

Cop City Vote Coalition

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Cop City Vote Coalition Files Lawsuit against City of Atlanta

City failed to respect 7 day timeline required by legal code

(Atlanta, Georgia) - After ignoring public comment and widespread opposition to Cop City, this denial is a tactic by the Administration of Mayor Andre Dickens to delay the referendum and prevent it from being on the November ballot. On Monday, June 19, 2023, the Coalition filed a writ of mandamus to require the clerk to approve the petition and allow the people of the City of Atlanta to move forward with the referendum.

A spokesperson for Mayor Dickens previously stated that he understood and would respect the referendum process, yet his Administration has illegally stonewalled the approval process for the petition forms provided for in Georgia law. Atlanta residents and community members returned to the Clerk's office diligently last week to follow up - having made the changes in spite of the Clerk's legal obligation to do so - only to be turned away by representatives of the Clerk who attempted to convince residents that the Clerk wasn't in office despite Walden answering multiple calls to her office phone from the residents she refused to see.

"Mayor Andre Dickens told the public that he would respect the process for the referendum, but he took the first opportunity he could to suppress our right to vote. They say you can judge a man by the company he keeps - I guess staying buddies with Brian Kemp means more to him than democratic values," said Rev. Keyanna Jones, a neighbor to the proposed site and leader in the Stop Cop City Faith Coalition.

"We're not asking the Clerk to do anything more or less than the legal minimum. Approve the petition form, and let us go about the people's work," added Dr. Mariah Parker, who filed the original petition form with the Clerk.

Residents led by Dr. Mariah Parker, Rev. Keyanna Jones, and other members of the coalition will be returning to the Clerk's office this morning at 10AM to follow up on the petition's availability. Residents involved with the referendum have continued to organize with the extra time - though they can't begin actually accepting signatures until the form is approved. Over 80 have already signed up for training as "neighborhood captains," and approximately 3,000 Atlanta residents have signed up to be notified when the referendum petition is available.

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Background:

On June 7, 2023, the Cop City Vote Coalition filed a referendum petition to allow Atlanta residents to decide whether to repeal the City of Atlanta's ordinance authorizing the lease for Cop City. The Municipal Clerk was required to approve the petition, but on June 14, 2023, Interim Municipal Clerk Vanessa Waldon wrongfully denied the petition. Specifically, the Clerk's office told the Coalition that the filed petition form was missing a line where Atlanta residents can attest to the validity of the signatures on the page. What was not said, however, was that it is legally the Clerk's responsibility to add this line to the form within the seven day period.

The following legal explainer is provided by Alex Joseph, former Federal Prosecutor and legal advisor to the Cop City Vote Coalition,

“Pursuant to O.C.G.A. Sec. 36-35-3(b)(2)(C), the clerk is required to prepare the referendum petition. That means that it is the clerk's responsibility to format the petition and to provide a place on each form for the requisite signatures. The Cop City Vote Coalition provided a draft petition to the clerk as a courtesy. Therefore, the addition of a place on each form for the person collecting signatures to sign and provide information is not "a new form" for purposes of O.C.G.A. Sec. 36-35-3(b)(2)(C). Instead, it is a formatting issue that is the sole responsibility of the clerk's office to rectify prior to approving the referendum petition. Because it is not a new form, the clerk is still required to approve the petition within seven days.”

The language of O.C.G.A. Sec. 36-35-3(b)(2)(C) is as follows (emphasis added) and attached:

“The clerk of the governing authority *shall provide* a place on each form for the person collecting signatures to provide his or her name, street address, city, county, state, ZIP Code, and telephone number and to swear that he or she is a resident of the municipality affected by the petition and that the signatures were collected inside the boundaries of the affected municipality.”

The Stop Cop City Vote Coalition is made up of residents, community leaders, activists, organizers, civic engagement and faith organizations working together to return power to the people by putting the construction of Cop City on the ballot for a direct vote. You can learn more about us by going to www.copcityvote.com