



P.O. Box 77208, Atlanta, GA 30357
770.303.8111 | syoung@acluga.org

February 6, 2018

Captain Lewis Young
Capitol Police Division
180 Central Avenue
Atlanta, GA 30303

Via E-mail c/o shanabrown@gsp.net and Certified Mail

Re: Free Speech on Sidewalk in Front of Georgia State Capitol Building

Dear Captain Young,

Freedom of speech is essential to democracy. For centuries, sidewalks have been one of the traditional places where concerned citizens have exercised their First Amendment rights. We write to you in response to disturbing reports that the Capitol Police Division may have unconstitutionally infringed on certain activists' freedom of speech on the sidewalks of Capitol Square last week. This suppression was not only likely unconstitutional, but also inconsistent with your own policies and guidelines. *See* Pages 10-11 of Exhibit A ("Capitol and Grounds Exhibit and Event Guidelines").¹ So long as they do not block pedestrian traffic, people must be allowed to speak freely on those public sidewalks.

The ACLU of Georgia recently received a report that last Wednesday, January 31, 2018, members of the Georgia Capitol Police Division dispersed about 20 activists who were holding signs and exercising their free speech rights on the public sidewalk in front of the ceremonial entrance to the Georgia State Capitol Building on Washington Street. *See* Exhibits B (photo of sidewalk at issue), C (officers ordering dispersal). The activists were gathering as part of WokeWednesdays, an activist event taking place every Wednesday from 12:30pm to 1:00pm at the Georgia State Capitol while the legislature is in session.²

If these reports are true, then your officers have likely violated the First Amendment to the United States Constitution. Sidewalks "occupy a special position in terms of First Amendment protection because of their historic role as sites for discussion and debate. These places . . . have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and

¹ A copy can be found at:
https://gba.georgia.gov/sites/gba.georgia.gov/files/related_files/document/Capitol%20and%20Grounds%20Exhibit%20and%20Event%20Guidelines.pdf.

² *See* <http://atlanta.carpediem.cd/events/5666073-woke-wednesdays-at-georgia-state-capitol/>.

discussing public question.” *McCullen v. Coakley*, 134 S. Ct. 2516, 2529 (2014) (quotations and citations omitted). “Even today, they remain one of the few places where a speaker can be confident that he is not simply preaching to the choir.” *Id.*

It makes no difference that the public sidewalk on Washington Street is technically on Capitol Square grounds, *see* Ga. Code Ann. § 50-2-28(a)(1), or that it is in front of the State Capitol Building, especially since activists have traditionally used that space for public protest.³ For example, courts have struck down restrictions on speech on public sidewalks even when those sidewalks were part of and in front of the United States Supreme Court grounds, *see United States v. Grace*, 461 U.S. 171 (1983), or part of and surrounding the United States Capitol, *Lederman v. United States*, 291 F.3d 36 (D.C. Cir. 2002). This is especially the case where, as here, the sidewalks at issue “indistinguishable from other public sidewalks in the city that are normally open to the conduct that is at issue here.” *Grace*, 461 U.S. at 182.

Of course, the Capitol Police Division is free to ensure that no one “recklessly and without authority of law obstruct[s] any street [or] sidewalk [on] Capitol Square [that] render it impassable without unreasonable inconvenience or hazard.” Ga. Code Ann. § 16-11-34.1. At most, this means that your officers may ensure that groups are not blocking pedestrian traffic, but that does not justify the silencing of activists engaged in free speech on those sidewalks or their total dispersal. *See Grace*, 461 U.S. at 182 (“necessity to protect persons and property” does not justify suppression of free speech so long as speakers do not “obstruct[] the sidewalks”).

And even if it might be constitutional to prohibit extremely large, permitless, planned gatherings in front of the State Capitol Building due to security concerns, federal courts, including in this Circuit, have routinely found that such public safety justifications do not apply to small groups of people. *See, e.g., Burk v. Augusta-Richmond Cnty.*, 365 F.3d 1247, 1255 (11th Cir. 2004) (“it is clear that regulating as few as five peaceful protestors . . . is not the least restrictive means of accomplishing the County’s legitimate traffic flow and peace-keeping concerns.”).⁴

It also makes no difference that protestors can relegate themselves to the new Liberty Plaza, a “free speech zone” that is conveniently out of sight and out of mind from the elected officials that are supposed to listen to public grievances. Because the suppression of speech on

³ *See* Exhibit D, a news article describing traditional use of such space for protest. A copy of this article is found at: <http://www.myajc.com/news/remake-capitol-hill-includes-new-liberty-plaza/vikfljpDQi4zYED60z1BzH/>.

⁴ *See also Broadley v. U.S. Dep’t of the Interior*, 615 F.3d 508, 522 (D.C. Cir. 2010) (“why are individuals and members of small groups who speak their minds more likely to cause overcrowding, damage park property, harm visitors, or interfere with park programs than people who prefer to keep quiet?”); *Cox v. City of Charleston*, 416 F.3d 281, 283 (4th Cir. 2005) (“application of the [ordinance to groups as small as two or three renders it constitutionally infirm” because the city failed to “establish[] why burdening such expression is necessary to facilitate its interest in keeping its streets and sidewalks safe, orderly, and accessible.”); *Berger v. City of Seattle*, 569 F.3d 1029, 1035 (9th Cir. 2009) (en banc) (“we and almost every other circuit to have considered the issue have refused to uphold registration requirements that apply to individual speakers or small groups in a public forum.”); *Knowles v. City of Waco*, 462 F.3d 430, 436 (5th Cir. 2006) (“Other circuits have held, and we concur, that ordinances requiring a permit for demonstrations by a handful of people are not narrowly tailored to serve a significant government interest.”).

the public sidewalks in front of the State Capitol Building cannot itself be justified, whether alternative locations exist is not legally relevant. *See Grace*, 461 U.S. at 181 (rejecting argument that other sidewalks exist for protestors to speak).

