

**STOP
COPY
CITY
MOVEMENT
RICO
INDICTMENTS**

WITH MATT SCOTT OF ACPC

**Atlanta
Community
Press
Collective.**

**Hosted by
The Final Straw Radio
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This week, we're featuring an interview with Matt Scott of the Atlanta Community Press Collective update us on the movement to Stop Cop City in light of the recent indictment of 61 people on Racketeering charges by the state of Georgia at the end of August and the legal shenanigans of the city to block a public referendum on the police training center that would destroy the south Atlanta forest and river. We'll also hear about recent non-violent civil disobediences and the call for a mass action on November 13th, 2023 (with a multi-city info-tour in the buildup).

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MATT SCOTT: I am a journalist with the Atlanta Community Press Collective in Atlanta, Georgia.

TFSR: *Thanks for coming back onto the show. We had you earlier this year, speaking about the harassment of Atlanta Solidarity Fund people and updates on the cases of folks involved in the movement to Stop Cop City, the building of a large police training center by the Atlanta Police Foundation in the Weelaunee Forest in the south of Atlanta. And there's more news breaking at the moment. You just dropped a story about upcoming demonstrations being called for. I'm excited to have this chat. Not excited about repression. So you've had a busy few weeks. On September 5, your project ACPC broke the story that eight days earlier, the Georgia Attorney General's Office had indicted 61 people on state-level RICO charges, including people who had already either faced RICO or faced other charges related to the wider political and social movement to Stop Cop City.*

I wonder if you could talk a bit about the RICO charges and what the stated criminal enterprise or conspiracy is that they're being accused of?

MS: Sure. So this sweeping 61-person RICO indictment came down on September 5. Individuals indicted, date back to events that arrests that happened in May of 2021. And the indictment itself links actions back to May of 2020. It starts the alleged charges with the murder of George Floyd in Minneapolis. The story that it attempts to tell begins with this Wikipediaesque, almost AI-generated narrative about what anarchism is, what mutual aid is, and what collectivism is, and says that all of these things work together to underpin the movement to Stop Cop City. At the center of it, the indictment paints the Atlanta Solidarity Fund, or three organizers with the Atlanta Solidarity Fund, as the core group leading the movement to Stop Cop City. There are around 141 acts alleged to be in "furtherance of the conspiracy" that range from reimbursements for supplies like glue or food in amounts as little as \$11.91 to one individual signing their name ACAB after they had been arrested about the forest earlier.

So, prosecutors allege that any of these acts have served to connect all of these members in a vast conspiracy to commit felonious acts to stop the construction of the Cop City facility. So most of the people who have been indicted under this are individuals, 42 individuals have been previously arrested and charged with domestic terrorism, as well as several people who were arrested with criminal trespass charges in the forest in May of 2022. And people who were arrested at a protest in Cobb County at Brasfield & Gorrie that same

month, as well as several people who have never been arrested in relation to the movement.

TFSR: *It's funny that you mentioned it's a Wikipediaesque connection because I was just checking out the Wikipedia page. The Wikipedia page makes that connection claiming that the Stop Cop City movement, they identify it within their auspices or categorization is being a part of Black Lives Matter and the Climate Movement and dating back to the George Floyd Uprising. Do you think they just copied and pasted it from Wikipedia?*

MS: I would say they probably took a lot of what they have from Wikipedia. I haven't read the Wikipedia page on Stop Cop City lately, I know it gets updated fairly frequently. So I'm not sure what changes have been made. But it would be just the same to say that the Stop Cop City movement came out of previous environmental justice movements or the civil rights movements, of course, any protest against the state has the same origin story. We're all connected by just disparate or what is seemingly disparate aspects of struggle but are all struggle against the same oppression.

TFSR: *In part of the press conference that I heard quoted on Democracy Now last week, the Attorney General said that inclusion in this RICO indictment, to point to what you just said about them could be members of the civil rights movement or members of any ecological movement in the past, made the point of saying that Georgia's RICO laws are not as stringent as one might expect from the Federal RICO laws or what might one might find elsewhere and allows a lot of leverage or opportunity for those bringing the charges to make connections, such as connections between people who may not even have ever met each other, but still being filed as a part of the same conspiracy with each other because they're committing acts that the state is determining are in furtherance of a criminal conspiracy. Is that a fair read?*

MS: Yeah. So, the origins of the Racketeering and Corrupt Organizations Acts in their various forms – and there's a little bit of a difference, or I would say a substantive difference between the federal RICO Act, which is a little harder to prosecute, and the Georgia version of the Act, which is easier to prosecute, and that's why these are being charged on a state level and not in federal court, despite there being FBI participation in the Joint Task Force assigned to Stop the Cop City movement. So, the Racketeering Act was designed so that you could connect all of these disparate felonious actions to mafia leaders at the top. And

so while mafioso bosses were never committing these alleged acts, their alleged subordinates were and they were used to tie the acts of the subordinates to the acts of the superiors to take down the leadership structure of the mob.

