



NATIONAL LAWYERS GUILD

"An organization of lawyers, law students, legal workers, and jailhouse lawyers... in the service of the people, to the end that human rights and the rights of ecosystems shall be regarded as more sacred than property interests."

- Preamble to the NLG Constitution

January 27, 2021

Raines F. Carter, Esq.
Atlanta City Solicitor
150 Garnett Street SW
Atlanta, GA 30303
Email: rfcarter@atlantaga.gov

Letter Demanding Dismissal of Charges for the 500+ Black Lives Matter Protesters in the City of Atlanta

Dear Mr. Carter,

We represent the members of the National Lawyers Guild, including the Metro Atlanta Chapter of the National Lawyers Guild (NLG Metro Atlanta) and The United People of Color Caucus of the National Lawyers Guild (TUPOCC). The National Lawyers Guild, whose membership includes lawyers, legal workers, jailhouse lawyers, and law students, was formed in 1937 as the United States' first racially-integrated bar association to advocate for the protection of constitutional, human and civil rights. We are writing to you to demand that the pending charges against the over 500 protestors from last summer's Black Lives Matter protests be dismissed. This request comes on the heels of the country watching with horror as white supremacist insurgents took to our country's capital to prevent the democratic process of confirming President Joseph R. Biden in Congress. We watched these same insurgents walk the streets of the capital well past curfew without arrest. The insurgency of January 6, 2021 made evident what many of us in the fight for racial justice and the end to police brutality already knew: that there are two Americas-- one where white supremacists get to roam the streets violently without consequence and one where peaceful Black Lives Matter protestors mourning the unjust murders of Black people are swiftly arrested right as the second hand on the proverbial clock hits curfew.

The entire country has uplifted and celebrated the City of Atlanta and the State of Georgia for "turning Blue" both during the November 2020 Presidential Election and during the January 5, 2021 Senate Run-Off race. The country is finally recognizing the progressive politics of this state and the city, thanks in large part to the amazing Black and Brown grassroots organizers who helped register people to vote and helped them get to the polls. These very same organizers were in the streets last summer, demanding that the world see the humanity of Black people, calling for an end to police brutality. Failing to dismiss these charges runs counter to the message the residents of Atlanta and Georgia have fought so hard for -- that this is a progressive City, a City that celebrates the right to protest, a City that recognizes the insidiousness of white supremacy, and a City that does not engage in the disparate treatment of individuals based on race. By failing to dismiss these charges, the City of Atlanta is showing that yes, in fact, there are two Americas, one for white supremacists and one for Black Lives Matter protestors, and that the City is keen on maintaining that racist distinction.

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Then there's the matter of public safety. During COVID-19, it is wholly unsafe to have such a large number of individuals coming into municipal court to have these matters adjudicated. By not dismissing these charges, many of them frivolous curfew ordinance violations that lack the evidence necessary for a conviction, the City of Atlanta is putting its employees as well as attorneys and Atlanta City residents in danger of contracting the virus.

Finally, we must restate our disappointment with the City of Atlanta refusing to dismiss the charges for NLG Metro Atlanta Chapter President, Asia Parks, who was legal observing on June 1, 2020. As the Southern Coalition for Social Justice so eloquently stated in their [Open Letter Condemning the Arrests of Legal Observers](#):

The right to observe and document law enforcement is enshrined in our Constitution. It serves as a safeguard on free speech, the right to protest, and freedom from state tyranny. We join together to condemn the arrests of legal observers performing their duties to witness and record police actions against demonstrators.

Serving as non-participants who document police conduct towards activists, including arrests, National Lawyers Guild (NLG) volunteer legal observers protect these basic first amendment principles. These lawyers, law students, and civic-minded individuals are trained to neutrally observe law enforcement, and remain under attorney supervision throughout each protest situation. They are easily recognizable nationwide by their bright green hats emblazoned with "National Lawyers Guild Legal Observer." NLG legal observers play a crucial part in holding law enforcement accountable for any legal violations or Constitutional harm. They do not participate in protests or demonstrations. When police act with impunity and without legal observation, speech is chilled and our very marketplace of ideas is threatened.

We applaud the City of Atlanta for dismissing the charges of other Legal Observers who were collecting the information of protestors being arrested right around the time of curfew. We ask that Ms. Parks be given the same equitable treatment as these other Legal Observers by dismissing her charges as well. We further welcome the opportunity to work with your office, the Mayor's Office, the Atlanta City Council, and the Atlanta Police Department on understanding the history of NLG and the importance of legal observing in preserving the rights of protestors, and on creating a policy to prevent the unlawful arrests of legal observers in the future.

We hope you use this poignant moment in American History to show Atlanta, Georgia, the country, and the world where the City stands when it comes to treatment of protestors. We hope you do the right thing.

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Sincerely,

National Lawyers Guild

National Lawyers Guild Metro Atlanta Chapter

National Lawyers Guild - The United People Color Caucus (TUPOCC)

Shahily Negron, Law Student, TUPOCC LC Member

Zoe Xiuha Uvin, TUPOCC Member

Brittany Williams, TUPOCC Member

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Heather Robertson, Metro Atlanta NLG Chapter Member

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Vanessa Carroll, Metro Atlanta NLG Chapter Member

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