Furthermore, nothing in your own guidelines contains any provision requiring that members of the public disperse from Capitol Square sidewalks if they are not obstructing traffic. *See* Pages 10-11 of Exhibit A. If there is some other law, regulation, or policy that authorizes your suppression of speech on those sidewalks, please identify it.

Whether or not you dispute the accuracy of these reports, it is our understanding that there will likely be continued speech or protest activity on the public sidewalks in front of the State Capitol Building this Wednesday. Beyond ensuring that any such activists do not obstruct pedestrian traffic or raise some legitimate (and not speculative) security concern, we trust that your officers will not infringe on their First Amendment rights.

Thank you for everything that you do to keep the grounds of Capitol Square safe while protecting our democracy and ensuring that all persons can exercise their rights under the First Amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean J. Young". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Sean J. Young
Legal Director
ACLU of Georgia

EXHIBIT A



CAPITOL AND GROUNDS

Exhibit and Event Guidelines

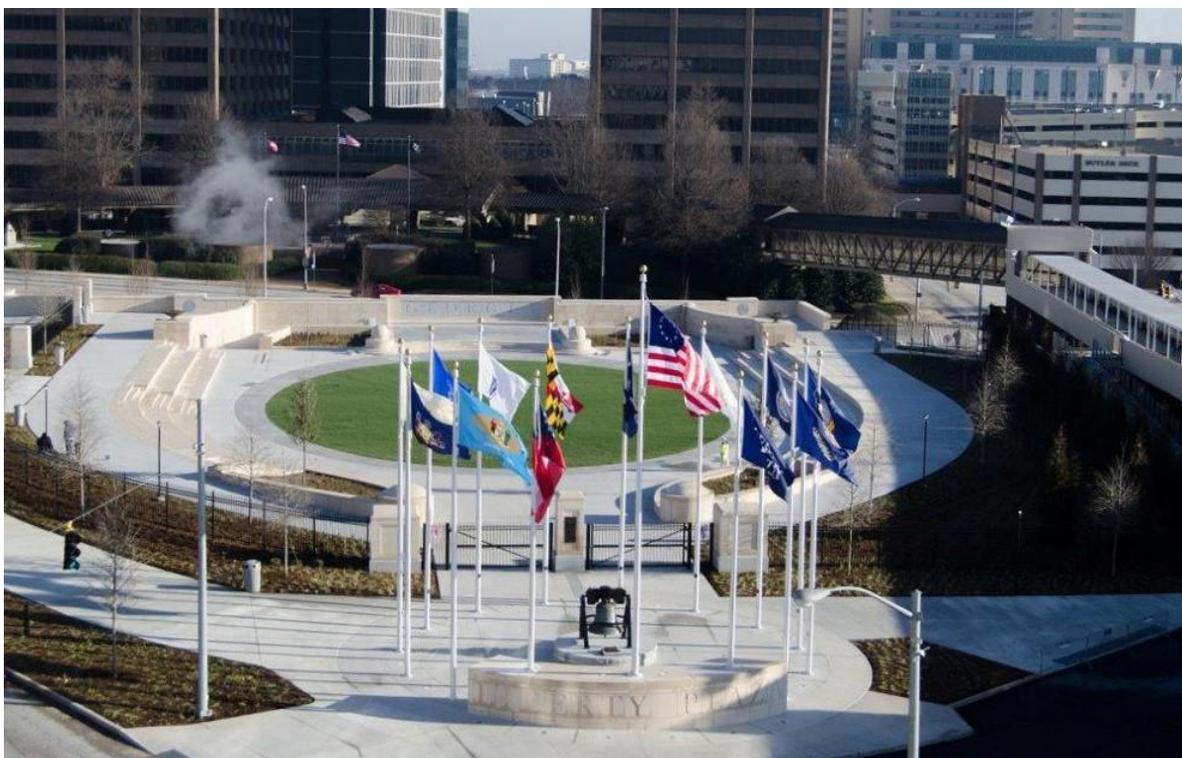
(Revised October 6, 2017)

Georgia Building Authority
Support Services

One Martin Luther King, Jr. Drive, Atlanta, Georgia 30334
(404) 657-7407

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Liberty Plaza, Atlanta GA

SECTION 1 – OVERVIEW

The Georgia State Capitol building is the State’s legislative center and an architecturally and historically significant facility located in downtown Atlanta. The building is listed in the National Register of Historic Places.

O.C.G.A. §50-9-9 grants the Georgia Building Authority (GBA) the authority to establish rules and regulations to carry out the protection of the Capitol building property and its grounds and to protect against unreasonable disruptions of state employees in the performance of their official duties. Under this authority, GBA sets forth these guidelines to govern the temporary use of the public areas of the State Capitol building and grounds. The Board of Regents maintains the Georgia Capitol Museum located inside the Capitol and conducts tours of the Capitol.

Permitted temporary uses of the public areas within the Capitol are conditioned upon acceptance and compliance with these guidelines and payment of applicable fees. A person who refuses to adhere to these conditions is subject to criminal penalties provided by law and to immediate removal from the Capitol building and grounds.

Sponsoring organizations who are authorized, in accordance with this policy to use the public areas within the Capitol building and grounds, release the State of Georgia, GBA, its members, officers, agents, and employees against any and all damages, claims, or other liabilities due to personal injury or death, or damage to or loss of property to others, arising out of the temporary use of any State facility, except to the extent of the sole negligence of GBA.

The Georgia Department of Public Safety (DPS) or the Georgia Bureau of Investigation (GBI) are the law enforcement entities responsible for security of the Capitol building and grounds. DPS or GBI may suspend or modify the use of the Capitol building and grounds and adopt temporary guidelines as needed.

GBA retains the right to waive or modify any or all of the Guidelines contained herein on a case by case basis as deemed necessary by GBA.

