

October 2, 2023

A. Vanessa Waldon  
Interim Municipal Clerk City of Atlanta  
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Atlanta, GA 30303

City of Atlanta Law Department  
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Via email to: [vawaldon@atlantaga.gov](mailto:vawaldon@atlantaga.gov)  
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Dear Ms. Waldon:

The NAACP Legal and Educational Defense Fund (“LDF”), the Southern Center for Human Rights (“SCHR”), and the Center for Constitutional Rights (“CCR”) demand that you cease and desist the publication of signed referendum petitions with unredacted names, signatures, and other personal information on the Atlanta City Council website.

The City of Atlanta (the “City”) has subjected the signatories and circulators to potentially irreparable harm as publication of this sensitive information raises serious concerns of possible retaliation for the exercise of their First Amendment rights to express support for a referendum on the Atlanta Public Safety Training Center, commonly referred to as “Cop City.” The publication of the unredacted, signed petitions is particularly egregious because such action conflicts with the clear directions of City Council expressed in both the Council’s initial resolution and subsequent letter.

On Monday, September 18, 2023, City Councilmember Liliana Bakhtiari introduced Resolution 23-R-4149, which instructed the Municipal Clerk to scan and publish digital copies of the signed petitions with redactions to protect the sensitive personal information of signatories and circulators. Although the text of the resolution was subsequently amended to remove the directive to redact sensitive personal information, City Council President Douglas Shipman and Councilmember Bakhtiari sent a letter to Interim Clerk Waldon on that same

day—September 18, 2023—after the conclusion of the full City Council meeting (“September 18 Letter”), clarifying City Council’s intent regarding redactions. Specifically, the September 18 Letter instructed Interim Clerk Waldon to redact the following information from any signed petitions that were made publicly available by the City:

1. Address except for city, state and zip code
2. Date of Birth
3. Phone Number
4. Signature.

Nevertheless, on September 28, 2023, petitions were published on the Atlanta City Council’s website with only the date of birth of signatories and circulators redacted, in total disregard of the Council President and Councilmember’s September 18 Letter. With the publication of sensitive information belonging to petition signatories and circulators, the City of Atlanta has caused legitimate concerns regarding possible violation of their First Amendment rights, especially given the lack of any perceived state interest to publish this sensitive information at this time. Indeed, “as a general matter the First Amendment prohibits government officials from subjecting an individual to retaliatory actions” for engaging in protected speech. *Nieves v. Bartlett*, 139 S. Ct. 1715 (2019), citing *Hartman v. Moore*, 547 U.S. 250, 256, 126 S.Ct. 1695, 164 L.Ed.2d 441 (2006).

Accordingly, for the reasons stated herein, you are directed to cease and desist any publication of unredacted petitions related to the Atlanta Public Safety Training Center referendum process. You must retract these petitions immediately. We further request that you confirm in writing that you have complied with this cease and desist letter.

We trust you understand the serious nature of this situation, and we look forward to your speedy cooperation.

Sincerely,

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