In courtrooms across America, the trend of prosecutors using artists’ creative expression against them is happening with troubling frequency. Regardless of the medium – music, the visual arts, writing, television, film – fans implicitly understand that creative expression is rooted in what artists see and hear; it’s a reflection of the times we live in. The final work is a product of the artist’s vision and imagination.

Rappers are storytellers, creating entire worlds populated with complex characters who can play both hero and villain. But more than any other art form, rap lyrics are essentially being used as confessions in an attempt to criminalize Black creativity and artistry.

For example, currently in Georgia’s Fulton County, numerous members of the Young Stoner Life record label, led by Grammy-winning artist Jeffery Lamar Williams (aka Young Thug), are facing more than 50 allegations, including RICO charges that the label is a criminal gang. The allegations rely heavily on the artists’ lyrics, which prosecutors claim are “overt evidence of conspiracy.” In the indictment, Fulton County prosecutors argue that lyrics like “I get all type of cash, I’m a general” are a confession of criminal intent.

The use of lyrics against artists in this way is un-American and simply wrong. Beyond the obvious disregard for free speech and creative expression protected by the First Amendment, this racially targeted practice punishes already marginalized communities and their stories of family, struggle, survival, and triumph.

We urge prosecutors to voluntarily end this practice in their jurisdictions. In the meantime, we encourage legislators at the state and federal level to explicitly limit how creative expression can be used against defendants on trial. There are already signs of hope across America. We applaud Governor Newsom for recently signing a bill into law in California, and we urge action on bills currently under consideration in New York and New Jersey, as well as the RAP (Restoring Artistic Protection) Act legislation introduced by Rep. Hank Johnson and Rep. Jamaal Bowman in the U.S. Congress. The work is far from done, and we must all join together to defend creative freedom and expression.