Failure to follow these guidelines, or the instructions given by either GBA or law enforcement personnel, will result in the immediate removal of any exhibit or event from the Capitol building and grounds. Failure to follow these guidelines or instructions given by GBA or law enforcement personnel may result in the denial of future applications to use the Capitol building and grounds.

SECTION 2 –USE OF THE CAPITOL BUILDING AND GROUNDS

2.1 General Guidelines

The public areas of the Capitol building and grounds include interior public areas of the Georgia Capitol, defined as the South Wing and Rotunda, and Liberty Plaza, which is designated as the only outside venue. These public areas may be temporarily used as locations for organized events, exhibits, news conferences and occasions so long as for a public or governmental purpose (birthday parties, civil unions, and weddings are examples of events that are not considered “for a public or governmental purpose”) subject to the following rules and restrictions:

1. Official public business by the agencies of the State and branches of State Government shall take precedence over any other requested use of public areas of the Capitol building and grounds.
2. Priority is given on a first-come, first-served basis, taking into consideration governmental activities and scheduled guided tours. GBA may determine priority in the temporary use of the public areas of the Capitol building and grounds.
3. Organizations and persons desiring to use the public areas of the Capitol building and grounds should apply to GBA at least 10 days in advance of the event. Event requests more than 365 days in advance shall be denied.
4. GBA designates three locations for legislative press conferences: (1) the First Floor during regular hours of operation, (2) the South Wing, during regular hours of operation based on its limited availability, and (3) the Rotunda, for use only from 12:30 p.m. to 1:00 p.m. daily. Legislators requesting a press conference are to contact their respective House or Senate press office who will then work with GBA to schedule use of a location during an available time. Events scheduled in legislative conference rooms are required to be self-contained in the conference rooms reserved and shall not utilize additional space in public areas used for circulation. Events shall abide by the occupancy loads established by the State Fire Marshal for the reserved location.
5. No more than one event or display will be scheduled for the same time on the same day.
6. No event or exhibit from an individual organization or person shall be scheduled for more than five (5) consecutive business days, or for more than ten (10) business days in any one calendar year.
7. Payments due for an event or display shall be paid ten (10) days before the event or display is scheduled to take place. Failure of payment shall cause cancellation of the event.
8. Posting, hanging, or affixing signs, banners, flags, announcements, documents, or decorations on any exterior or interior surface of the Capitol building or grounds surface is prohibited. All event items and materials are to be removed upon conclusion of the event or display time. All areas must be returned to their pre-event condition.
9. It is illegal for any person, firm, group, organization, or other entity to beg, panhandle, solicit, charge for admission, or to sell goods, wares, or any other objects or services within the Capitol building and grounds.
10. Exhibits must be prominently and legibly identified in order to inform a reasonable observer of their ownership or sponsorship by either a governmental or private organization or persons. GBA reserves the right to place signage identifying any exhibit.
11. Every effort must be made to avoid placing cords and wires in walking areas. In the event this is not possible, all exposed cords or wires shall be securely covered in the walking areas by the organization.
12. The State of Georgia is not responsible for damage to or loss or theft of exhibits during the period of their installation, display, or removal. The exhibitor acknowledges that no special security is provided to exhibits by DPS.

13. An event organizer is responsible for property damage caused by their activities during an event or exhibit.
14. Defacing or damaging any Capitol building or grounds property is punishable by law.
15. Advanced approval by GBA is required for the use of open flames in connection with an outdoor event.
16. In case of natural disaster, unforeseen emergencies, or threats endangering public safety or health, DPS and/or GBA reserves the right to cancel (prior to or during) events inside the Capitol building or on the Capitol grounds.
17. Sound or noise which is audible to a person of normal hearing ability more than 250 feet from the point of origin is prohibited in outdoor public areas.
18. Buses and vans may park on Washington Street in the far right lane based upon first-come, first-served availability.
19. Climbing upon the statues, memorials, or other features at the Capitol building or grounds is not allowed.
20. Encroaching upon the grass and gardens of the Capitol grounds is not allowed other than the grass area located at Liberty Plaza.
21. Camping or sleeping on the Capitol grounds is not allowed.
22. Limited public parking is available in and around the Capitol Hill area.
23. Requests to modify or change the exterior lighting surrounding the Capitol building and its dome as part of the recognition of a special event, exhibit or occasion is not allowed.
24. No alcohol is allowed in the Capitol building or on the grounds.
25. Open cooking that produces grease laden vapors is not allowed in the public areas of the Capitol building. Only food warmers are allowed.
26. Organized events, exhibits, news conferences, and occasions for public or governmental purposes that take place in the public areas after normal business hours (8:00 a.m. – 5:00 p.m.) shall be approved under Section 2.2 (15) of the GBA Capitol Hill Event Guidelines.
27. During the legislative session, the Capitol building will be cleared at 7:00 p.m. or one hour after adjournment of a legislative day or any scheduled House or Senate public committee meeting, whichever is later.

2.2 Use of Interior Public Areas of the Capitol Building

In addition to the General Guidelines, the following rules apply specifically to the temporary use of interior public areas of the Capitol building:

1. Organized events and exhibits will be scheduled only during regular hours of operation (Monday through Friday). The regular operating hours may be modified for any reason including budgetary, staffing, safety, or weather considerations. The available locations and times are below:

South Wing

- Events/Exhibits
(8:00 a.m. – 12:00 p.m.) or (1:00 p.m. – 5:00 p.m.)

