

Homeland Security Officials Wrongly Arrested Peaceful Protesters in Georgia, Charges ACLU

Vegans Targeted for Protesting Outside Honey Baked Ham Store

FOR IMMEDIATE RELEASE September 22, 2005

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ATLANTA, GA -- The American Civil Liberties Union of Georgia today filed a federal lawsuit on behalf of two vegan protesters who were subjected to false imprisonment, false arrest and harassment by officials of the Homeland Security Division of DeKalb County and the DeKalb County Police Department.

"All across the country, the ACLU is uncovering information about Americans engaged in peaceful protest being spied on by Homeland Security, the FBI and local police," said Debbie Seagraves, Executive Director of the ACLU of Georgia. "It is deeply disturbing that the government would use resources intended to protect national security to instead spy on innocent Americans who do nothing more than express their opinions on social and political issues."

The lawsuit stems from an incident on December 20, 2003, when Caitlin Childs and Christopher Freeman were participating in a peaceful animal cruelty protest on public property outside a Honey Baked Ham store on Buford Highway in DeKalb County. After the protest, Childs and Freeman noticed that they were being observed and photographed by a man in an unmarked car. They approached the car and wrote down the make, model, color and license plate number on a piece of paper. After leaving the protest site, they noticed the unmarked car was following them so they pulled over into a parking lot.

According to the lawsuit, both a uniformed police officer and the man in the unmarked car, who was later identified as Detective D.A. Gorman of the Homeland Security Division, pulled in behind Childs and Freeman and ordered them to exit their car. Detective Gorman then demanded that Childs turn over the piece of paper on which she had copied his license tag number. Childs refused to hand the paper over to him, and was handcuffed and searched by a male officer, despite her request to be searched only by a female officer. Both Childs and Freeman were arrested and charged with disorderly conduct, and police confiscated the piece of paper and Childs'

house keys. Both individuals were released from custody, but neither the piece of paper nor the keys were returned to Childs.

“Our clients knew their rights. When they saw someone in an unmarked car snapping their pictures and taking down information, they had every right to find out whether the government was spying and collecting information on them,” said Gerry Weber, Legal Director of the ACLU of Georgia, and a lead attorney in the case.

At this point, a criminal case against Childs and Freeman has not been pursued by DeKalb County.

The ACLU argues that by stopping and detaining Childs and Freeman for no legal reason and then refusing to tell them why they had been pulled over, Detective Gorman and the DeKalb County Police Department deprived them of their right to be secure in their person and to be free from unreasonable search and seizure. The officials’ actions violated the First, Fourth and Fourteenth Amendments of the federal and state constitutions, charged the ACLU.

“I hope to send a strong message that activists will not be intimidated by bullying, harassment and illegal arrests,” said Childs. “We will fight back and continue to utilize the rights we are guaranteed by the constitution.”

“People of this country need to realize that our basic human rights are being whittled away on a daily basis,” Freeman added. “I hope this case brings to light the fact that anyone can come under government security and pay the price.”

In addition to the lawsuit, the ACLU has filed Freedom of Information Act (FOIA) requests on behalf of Childs and Freeman to uncover any surveillance files kept on the activists by Homeland Security or other law enforcement agencies. ACLU affiliates in 15 other states have filed similar requests with the FBI on behalf of more than 100 groups and individuals, as part of a nationwide effort to expose unlawful domestic spying.

Last month, the ACLU of Michigan obtained an FBI report summarizing a meeting that was intended to keep local, state and federal law enforcement agencies apprised of planned protests and activities by various groups and individuals. Among the groups discussed at the meeting were an affirmative action advocacy group and a peace and justice group.

The ACLU launched its national “Spy Files” effort last year in response to widespread complaints from students and political activists who said they were questioned by FBI agents in the months leading up to the political conventions. The FOIA requests seek two kinds of information: 1) the actual FBI files of groups and individuals targeted for speaking out or practicing their faith; and, 2) information about how the practices and funding structure of joint task forces between the FBI and local police may be encouraging rampant and unwarranted spying.

Today’s lawsuit was filed in the United States District Court for the Northern District of Georgia, Atlanta Division. The plaintiffs are asking the court to assume jurisdiction over the case, to award nominal and compensatory damages against each defendant and to award reasonable expenses and attorney fees.

In addition to Weber, attorneys in the case are Beth Littrell and Maggie Garrett of the

ACLU of Georgia.

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For a copy of the complaint, go to www.acluga.org

To view the surveillance photos taken by Homeland Security, www.acluga.org

For more information on the national “Spy Files” effort, go to www.aclu.org/spyfiles