More recently, we've seen it used here in Atlanta against a group of teachers who were convicted of tampering with standardized testing. And then last year, RICO charges were brought against the Young Thug Life Group. And then even more recently, the Trump election conspiracy was indicted under RICO charges for 18 people, including Trump himself. That same grand jury that was used to indict Trump was actually – what we're told – the same grand jury who is used to indict these 61 people under these RICO charges. So it's an attempt to connect every act that they can think of as a part of this vast criminal conspiracy and tie it all together. None of these people might have taken any of these actions, but they're still going to be charged under this act with actions like property destruction that have been taken throughout this protest movement.

TFSR: *One question I had and you may not know the answer to this. If a grand jury is impaneled, does it have to be the same agency bringing the indictment before them for them to decide on? For instance, democratic DA Fani Willis of Fulton County was the one who was leading the call for indictment by that grand jury against Trump and Co. for the election issues. However, Republican State Attorney General Chris Carr was the one bringing the request for indictment against the Stop Cop City folks. Is that correct?*

MS: Yeah, that's correct. The grand jury was impaneled by Fulton County DA, Fani Willis. And I had that same question. I wasn't sure that one grand jury could be used by the same or a different prosecuting body than the one who impaneled it. It can. And so there's been this theory that the attempt to Stop Cop City is a quid pro quo from between city and county-level actors to state-level Republican actors. So in exchange for Governor Brian Kemp squashing the Buckhead Secession Movement that happens here in Atlanta every year, he asked for support from city leaders in putting or continuing the Cop City project. So it's in line with that theory. Of course, we have no actual evidence that that took place, but that is the mutually agreed-upon theory here. There's a coordination and quid pro quo between between those two Democratic and Republican forces.

TFSR: *Yeah, because I was going to be a bit surprised if the Democrats in the state of Georgia were against the building and enriching of police infrastructure. It doesn't seem like the Democrats anywhere, let alone in a former Dixiecrat state.*

MS: Yeah. And, in particular with the Atlanta Police Foundation, there was a bill introduced last year that enables individuals to donate to police foundations and to take – for a couple filing jointly up to \$10,000, for an individual up to \$5000, and businesses up to 10% - of their Georgia tax liability off. So you can donate \$5,000 to the Atlanta Police Foundation, if you owe \$5,000 to the state of Georgia from your yearly taxes, that is canceled out. So that bill was co-sponsored by a Democratic Representative. So there's effectively no difference between police support from Democrats and Republicans here in the state of Georgia,

TFSR: *For the three members of the Atlanta Solidarity Fund who were indicted under these RICO charges, and who we had spoken of before as being indicted under RICO charges. Are they being charged in a different county? Was that initial indictment just reasserted within this wider RICO indictment? Or is it some case of Double Jeopardy [Fifth Amendment to US Constitution]?*

MS: It doesn't fall into Double Jeopardy. Because the RICO act needs some predicate felony to be enacted, any felony charges that are held against a person can be used as furtherance of this act. So there are previous arrests for the Solidarity Fund Three that have actually been used as underlying evidence that RICO needs to be charged against them. So it's not double jeopardy, it actually serves to further the argument for RICO.

TFSR: *Just reading through the articles as well-written as they are, there's so much going on. Just over the last week of responses and reactions in different levels of court, and because the movement is diverse, people are doing direct actions of various sorts, ostensibly as part of the movement. I can't say one way or another, not knowing that, and then also, there's the filing of signatures for the referendum, and then the court actions related to allowing for the referendum to occur. When I said that you've been busy, I mean, just untying the notes, the threads of this mess, it seems like a lot.*

MS: It is a lot. It is my full-time job. Thankfully, I have time to sift through all of it, but there's always something, it's always growing, and it continues to take up a lot of time, just to understand.

TFSR: *So you had mentioned the breakdown of some concepts within anarchism as a part of the indictment and trying to tie this whole thing together under anarchism. There was a Rolling Stone article that was linked from one of the articles on the ACPC about this, where someone from the movement was just asked, "What do you think of this?" And they were like, "Oh, that's a pretty good explanation. ChatGPT did a pretty good job, I guess." But do you think that there are wider implications to not only tying the activity in court filings of what is being alleged to be criminal activity back to 2021 when I'm sure there are a lot of people that were involved in street movement things, and also to the theory of anarchism?*

For me, it seems like the farther back they cast the net, and the more ability that they have under something like RICO to claim that there's some nefarious mass conspiracy, including unknown indictees, that it opens the space for them to pull in people that they maybe assume were involved in protests around Rayshard Brooks's murder, or the autonomous zone that was created in the aftermath of his murder by police. Less of a question, more of a "What about this?"