Rotunda

- Events/Exhibits
(1:00 p.m. – 5:00 p.m.)
2. The Capitol is closed on all observed State holidays as declared by the Governor.
 3. Entrances to the Capitol are monitored by DPS. Access to the indoor public areas of the Capitol is conditioned upon consent to search and inspection.
 4. The interior public areas of the Capitol available for events or exhibits are limited to the second floor in the Rotunda or in the adjacent South Wing as space and scheduling allow.
 5. Per the direction of the State Fire Marshal, the event space in the South Wing will have no more than six (6) tables (4 ft. by 8 ft.) and the event space in the Rotunda will have no more than four (4) tables (4 ft. by 8 ft.) in the designated areas as shown on Appendix B. Exhibitors must have signage with the exhibit displaying: name of organization, name of organizer and contact information (phone number and email address). GBA reserves the right to place signage identifying any exhibit.
 6. Event applications for the South Wing with groups larger than 150 people will be assigned to Liberty Plaza.
 7. At all times during the legislative session, a 44-inch-wide pathway will be maintained on the South Wing staircase to allow for pedestrian access between the second and third floors of the Capitol building.
 8. Smoking is prohibited in State facilities.
 9. Moving of GBA furnishings (tables, chairs, podiums, etc.) is not permitted without prior written approval from GBA.
 10. Moving paintings and museum exhibits is not permitted without prior written approval from the Board of Regents, University System of Georgia.
 11. Helium balloons are not allowed in the interior public areas of the Capitol building.
 12. The use of sticks/poles is not allowed inside the Capitol building. Use includes, but is not limited to, attachment to cardboard signs, placards, and flags.
 13. Except for service animals, animals are not allowed in the interior public areas of the Capitol building without approval from GBA.
 14. No open flames, including candles, or ignited materials are permitted in the interior public areas of the Capitol building.
 15. Requests for an event to be held in the interior public areas of the Capitol building after normal business hours as provided in Section 2.1, Paragraph 26 will not be honored unless such event is: a) being held or hosted by a constitutional officer of the State of Georgia; and b) the purpose for such event is of statewide significance and non-partisan based. As chair of GBA, the Governor retains the discretion to determine whether or not the above-referenced conditions, a) and b), are met.
 16. “Lying in State” ceremonies are held in the Capitol Rotunda and the honor is granted by the Governor.
 17. GBA has equipment (i.e., microphone, podium, chairs and tables) for use at exhibits or events. Fees are charged for any equipment, utilities, and labor used for setup and/or removal. Arrangements for equipment should be made at the time of application. All non-GBA audiovisual (AV) equipment must be pre-approved by GBA. No device intended for the artificial amplification of sound shall be allowed within the Capitol building interior areas unless preapproved by GBA and operated only at the sound level allowed by GBA.

18. Persons or organizations using GBA equipment will be responsible for full payment of any fee no later than 10 days prior to the event or availability cannot be guaranteed.
19. Persons or organizations using GBA equipment will be responsible for any damage to or loss of these items.
20. All musical instruments are prohibited inside the Capitol building, with the exception of the GBA furnished piano.

2.3 License Agreement

Some activities may require separate written license agreement(s).

2.4 Film Industry Use

The public areas of the Capitol may be used on a temporary basis for filming by either the motion picture or television industries. Such use is subject to the provisions of 2.1 and 2.2 herein above, and subject to the following additional rules and restrictions:

1. Any use of the public areas of the Capitol building for filming will be subject to those terms and conditions documented in a separate written license agreement entered into GBA and the organizations responsible for the film project.
2. In addition to other fees which may be charged by GBA (including but not limited to parking fees, facility cleaning fees, and costs associated with work orders), the base fee for issuance of the license and the use of the public areas of the Capitol building shall not be less than \$25,000.00 per calendar day.
3. GBA reserves the right to prohibit the presence of beverages containing alcohol, including but not limited to distilled spirits, liquor, beer and wine, within the Capitol building as such beverages may be associated with or used in the filming of any movie or television production.
4. GBA reserves the right to review any screenplay, scene description, script pages, and costume or wardrobe descriptions prior to issuance of a license to use the public areas of the Capitol building for filming.

2.5 Use of Liberty Plaza

In addition to the General Guidelines contained in 2.1 herein above, the following rules apply to the temporary uses of Liberty Plaza, located on the east side of the State Capitol building. In the event of any conflict between the General Guidelines and the following guidelines, the guidelines of this Section 2.5 will control.

1. Liberty Plaza is designated as the Capitol public area for all outdoor events or exhibits. Liberty Plaza is for public use and cannot be reserved for a private or commercial event.
2. Liberty Plaza is open to the public Monday through Friday, from 6:00 a.m. to 6:00 p.m. excluding State holidays.
3. Organized events require approval by GBA as space and scheduling allow.
4. Requests for an event to be held in Liberty Plaza after normal business hours as provided in paragraph 2 of this section 2.5 will not be approved unless such event is: a) being held or hosted by a constitutional officer of the State of Georgia; and b) the purpose for such event is of statewide significance and non-partisan based. As the chair of GBA, the Governor retains the discretion to determine whether or not the above referenced conditions a) and b) are met.
5. GBA does not provide AV or equipment for Liberty Plaza. Any equipment or AV being provided by the requestor must be submitted and approved by GBA.

6. Groups that are larger than the State Fire Marshal Occupancy of 3,400 shall obtain a lane or street closure.
7. If the event will impact streets adjacent to Liberty Plaza, then the applicant must obtain a lane or street closure from the Special Operations Division of the Atlanta Police Department.
8. An organization or persons temporarily using the area may provide electrical generators at their own expense.
9. A temporary structure may be anchored to the grass areas with sand bags only.
10. Equipment or structures temporarily erected by an organization or persons, as part of an event, shall be removed daily by the time scheduled for the closing of Liberty Plaza. Structures must comply with any requirements as set forth by the Fire Marshal's Office.
11. The ringing of the Liberty Bell will only take place on occasions of state or national significance as determined by the Governor.
12. If a sound system is being used during a Liberty Plaza event, then the speakers placed on the stage shall face straight ahead and be pointed at the Liberty Plaza flags. Speakers placed on either side of the Capitol Avenue entrance must face east. The decibel level created by the sound system shall not exceed 65 decibels measured from the east steps of the Capitol building. Sound in excess of 65 decibels must be reduced or shut off.
13. The event sponsor must supply one porta toilet per every hundred guests attending their event. Events for one hour or less are excluded from providing toilets on a case by case basis. At least 5% of the porta toilets (but no less than 1) must be accessible to people with disabilities. Events not adhering to the porta toilet guidelines will be canceled.
14. Porta toilets can be placed on Parking Deck B (in the painted hatched area) which is adjacent to Liberty Plaza. When facing the flags, the designated area is located immediately to your right after passing underneath the pedestrian bridge. Height restrictions under the bridge are 6'5" and may require unloading before the bridge and moving the porta toilets to the designated area. An event sponsor will be responsible for any damage or clean-up related to the use of porta toilets from the time of delivery to pick up. Porta toilets cannot remain on-site overnight.

