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Office of the Attorney General  
40 Capitol Square, SW  
Atlanta Ga 30344

Mike Register, Director  
Georgia Bureau of Investigation  
3121 Panthersville Road  
Decatur, GA 30034

June 12, 2023

Dear General Carr and Director Register:

The American Civil Liberties Union of Georgia has grave concerns regarding the prosecution of protestors in relation to the proposed Atlanta Public Safety Training Center. To frame those concerns, it's important to remember that "[t]he freedom of individuals verbally to oppose or challenge police action without thereby risking arrest is one of the principal characteristics by which we distinguish a free nation from a police state."<sup>1</sup> Many of the darkest days of American (and Georgian) history will forever be illustrated through pictures of police overreach in brutalizing protestors exercising their First Amendment rights to challenge unjust state action.

We fear Georgia is writing another chapter future generations will look back on with outrage. As you know, dozens of individuals have been arrested and charged with domestic terrorism in relation to protests against the proposed Atlanta Public Safety Training Center."<sup>2</sup> Additionally, and with significant participation by your offices, three organizers of a bail fund were arrested for alleged financial crimes, also for alleged relationships to these protests.<sup>3</sup>

Alarminglly, these arrests appear to have been based, at least in part, on false averments by your employees. Arrest warrants for some individuals charged with domestic terrorism and for the bail fund organizers assert that the organization Defend the Atlanta Forest has been designated as a Domestic

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<sup>1</sup> *City of Houston, Tx v. Hill*, 482 U.S. 451, 465 (1987).

<sup>2</sup> See R. J. Rico, *Muddy clothes? Activists Question Evidence in Arrests after Attack at Atlanta Police Training Facility*, Fox 5 Atlanta (March 23, 2023). <https://www.fox5atlanta.com/news/atlanta-public-safety-training-cop-city-arrests-protests-evidence>.

<sup>3</sup> Jozsef Papp, *GBI: Three Charged with Financial Crimes Connected to Public Safety Training Site*, Atlanta J. Const. (May 31, 2023). <https://www.ajc.com/news/crime/gbi-3-arrested-charged-with-crimes-connected-to-planned-police-training-site/QATFJH2ZPJJEZTLX6PAPGY4TIO4/>.

Violent Extremist (DVE) organization by the United States Department of Homeland Security (DHS).<sup>4</sup> These averments—sworn by your agents and defended by your prosecutors—appear to be demonstrably false allegations, as DHS does not classify or designate any groups as domestic violent extremists.<sup>5</sup> The ACLU of Georgia is deeply troubled by the continued prosecution of these individuals, as should be anyone who believes that free speech and the right to protest are fundamental to our democracy. Atlanta has a long and proud history of civil disobedience,<sup>6</sup> and a myriad of civil liberties victories have only resulted from protests deemed disruptive or unlawful by law enforcement authorities of the time.

To protect free speech and ensure the legitimacy of state conduct in this matter, the ACLU of Georgia respectfully requests that:

- (1) your offices provide the source of the information that your agents and prosecutors relied on for their allegations that Defend the Atlanta Forest group had been designated as a DVE organization by DHS or any other government entity;
- (2) if there was no such designation, your offices announce what disciplinary action will be taken against the agents and prosecutors who have sworn or defended these false statements;
- (3) in addition to disciplinary action, your offices refer your agents and prosecutors for prosecution for any violations of state or federal law (e.g., false statements and writings and violating their oath of office);
- (4) your offices recall warrants based on false averments and terminate the prosecution of these victims of misconduct; and
- (5) your offices refer the agents and prosecutors responsible for any such false averments to the Peace Officer Standards and Training Council and the State Bar respectively for their misconduct.

We appreciate your attention to this matter and hope to receive responsive information to our requests at your earliest convenience.

Respectfully,



Andrea Young, Executive Director - ACLU of Georgia

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<sup>4</sup> Tia Mitchell, *Feds: No 'Violent Extremist' Label on Defend the Atlanta Forest Group*, Atlanta J. Const. (June 7, 2023) <https://www.ajc.com/politics/arrest-of-activists-references-homeland-security-flag-that-doesnt-exist/3P3DA7SM4FA77FTU6HLRRHD22Y/>.

<sup>5</sup> *Id.*

<sup>6</sup> See Atlanta History Center, *Protests & Demonstrations*. <https://www.atlantahistorycenter.com/tag/protests/>.