO KNOW

- North Carolina's current rioting law is vague and punishes each individual for any damage or injury caused in the course of the riot, and HB805 makes the current law worse by increasing the criminal penalties.
 - This legislation is a response to the racial justice protests last year, and will be disproportionately used to prosecute Black protesters.
 - HB 805 would increase the likelihood that a person accused of rioting would spend a significant amount of time in pre-trial confinement and--if physical injury and/or property damage occurred in the course of the "riot"--be sentenced to prison for multiple years.
 - HB 805 provides room for biased, potentially self-serving police and prosecutors to discriminate when deciding if a protest has become a "riot," who is participating, and how they are participating.
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EXAMPLES

A person organizes or attends a protest that law enforcement orders to disperse, but that person hangs back or does not leave within a time frame determined by the police, either after an order to disperse, or after a curfew has begun. **That person could be accused of rioting and punished much more severely if others damage property or injure someone - even if they did not damage anything or hurt anybody.**

If a person chooses to engage in nonviolent civil disobedience by participating in a collective action that causes damage and injury, then **the person could be charged for the damage caused by others**--even if (a) it was known the person did not cause the damage/injury, (b) the person did not know that others were causing damage/injury, (c) the person had not joined the riot when the damage/injury occurred, (d) the person had left/stopped participating in the riot when the damage/injury occurred.