SECTION 3 – RESERVING PUBLIC AREA SPACE AT THE CAPITOL

Requests for reserving use of space in the public areas of the Capitol, including Liberty Plaza, for events or exhibits must be made to:

Events Coordinator
Georgia Building Authority
One Martin Luther King, Jr. Drive, SW
Atlanta, Georgia 30334
(404) 657-7407

A sponsoring organization who submits a request to reserve a public area of the Capitol building or grounds for an event or exhibit shall submit the following to the Events Coordinator:

1. The "Event Request Form" (available at gba.reserveany.com) requiring the following information:
 - a) Name/address/telephone number of contact person(s)
 - b) Name of organization
 - c) Description of planned event or exhibit
 - d) Date/time and duration requested for event or exhibit

- e) Area requested for use
 - f) Equipment needed (tables, chairs, public address system)
 - g) Food or beverage information
 - h) Number of estimated attendees
2. Requests for exhibit space shall include a photograph of the proposed exhibit, preferably as it will be displayed. A scale drawing or sketch may be substituted if a photograph is not available. The dimensions of the space required should be indicated, as well as the manner in which the exhibit will be mounted or displayed.
 3. A signed Awareness Statement (see attached Appendix A).
 4. Failure to provide completed form and its required attachments (including a photograph or sketch for exhibit space) will result in denial of the request.
 5. An application containing false or inaccurate information may result in the immediate termination of an event or use, and may result in immediate expulsion of all attendees from the public areas of the Capitol building and grounds.

APPENDIX A

Georgia State Patrol
Special Operations Division
P. O. Box 1456
Atlanta, Georgia 30371-2303

Capitol Police Division
404-656-4831 (voice)
404-657-8539 (facsimile)
404-656-7281 (emergency communications)

Awareness Statement Guidelines and Restrictions for the Use of the State Capitol and other State Buildings

To ensure a safe, secure event or exhibit in public areas of state buildings, sponsors, organizations, and persons (herein referred to as “requestor(s)”) should be aware of certain legal guidelines and restrictions governing the use of state buildings including the State Capitol Building. Specific questions or concerns should be directed to either the Georgia Building Authority (GBA) or the Capitol Police Division unit of the Georgia State Patrol (GSP). Requestor(s) are required to review and sign the Awareness Statement. An original, signed Awareness Statement must be returned to the Georgia Building Authority with the completed request for the use of the public area(s).

Guidelines and restrictions for the use of the State Capitol and other state buildings are as follows:

- Entrance to the State Capitol and other state buildings is contingent upon consent to search and metal detector screening (applies also to certain other state buildings as well). Interference with or circumvention of any security measure(s) is a serious offense and will be prosecuted.
- Public access hours for state buildings are generally 8:00 am until 5:00 pm Monday through Friday and closed on State Holidays (times may vary; confirm specifics with GBA or GSP). Public access to state buildings outside these hours is prohibited.
- The Georgia State Patrol and Georgia Bureau of Investigation are authorized and empowered to: deny entrance into or upon any property or building of the state when the person’s activities are intended to disrupt or interfere with the normal activities and functions carried on in such property or building or have the potential of violating the security of the personnel therein; deny entrance of any person displaying any sign, banner, placard, poster, or similar device; remove any person from any such property or building when the person’s activities interfere with or disrupt the activities and the operations carried on in such property or building or constitute a safety hazard to the property or building or the inhabitants thereof. The authority and power provided in this Code section and Code Section 50-16-15 shall also extend to any property or building utilized by the state or any agency thereof. (O.C.G.A. §50-16-14).
- The use of the State Capitol building and grounds is limited to departments of state government and to state and national political organizations and for no other purposes unless specifically authorized by law, and it is illegal for any person to disrupt state employees in the performance of their official duties (O.C.G.A. §50-9-9(a)). It is illegal for any person, firm, group, organization, or other entity to beg, panhandle, solicit, or to sell goods, wares, or any other objects or services within any buildings or on the grounds, sidewalks, or other ways owned by or under the control of the state, its agencies, authorities, commissions, boards, bureaus, or other state entities (O.C.G.A. §50-9-9(b)).
- In accordance with O.C.G.A. §16-11-34.1:
 - It is illegal for any person recklessly or knowingly to commit any act which may reasonably be expected to prevent or disrupt a session or meeting of the Senate or House of Representatives, a joint session thereof, or any meeting of any standing or interim committee, commission, or caucus of members thereof (O.C.G.A. §16-11-34.1(a)).

