



**Media  
Justice** 

**FP** **Free  
Press**

Ms. Vanita Gupta  
Associate Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20540

Ms. Kristen Clarke  
Assistant Attorney General for Civil  
Rights  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20540

August, 10, 2021

Dear Vanita Gupta and Kristen Clarke,

We write to you, two champions of racial justice, to convey our rapidly growing fear and concern over draconian anti-protest bills that harken back to the Jim Crow era, and are being passed into law across the country.

It's been one year since we took to the streets in historic numbers amid a global pandemic to stand up for Black lives. Our persistent, loud and clear voices, and organizing efforts were instrumental in obtaining a modicum of accountability for George Floyd. As a result of our collective repudiation of white supremacy and efforts to end the police terror of Black communities, we're now facing an unprecedented backlash from Republican lawmakers.

State lawmakers have introduced more than 100 punitive anti-protest bills since the summer of 2020, and 81 in 2021 alone - that's more than twice as many proposals as in any other year.<sup>1</sup>

These laws, often backed by organizations affiliated with police unions, are an attempt to criminalize free speech, punish those who speak up for Black, Indigenous and People of Color (BIPOC) communities, and even offer specific protections for counter-protesters who harm us.

Eight states have already passed anti-protest laws this year. In Florida, Oklahoma, and Iowa, laws include deputizing vigilante violence by protecting drivers who injure protesters with their cars - reminiscent of state-sanctioned white mob violence of the

---

<sup>1</sup> <https://www.nytimes.com/2021/04/21/us/politics/republican-anti-protest-laws.html>

post-Reconstruction era. A proposed bill in Indiana would ban anyone convicted of unlawful assembly from holding state employment, including elected office; and bills pending in Minnesota and Oregon would disqualify people convicted of protest-related crimes from enrolling in public assistance programs - including Supplemental Nutrition Assistance Program (SNAP) and unemployment benefits.

In addition to targeting our right to protest, the laws also undermine our collective struggle for Black freedom by allowing local police to penalize municipalities that reduce funding for law enforcement and denying bail to those arrested until their first court appearance - ensuring more of our people in jail.

This is an assault on our constitutional rights, our communities, and human rights. Even the United Nations Office of the High Commissioner decried the laws for violating international human rights law and the US Constitution's protection of the right to peaceful assembly, and the explicit targeting of Black Lives Matter protesters.<sup>2</sup>

We have seen time and time again that where racial justice protests flourish, anti-protest laws follow. And we know that police and prosecutors don't need more tools or power to abuse our Constitutional rights. Congress has yet to act and seriously investigate the FBI for its racist designations such as the Black Identity Extremists (BIE), which are used to label movement activists as terrorists, and further legitimize its authority to stalk us and criminalize constitutionally protected activities. These racist "anti-protests" bills are inseparable from the wider political backlash against our movements fighting for Black liberation and freedom.

As leaders and advocates, we're asking that you make a public statement condemning these laws on behalf of the Department of Justice, and support any efforts to sue states that have passed anti-protest legislation that disrupts our First Amendment Constitutional right to protest racial injustice. Your actions are necessary to protect the Constitutional rights of all people, and will support our work to protect the right to protest racial injustice, and BIPOC protesters around the country.

Until Justice is Real,

Color of Change  
MediaJustice  
Free Press

Line Break Media  
Mainers for Accountable Leadership  
Media Alliance

---

<sup>2</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?LangID=E&NewsID=27060>

Action Center on Race and the Economy (ACRE)  
Advocacy for Principled Action in Government  
American Civil Liberties Union  
American Society of Journalists and Authors (ASJA)  
American Association of University Professors  
ANSWER Coalition  
Black and Brown Biennale  
Black Freedom Collective  
California LGBT Arts Alliance  
Carceral Tech Resistance Network  
Citizen Action of New York  
Civil Liberties Defense Center  
Center for Community Alternatives  
Center for Media and Democracy  
Center for Protest Law & Litigation  
Chicago Community Bond Fund  
Community Change Action  
Community Justice Project  
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces  
CreaTV San José  
Cunningham Township  
Californians United for Budget Reform  
Defending Rights & Dissent  
Demand Progress Education Fund  
DemCast USA  
Ella Baker Center for Human Rights  
EX-incarcerated People Organizing (EXPO)  
Fight for the Future  
Fix Democracy First  
Free Speech Coalition (FSC)  
Greenpeace USA  
Highlander Research & Education Center  
Illinois State University  
Initiative for a Representative First Amendment  
Japanese American Citizens League  
Just Futures Law

Media Freedom Foundation and Project Censored  
MPower Change  
National Advocacy Center of the Sisters of the Good Shepherd  
National Black Worker Center  
National Lawyers Guild  
NorCal Resist  
Official Black Lives Matter Memphis Chapter  
Organization for Black Struggle  
Palestine Legal  
People's Advocacy Institute  
People's Budget Greenfield  
PEN America  
PhillyCAM  
Progressive Technology Project  
Project On Government Oversight  
Public Justice Center  
Riverside All of Us or None  
RootsAction.org  
RYSE Center  
St. Paul Neighborhood Network (SPNN)  
Semillas  
Temple Beth El  
Texas Criminal Justice Coalition  
Tully Center for Free Speech  
Unitarian Universalist Service Committee  
United Church of Christ, OC Inc.  
Urbana Campaign Independent Media Center  
Washington Defender Association  
Wealth Matters  
Wisdom/Moses/Expo.  
WITNESS  
Woodhull Freedom Foundation  
Workers Center for Racial Justice  
Working Narratives  
X-Lab

