

Senate Bill 172 Opposition

Adara Corbin

Judiciary Committee

17 March 2021

Committee members,

My name is Adara Corbin and I am a young Kansan learning how I can take action to protect my community and its members. I do a variety of work with multiple organizations, a few of which are the Purrotestors and the ICT Community Fridge, both of which operate out of Wichita. When I learned about this bill earlier today, I was deeply disappointed, but not surprised. I took to write my testimony to present before you all today as a member of a generation that is paying more attention than you may think. I hope you listen.

I'll make my opposition to this harmful bill swift as I will only illuminate one provision of this bill. I will quickly visit the first amendment as most people understand it, and I will do justice to point out that Senate Bill 172's criminalization of peaceful protests is a mark of great failure.

The first amendment protects our freedom of speech. To quote the U.S. Constitution, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or 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." I hate to break down the amendment as though you may not already be familiar with it, but I would like to take care that we're on the same page about this legislation. "No law" shall be made by Congress that would impede our right "to assemble... for a redress of grievances". "No law" would amount to none. None means not one, so this bill already fails that criteria miserably as it would be one law (among many of course). Moving along, redressing grievances with a government entity is an imperative part of America's so-called democracy. Assembly is the majority's way, or the people's way, to ask their governmental representatives to acknowledge and tend to injustices carefully and efficiently. Assembling may not be the only way for the people to exercise their voice but encroaching on that constitutional right should not be considered any less a slap in the face. Let's move on now to see just how Senate Bill 172 implicates such encroachment.

One provision of this bill introduces "critical infrastructure" which is just language being used to make "oil, gas, hazardous liquid or chemical" pipelines appear necessary and of utmost priority. There are a number of offenses that can be punished by a spectrum of penalties - fines, misdemeanor and felony classifications, and up to 4 years of jail time for a single act. On the surface, the bill may just seem like a safety measure being taken up by the government to protect people. But we should ask ourselves, why would people be PEACEFULLY assembling in such areas in the first place, knowing doing so could pose danger to them? Historically, pipelines have been protested with fervor because entirely too often, they ignore treaty land agreements with Indigenous peoples. I could take the time to tell you statistically how many pipelines have infringed upon the terms of treaties thousands of times over, but quite frankly it's your job to know when entire agreements with other nations are being violated with no regard whatsoever. So I challenge you all to see just how much damage and harm different indigenous peoples have suffered solely from pipelines in this country alone, and then maybe you will come to see why any individual or collective would place their bodies in such hazardous places. Pipelines pollute water, they disrupt land, and they harm habitats. Water is essential for life. Clean water is essential. Clean water is

essential. I don't know how many times I could say it, but I'll spare you. Intact land is necessary for agricultural cultivation, community building, and therefore sustenance. Food is essential. Homes are essential. Pipelines ruin these essential parts of any human being's (and others') life. When the people have to take to pipelines for protest, it reflects a shortcoming of such a mighty government to ensure its inhabitants can access basic resources. I hope that in your research, you make it a point to understand how these harms affect not only the people who peacefully assemble, which is a good enough reason to listen in the first place because that is YOUR oath, but hopefully you come to see how the consequences of pipelines affect your lives as well. Your failure to learn and seek this information will reflect poorly on your ability to effectively execute your job, more specifically to represent the people, their voices, and their concerns. As I mentioned earlier, we are paying attention.

Let's circle back, a little. I'm telling you that Senate Bill 172 is harmful because it strips us of our ability to let YOU know when something is not right. You're tying our hands in how we can communicate with YOU about injustices, and you're doing so intentionally. What the pipeline issue demonstrates is that people, Indigenous by and large alongside allies, assemble on "critical infrastructure" to protect their literal means of livelihood. People are not arbitrarily gathering on "critical infrastructure" to cry about nothing, rather they are communicating clearly that their water, food, homes, and lives are being put in danger by some governmental structure or another. This bill would take someone who is fighting for their life and see to it they serve jail time for doing so. If you want to make political prisoners out of Indigenous people and allies, just say that. If you don't care about treaties, legally binding agreements, and therefore about Indigenous rights, then just say that. Passing legislation to limit the execution of the first amendment is just passively saying those things anyway. Not only does this legislation clearly serve to quiet justified complaints about extremely questionable measures being carried out for extremely questionable profit, it quite literally will imprison, disappear, or kill the voices of those complaints. Senate Bill 172 thwarts the right to free assembly, a right that is currently used to portray that the right to sustain oneself is being infringed upon in the first place. Policing anyone's cry for help is a terrible look, and we're paying close attention.

That is my time. I hope you make the right decision.