Sponsor Initial Here

- It is illegal for any person to enter, occupy, or remain within the State Capitol Building or any building housing committee offices, committee rooms, or offices of members, officials, or employees of the General Assembly or either house thereof while in the possession of any firearm (exception as provided in O.C.G.A. §16-11-126 through 16-11-127.2), knife designed for the purpose of offense and defense, explosive or incendiary device or compound, bludgeon, metal knuckles, or any other dangerous or deadly weapon, instrument, or device (O.C.G.A. §16-11-34.1(b)).
- It is illegal for any person to obstruct any street, sidewalk, hallway, office or other passageway in that area designated as Capitol Square by O.C.G.A. §50-2-28 or to fail or refuse to remove such obstruction after receiving a reasonable official request or the order of a peace officer to do so (O.C.G.A. §16-11-34.1(c)).
- It is illegal for any person willfully and knowingly to enter or to remain upon the floor of the Senate or the floor of the House of Representatives or within any cloakroom, lobby, or anteroom adjacent to such floor unless such person is authorized to enter or remain upon the floor or within such area (O.C.G.A. §16-11-34.1(d)).
- It is illegal for any person willfully and knowingly to enter or to remain in the gallery of the Senate or the gallery of the House of Representatives in violation of rules governing admission to such gallery adopted by the Senate or the House of Representatives or pursuant to authorization given by such body (O.C.G.A. §16-11-34.1(e)).
- It is illegal for any person willfully and knowingly to enter or to remain in any room, chamber, office, or hallway within the State Capitol Building or any building housing committee offices, committee rooms, or offices of members, officials, or employees of the General Assembly or either house thereof with intent to disrupt the orderly conduct of official business or to utter loud, threatening, or abusive language or engage in any disorderly or disruptive conduct in such buildings or areas (O.C.G.A. §16-11-34.1(f)).
- It is illegal for any person to parade, demonstrate, or picket within the State Capitol Building or any building housing committee offices, committee rooms, or offices of members, officials, or employees of the General Assembly or either house or to utter loud, threatening, or abusive language or engage in any disorderly or disruptive conduct in such buildings or areas (O.C.G.A. §16-11-34.1(g)).
- Any person violating O.C.G.A. §16-11-34.1 for the first time shall be guilty of a misdemeanor, any person violating O.C.G.A. §16-11-34.1 for the second time shall be guilty of a misdemeanor of high and aggravated nature, any person violating O.C.G.A. §16-11-34.1 for the third or any subsequent time shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than nor more than three years (O.C.G.A. §16-11-34.1(h)).
- It is illegal for any person to interfere with or obstruct the passage into or from government property (O.C.G.A. §16-7-24(b)).

On behalf of the requestor(s) named herein, I have reviewed and understand the foregoing guidelines. The requestor(s) agrees to abide by these guidelines and restrictions.

Organization's Printed Name

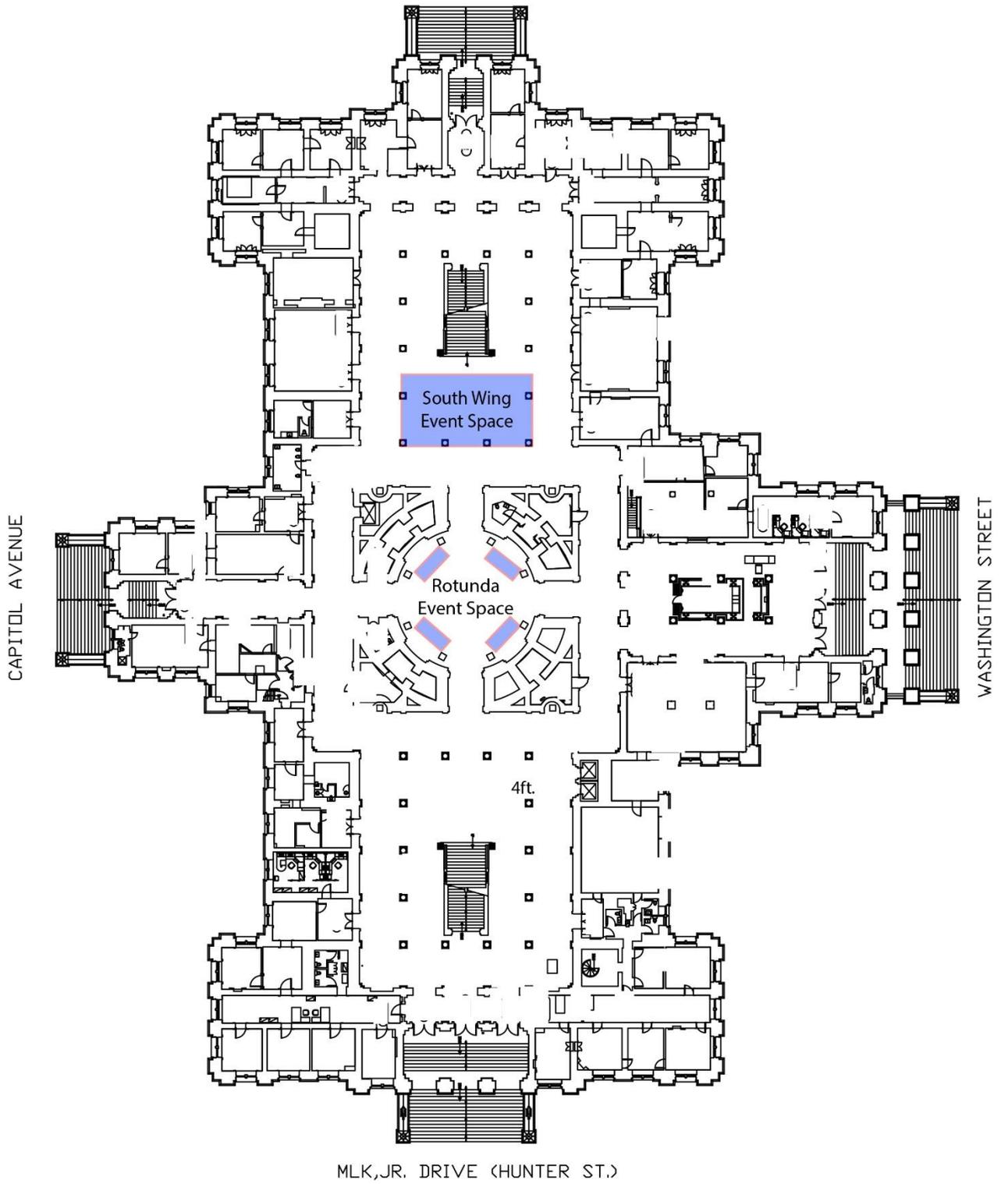
Sponsor's Printed Name

Sponsor's Signature on Behalf of Requesting Organization

Date

APPENDIX B

CAPITOL SQUARE (MITCHELL ST.)



