

Dear Members of the House Criminal Justice Committee

My name is Barbara Dickerson. I am a retired foreign service officer who spent over 17 years representing the United States' system and values while posted overseas. I am writing this testimony to express my deep concerns about the legislative bills submitted by Senators and House Members during this legislative session which would criminalize peaceful protest. My understanding is that HB 22 is being discussed in your committee this week, so my remarks are focused on that bill.

In 1789 Congress transmitted to state legislatures twelve proposed amendments to our Constitution. Ten of these became our Bill of Rights in 1791. The concerns driving these amendments was the perception that our Constitution lacked necessary measures to protect certain basic principles of human liberty. Amendment 1 of the Bill of Rights focused on freedom of religion, speech, press along with the right of assembly and petition – “Congress shall make no law ... abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances. “

We have many reasons to reflect on and celebrate our Constitutional protection of the right to peacefully assemble and petition for change. First and foremost, our country owes its existence to the determined efforts of many patriots who protested, boycotted and pushed hard for our independence. Later in the life of our democracy, public protests have been essential to bringing about many other, much needed social changes. These include ending child labor, desegregating schools, enforcing the constitutional right to vote for all Americans, barring all discrimination (race, color, religion, sex, national origin, sexual orientation and gender identity), strengthening environmental standards and improving workplace safety.

The main question that came to mind as I read the language in this bill is this: To what extent does law enforcement currently lack tools to respond to violent criminals and vigilantes? Is there a possibility of this leading to more desperate, dangerous confrontations which endanger both police and protesters?

As written, I believe that HB 22 poses the risk of law enforcement officers more arbitrarily determining what behavior is considered “out of bounds.” This in turn can lead to further risk of escalating situations between police and protestors. I have watched the deepening polarization in our country over recent years, especially the past year, with alarm and dismay. I believe there are other ways to protect property along with the lives and well-being of protestors and law enforcement officers without trampling on our basic human rights.