



April 30th, 2021

SUBMITTED BY EMAIL: OpenRecords-CityCouncil@atlantaga.gov

Theo Pace
Open Records Custodian
Atlanta City Council
55 Trinity Ave SW
Atlanta, GA 30303

Re: Open Records Request

Dear Sir/Madam:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request for records pursuant to the Georgia Open Records Act, [O.C.G.A. § 50-18-70 et seq.](#)

Specifically, CREW requests:

All records from May 25, 2020 to the present concerning the Atlanta City Council’s response to public gatherings and protests related to the deaths of George Floyd, Breonna Taylor, and Rayshard Brooks; the Black Lives Matter movement; or the killing of other Black individuals by police officers. This request includes without limitation the following records as they relate to the Atlanta City Council’s protest response efforts:

1. All communications that describe policy, tactics, procedures, and equipment to be used by law enforcement officers.
2. All communications with any federal agency regarding support for any protest response activities, including without limitation the Department of Justice, the Federal Bureau of Investigation, the Drug Enforcement Administration, the Department of Homeland Security, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, Federal Protective Services, or the Department of Defense.
3. All records of disciplining law enforcement officers for misconduct.
4. All records related to the total budget and cost for law enforcement officer response, including the cost of riot gear.
5. All communications related to deploying the National Guard.
6. All records of consideration or implementation of new policies for procedures when responding to incidents and arrests of civilians and when engaging with public gatherings and protests.
7. All communications and records related to the potential reinstatement of former Atlanta Police Officer Garrett Rolfe.

8. All records related to any alleged misconduct by, or disciplinary action taken against, former Atlanta Police Officer Garrett Rolfe.

This request excludes news articles and other publicly-available materials without any accompanying discussion by government officials.

This request includes but is not limited to communications within the Atlanta City Council, as well as communications with the Office of the Mayor of Atlanta, Atlanta Police Department, Office of the Atlanta Police Chief, Atlanta Citizen Review Board, Georgia Department of Public Safety, Fulton County Sheriff's Office, Fulton County Police, Fulton County Marshal, Fulton County District Attorney, Office of the Attorney General of Georgia, Office of the Governor of Georgia, and Georgia Bureau of Investigation.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as those who were cc'ed or bcc'ed on any emails.

If it is your position any portion of the requested records is exempt from disclosure, please cite each specific exemption you feel justifies the refusal to release the information and notify CREW of the appeal procedures available under the law. CREW requests that you state in writing and with particularity the reasons for any conclusion that a record is exempt or confidential. If some portions of the requested records are properly exempt from disclosure, you are required to redact those portions and produce the remainder of the requested records.

Over the past year, Atlanta has seen numerous incidents where law enforcement used excessive force against those protesting the police killings of Black individuals. On May 30, 2020, during a Black Lives Matter protest in the wake of George Floyd's murder, officers from the Atlanta Police Department forcibly dragged Black college students Messiah Young and Tanyiah Pilgrim from their car, smashed its windows, and repeatedly used stun guns on the students.¹ Days later, on the night of June 12, Atlanta Police Department Officer Garrett Rolfe shot and killed Rayshard Brooks, a Black man, over the course of a DUI arrest.² Protests broke out over Brooks' death the next day, where riot police with guns deployed tear gas into the crowd.³ On September 23, 2020, Georgia state troopers used tear gas to disperse a crowd

¹ Christina Carrega, 6 Atlanta police officers charged in forceful arrests of college students in car, *ABC News*, June 2, 2020, available at

<https://abcnews.go.com/US/atlanta-police-officers-charged-forceful-arrests-college-students/story?id=71023836>

² Lorenzo Reyes, What we know: Timeline of Rayshard Brooks' death, protests and fallout from incident at Atlanta Wendy's, *USA Today*, June 15, 2020, available at

<https://www.usatoday.com/story/news/nation/2020/06/15/what-we-know-how-rayshard-brooks-killing-led-protests-atlanta-wendys/3189901001/>

³ Lorenzo Reyes, What we know: Timeline of Rayshard Brooks' death, protests and fallout from incident at Atlanta Wendy's, *USA Today*, June 15, 2020, available at

at the state Capitol protesting the acquittal of the police officers involved in Breonna Taylor's death.⁴ Additionally, Rolfe, who was fired on June 13, 2020 for Brooks' death, is now seeking to be reinstated; his lawyer argued before Atlanta's civil service board on April 22, 2021 that Rolfe was dismissed "without a proper investigation."⁵ The requested records would provide a clearer picture of the internal and external instruction and communication the Atlanta City Council provided in how to respond to protestors, and, specifically, if violent tactics were encouraged or authorized. The records would also provide a fuller picture of the discussions related to Rolfe's potential reinstatement.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and reducing the influence of money on politics. CREW intends to analyze the information responsive to this request and to share its analysis with the public. The release of information obtained through this request is not in CREW's financial interest.

If there are any fees for searching or copying these records, please inform CREW if the cost will exceed \$100. However, CREW also requests a waiver of all fees because the disclosure of the requested information is in the public interest. The public is entitled to information concerning the Atlanta City Council's response to public gatherings and protests related to the Black Lives Matter movement and surrounding the death of Black individuals by police officers. Further, this information is not being sought for commercial purposes. Please advise us if the costs associated with processing this request will exceed \$100.00.

If you have any questions about this request or foresee any problems in fully releasing the requested records, please contact me at ali@citizensforethics.org, and please copy hhammado@citizensforethics.org on all communications. Where possible, please produce records in electronic format. Please send the requested records to me in electronic form to ali@citizensforethics.org and hhammado@citizensforethics.org. If it's not possible to produce them electronically, please contact me at that email, and I will provide a mailing address. Thank you for your assistance.

Sincerely,



Angela Li

<https://www.usatoday.com/story/news/nation/2020/06/15/what-we-know-how-rayshard-brooks-killing-led-protests-atlanta-wendys/3189901001/>

⁴ Brakkton Booker, [Tear Gas Deployed In Atlanta During Breonna Taylor Protests](#), *NPR*, September 24, 2020, available at

<https://www.npr.org/sections/live-updates-protests-for-racial-justice/2020/09/24/916462945/tear-gas-deployed-in-atlanta-during-breonna-taylor-protests>

⁵ Christian Boone, [Ex-APD officer who shot Rayshard Brooks seeks reinstatement](#), *Atlanta Journal-Constitution*, April 22, 2021, available at

<https://www.ajc.com/news/crime/ex-apd-officer-who-shot-rayshard-brooks-seeks-reinstatement/RGKXPAONRBFVHDLUJ7JTGJBVOM/>