APPENDIX C



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0090

Nathan Deal
GOVERNOR

December 1, 2016

Mr. Steve Stancil
State Property Officer
Georgia Building Authority
1 Martin Luther King, Jr., Drive
Atlanta, Georgia 30334

Dear Steve,

Thank you for providing me with the recommended modifications to the Capitol and Grounds Exhibit Guidelines. I appreciate the collaborative effort from the Georgia Building Authority, Department of Public Safety, State Fire Marshall and others for reviewing and developing these safety enhancements.

I fully support the updated guidelines and believe these adjustments will ensure the continued safety of all citizens who enter the State Capitol.

Respectfully,

A handwritten signature in black ink that reads "Nathan Deal".

Nathan Deal



OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL

ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

November 21, 2016

Steve Stancil
State Property Officer
1 M.L.K. Jr Drive SW
Atlanta, Georgia 30334

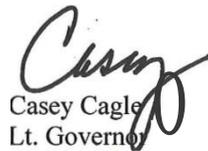
Dear Steve,

I first want to thank the Georgia Building Authority for committing to support the Capitol Hill Complex. The successful management of nearly 8 million square feet of space by the Georgia Building Authority has not gone unnoticed, and I am grateful for the GBA's hard work and dedication to making Georgia a better place.

I have reviewed the recommended changes to the Capitol and Grounds Exhibit and Event Guidelines. I fully support these adjustments to the guidelines, as I believe they will enhance the safety of every employee and visitor of the Capitol.

If there is ever anything I can do to be of assistance to you, I hope you will not hesitate to call upon me.

Sincerely,


Casey Cagle
Lt. Governor



House of Representatives

DAVID RALSTON
SPEAKER

332 STATE CAPITOL
ATLANTA, GEORGIA 30334

(404) 656-5020
(404) 656-5644 (FAX)

November 21, 2016

Mr. Steve Stancil
State Property Officer & Executive Director
Georgia Building Authority
1 Martin Luther King, Jr., Drive
Atlanta, Georgia 30334

Dear Steve:

I appreciate the care that you and the professionals at the Georgia Building Authority, Department of Public Safety and other agencies take to ensure the continued safety and security of elected officials, staffers and others who visit the State Capitol and nearby state office buildings.

I have reviewed the changes recommended to the Capitol and Grounds Exhibit and Event Guidelines and I fully support the adjustments to these guidelines. They will enhance the safety of everyone who works or visits the State Capitol.

Please accept my thanks for the continued good work that you and your team do on behalf of the citizens of our state.

Sincerely,

David Ralston, Speaker
Georgia House of Representatives

EXHIBIT B



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219 Washington St SW

EXHIBIT C





EXHIBIT D

Remake of Capitol Hill includes new, 'Liberty Plaza'

ATLANTA-NEWS By [James Salzer](#) - The Atlanta Journal-Constitution



Posted: 12:00 a.m. Saturday, April 26, 2014

Georgia's improving finances are giving state officials the chance to undertake the largest remake of the Capitol Hill grounds since Jimmy Carter was president in the late 1970s.

Crews will soon start demolishing a 60-year-old parking deck across from the statehouse to create Liberty Plaza, a public area with green space and enough real estate to hold rallies of more than 3,000 people.

Work has already started on renovating the Great Depression-era Department of Transportation building at the corner of Capitol Square and Capitol Avenue, and on giving a face lift to the entrance to the "front door" of the Capitol on Washington Street.

Combined, the projects are expected to cost more than \$17 million. But they may be only the start of renewal of the Capitol Hill, which was once home to factories, homes and rail lines. Other projects on the horizon:

- A new judicial complex on the site of the old state archives building.
- Renovation of decades' old state office buildings near the Capitol.
- Closure or rerouting of some roads around Capitol Hill.

Officials are also likely to seek legislative go-ahead to create a [history museum](#) out of the old World of Coke building the state bought seven years ago for \$1.1 million.

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PHOTOS: Controversial Georgia State Capitol statues

They are able to think big in part because the state's bottom line continues to improve as Georgia recovers from the Great Recession. After years of governors and lawmakers making big spending cuts and stressing that the state could only afford the bare necessities, the budget approved for the upcoming fiscal year is finally back to about where it was before the recession hit. Tax collections were up 5.7 percent, or \$700 million, over the first nine months of the fiscal year, which ends June 30.

Former state Sen. George Hooks, an amateur historian who championed funding to renovate the statehouse during the 1990s, said the remaking of Capitol Hill — and in particular the addition of Liberty Plaza — is “long overdue.”

“Our Capitol has probably the smallest amount of green space of any Capitol I know of in the country,” said Hooks, onetime chairman of the Senate appropriations committee. “I think it’s a good move.”

The plaza would be the most visible, non-parking state addition to the area around the Capitol since the Sloppy Floyd Building — known as the Twin Towers — was completed in 1980, the year Carter lost re-election to Ronald Reagan.

The go-ahead for the plaza was given last fall by the board of the Georgia Building Authority (GBA), which is headed by Gov. Nathan Deal and includes a mix of state officials and citizens appointed by state leaders. The \$4.4 million needed for the project came from the sale of unneeded state-owned buildings, not from the state budget, so it was never voted on by lawmakers. Authority officials said legislative leaders were briefed on the plans.

There have been plans for a such a public gathering area next to the 125-year-old statehouse for more than 100 years, according to building authority officials. A color rendering from 1910, the earliest concept on record, shows a grand, tree-lined boulevard approaching the Capitol with the caption, “A Dream of the Heart of Atlanta, Ga., The Half Million City.”

