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Dear Chairman Massey and Members of the Judiciary Committee,

My name is Amanda Hall, and I am a policy strategist with the ACLU of Kentucky. I am writing in opposition to HB 479.

This legislation gives the Attorney General power to intervene in local prosecution of people who are charged with various crimes. Many of the new additions of statutes in which the Attorney General may intervene are the same offenses protesters have been charged with throughout the Commonwealth. We see this as a bill designed to target and intimidate peaceful protesters.

The ACLU of Kentucky has particular interest in advocating for first amendment protected speech. Any attempt to criminalize or erode constitutionally protected speech should be heartily rejected. Freedom of expression is a bedrock of our democracy. Statutes already exist to allow local prosecutors to request the Attorney General's involvement. This bill criminalizes free speech and specifically targets prosecutors who make decisions the Attorney General does not agree with,

This bill will be used to intimidate protesters with the criminal legal system, excessive prosecution and limits to free speech. With passage of HB 479, the Attorney General would be able to intervene in prosecution for low level offenses such as failure to disperse and disrupting a meeting among others. Why would an office as powerful as the Attorney General's be involved in such offenses? The only thing that makes these offenses stand out in comparison to others is that they are often used in charges against peaceful protesters.

Throughout the commonwealth and around the nation, individuals protested racial injustice this summer. The pain and frustration was particularly palpable within Louisville as people came together to demand justice for Breonna Taylor after she was killed nearly a year ago. During the protests, white people marched beside their Black neighbors and used their first amendment rights to demand a better Kentucky. Despite many of the protesters being white, an outsized number of those who were charged with crimes are Black. There are already dramatic racial disparities infecting our justice system. Bills such as HB 479 undoubtedly result in needlessly bringing more people – specifically more Black people – into the justice system.



I appreciate the talks in the General Assembly this session about racial equity and how we can work to achieve racial equity in Kentucky. I'm also inspired when I see people from different political backgrounds, geographical locations, genders, and races talk about policing and various reforms of the criminal legal system to build a stronger commonwealth. This bill is the exact opposite of the examples of healing and reconciliation I've witnessed. This bill will expand the criminal legal system, sow distrust and intimidation among people who are just trying to be heard and increase racial inequities in our justice system. Do not take a step backward. Please vote No on HB 479.

With appreciation,

Amanda Hall
Policy Strategist