

# Oppose HB1633: The Guilt by Association Bill

Opposed by the Illinois Environmental Council, Illinois Chapter of the Sierra Club, Natural Resources Defense Council, ACLU of Illinois, Defending Rights & Dissent, Chicago Committee to Defend the Bill of Rights, Action Now Institute, Chicago Coalition for the Homeless, National Lawyers Guild

**The bill is deceptive and goes far beyond the alleged intent of protecting workers and infrastructure.**

- This is unnecessary. Illinois already has sufficient laws on the books for trespass and property damage and there is no evidence that dangerous protests are a problem in Illinois.

**The intent of this bill is to make it easier for big polluting companies to suppress opposition from environmental and civic organizations.**

- The bill seeks to intimidate organizations out of legally exercising their First Amendment rights, clearing the way for expanded pollution across Illinois.

**This bill is a penalty enhancement that will exacerbate social injustices and undermine progress on criminal justice reform efforts.**

- The definition of “critical infrastructure” is overly broad and would cover large swaths of the state in urban, suburban, and rural areas, increasing Illinois’ already overburdened criminal justice system with new citizens with excessive penalties.
- The bill does not distinguish between criminal damages of \$1.00 or a million dollars. Each would be eligible for the same penalty of a class 3 felony and \$100,000 fine.
- Those “trespassing” railyards, L-tracks, etc. without intent to damage or destroy could be charged with a felony punishable by a fine of \$1,000, imprisonment, or both. Current punishment is a misdemeanor.

## **A right-wing agenda supported by the Koch Brothers**

This legislation mirrors American Legislative Exchange Council language that has been proposed in Republican legislatures across the country.

### ***Grist: ACLU sues South Dakota over new pipeline protester law***

“An attorney with the American Civil Liberties Union. “I think [South Dakota’s definition of ‘riot booster’] poses a unique threat to speech and appears to be targeted at protests,”

### ***St. Louis Post-Dispatch: Missouri bill could criminalize protesting 'critical infrastructure' pipelines and facilities, raising First Amendment concerns***

The Post-Dispatch reported in 2011 that corporations such as Koch Industries Inc....paid thousands of dollars per year for membership in the group to help craft model bills.

### ***Energy News Network: Critics say Ohio pipeline protest bill is unnecessary, maybe unconstitutional***

The ALEC model bill included a provision for charges to be brought against an organization that is found to have conspired with individuals to disrupt critical infrastructure.

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