“We didn’t think this up, we just stole from the past,” said Steve Stancil, a former state lawmaker and the authority’s director.

‘Funding in good times’

For years, state officials have had to close Washington Street — a major north-south thoroughfare downtown — to traffic because protests and rallies on everything from civil rights and immigration reform to abortion (pro and con) have been too big to be contained on the steps of the Capitol. During three-month legislative sessions, at least some lanes of traffic are closed almost every day. GBA officials considered the setup a safety hazard.

But getting funding for projects around the Capitol hasn’t traditionally been easy. Legislative leadership has long come from outside of metro Atlanta and many lawmakers had minimal interest in spending to improve Capitol Hill. Even when governors proposed spending on Capitol Hill, lawmakers frequently transferred the money to local projects they preferred.

A Capitol preservation commission was set up in 1993. But it took a crash of falling plaster as the General Assembly was meeting almost two years later and the discovery that more than 60 percent of the building's ceiling was ready to collapse to push officials into action. Georgia State University history professor Timothy Crimmins, who chaired the commission, said the group took an incremental approach to getting funding over several years for a renovation project that eventually cost more than \$60 million and included adding gold leaf to the Capitol's dome.

"For the Capitol itself — because it is a historic building and revered by Republicans and Democrats alike — there is funding in good times," said Crimmins, co-author of "Democracy Restored, A History of the Georgia State Capitol."

That's not always been the case for other parts of Capitol Hill.

Gov. Sonny Perdue in 2008 proposed spending \$15.6 million to turn the old World of Coca-Cola building into a state history museum and another \$8.4 million to design a green space project, including a pedestrian bridge over I-75/I-85 to connect a huge new lawn area in front of the Capitol with a park along Memorial Drive.

Lawmakers rerouted the money to other projects. A little of it went to design a parking deck behind the old DOT building. The deck was eventually built and opened last year. It has parking for lawmakers and includes a walkway that allows legislators to go from parking into the Legislative Office Building without having to go outside.

Funding to tear down the old state archives between the Capitol and Turner Field has been in and out of the budget in the past decade, but the buildings still stands. A history museum has been **talked about for more than two decades but never funded**. Plans to turn at least one of the streets around the Capitol into a pedestrian-only area have stalled.

Carlos Campos, spokesman for Atlanta Mayor Kasim Reed, said the city "is aware of the state's plans for Capitol Hill and is working with the state." He said city officials have remained in contact with building authority officials over several state projects, including the proposed history museum, which is located on city property.

"We feel like we have a good working relationship with the city," said Paul Melvin of the building authority.

Liberty Plaza

In recent years Deal, has been more successful in getting what he wants from the General Assembly. That's because he sets aside about \$100 million in bond money each year for lawmakers to spend on their own projects. Since they have a pot of money to spend, they generally leave his projects alone.

The biggest ticket Capitol Hill item in next year's budget is the old DOT building renovation, which Deal recommended money for during the 2014 session. When completed, it will provide 30,000 square feet of office space for the governor's Office of Planning and Budget.

The building authority hopes to have that job done, as well as Liberty Plaza, by the time lawmakers return for the 2015 session in January.

Liberty Plaza, which is being called the Capitol's "new front door," will include a grassy center surrounded by pavement and speaking areas. Besides replicas of the Liberty Bell and Statue of Liberty, it could someday house the statue honoring Martin Luther King Jr. that lawmakers approved during the 2014 session. The statue could be on or near the Capitol grounds, but no decision has been made.

Genevieve Wilson, executive director of Georgia Right to Life, said her group has already reserved the Washington Street side of the Capitol for its 2015 event, which typically attracts several thousand people. She was surprised to learn about Liberty Plaza and that the state was planning to move events to the new area.

"It will matter to us because it's confusing enough for people to know where to park," she said. "It's going to effect what we do and how we do it."

Jerry Gonzalez, executive director of the Georgia Association of Latino Elected Officials, said he'd heard about plans to move rallies to the new plaza.

"I certainly don't think it's necessarily a bad thing," he said. "Ultimately, the grounds of the Capitol should be accessible, in whatever venue."

Gonzalez said the move shouldn't present a problem for the huge Capitol Hill pro-immigration rallies that have been common in recent years as long as groups are allowed to continue holding street marches, which are permitted by the city of Atlanta.

Besides offering a place for protests and rallies, tearing down the parking deck and creating the plaza will give people a clearer view of the statehouse, which opened in 1889. Supporters of the project say that could enhance a Capitol Hill area that has gone aesthetically stale in recent years.

"The whole idea of a Capitol is that it is the representation of the government of the people," Crimmins said. "There is an incredibly important symbolic dimension to it. It should be something that is visible.

"What green space does is it provides perspective you need to get the grandeur of the building to have an effect on you," he said. "Just think of the view you get of the (U.S.) Capitol from the National Mall in Washington."



Photos showing the Georgia State Capitol and the old Department of Transportation building and the Capitol parking deck, Thursday, April 17, 2014. Crews start demolishing a 60-year-old parking deck across from the statehouse this week, beginning what could be a years-long project to give Capitol Hill its first major facelift since the Jimmy Carter was president. The parking area will be transformed into Liberty Plaza, a protest-rally-park area that could become home to a planned new monument to MLK. Contractors will also rip up and rework the "front door" of the Capitol, the steps where racist editor and politician Tom Watson's statue stood until November, and renovate the old DOT building into office space. State officials are also talking of closing and/or rerouting traffic around the Capitol, and a new judicial complex and history center are being planned. Liberty Plaza, which is scheduled to be open before the 2015 session, will be the first, non-parking addition to the Capitol Hill since the Twin Towers were completed in 1980s. The changes will cost the state millions of dollars but supporters say it is a long time coming for an area that was once surrounded by factories and rail yards. KENT D. JOHNSON/KDJOHNSON@AJC.COM

Map of the Capitol showing Liberty Plaza - Overhead View.

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1990.



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