MS: Yeah, At this point they can connect anything. They're alleging that May 21, 2020, was the date that all of this started, so they could connect to anything that happened from that point until now as part of this RICO conspiracy. So if you were arrested at Centennial Olympic Park, which is where we held most of our protests in 2020, you could be connected to this. If you've been arrested for writing ACAB as graffiti somewhere, you could be connected to this. So there's a very large net that is being passed. And the question is, how fine of a net they're going to end up putting on this? They still have wrapped up in this RICO indictment, the Southern Poverty Law Center Attorney who was acting as a legal observer on March 5th, when police arrested and charged 23 people with domestic terrorism at a music festival in the Weelaunee Forest. So, it really does speak to what seems like a fact that they are trying to instill fear and chill any dissent against the state.

It's going to be a matter of how deeply they want to entrench themselves in that position, and how much tacit support they're going to continue to get from Democratic administrations in doing this. And thus far we have heard no condemnation, as far as I'm aware, from Democratic actors in Atlanta or on a city level, I should say, against the RICO indictments. We have seen some state-level Democratic elected officials call out these charges. But as far as a city-level political force goes, there hasn't been any condemnation. It's very interesting in the home of the civil rights movement that this is going unchallenged by the very people who claim to hold that legacy of civil rights.

TFSR: *Yeah, absolutely.*

You mentioned the SPLC and one of their in-house lawyers who was a legal observer catching these charges. Legal organizations have responded to this. I wonder if you could talk about the 61 people, some of whom already have some degree of legal defense going on, because of the pre-existing state-level domestic terrorism charges. I'm assuming that one reason that the Solidarity Fund was attacked is because there has been coordination for the defense of constitutionally protected activities, such as protests against government action.

But are there any legal organizations that have been rallying to support the defendants or the indictees? Are there any notable ways that if people in the audience are either connected to the legal profession or interested in supporting or pushing back against the chilling of constitutionally protected protest rights, they could pay attention to or check out more?

MS: Yes, certainly. There is a program in Atlanta that is run by the Southern Center for Human Rights called Bridge, it's come out of three years of protest defense from 2020, in which Southern Center lawyers pair defendants of protest-related charges with attorneys. And what we're seeing right now is, because of the vast number of people that have been charged, we have an insufficient number of attorneys able to represent them. There are conflicts of interest where attorneys cannot represent multiple defendants, sometimes under the same case. So unless we have 61 attorneys willing to represent 61 different clients, we're going to have some issues. And so the Southern Center has put out a call for additional attorneys. If there are attorneys who are in the city of Atlanta, who are interested in supporting that, the Southern Center would be the point of contact. If you're an attorney from outside of Atlanta and are willing to pro hac vice into Atlanta, I believe you can also reach out to the Southern Center and get connected that way.

But yeah, there's definitely a paucity of legal representation that these folks are facing right now. And it is causing some fear and concern among the defendants. There's also something to be said for these defendants themselves who are having trouble keeping their jobs. People who've been charged with domestic terrorism have been struggling financially for months now, and then individuals who haven't been charged with domestic terrorism but who have now been charged with RICO are in that same boat. And if you live further afield and out of state, you're going to have to travel to Atlanta at some point shortly in order to turn yourself in, pay your bond, and be able to leave. I know several defendants are raising money individually for that. So there's the Bridge from the Southern Center for Human Rights. There's the Atlanta Solidarity Fund,

and then there are numerous GoFundMes happening for these defendants to be able to even get down here to turn themselves in.

TFSR: *Not to cause a panic, but if people donate to the Atlanta Solidarity Fund, can they be named as co-indictees for this activity?*

MS: We haven't seen that yet. That is a very real concern. It is how far are they going to take this. Is donating to the Solidarity Fund something that is going to become illegal? So far, we have not seen prosecutors do that, that may be a bridge too far. I'm not sure. We've seen some fairly wild things happen over the last year in terms of charges for individuals. So I'm not going to say it is not impossible, it doesn't look likely at this particular moment. That is a large number of people whom they would have to indict if they were going to go that route. Part of the original charges for the Solidarity Fund Three was charity fraud. And so under those charges, they do say that individuals who donate to the Solidarity Fund do donate on the expectation that their funds are being used to bail protesters out. So, that particular indictment or those particular charges would seem to indicate that donating to the Solidarity Fund alone is not cause for criminal concern by the state. It is taking money out of the Solidarity Fund that they are looking at in terms of criminal charges.

TFSR: *Yeah, just make sure not to comment ACAB in the comment next to your donation.*

MS: Or do! It could be a Spartacus moment. I am Spartacus.

TFSR: *The last time we spoke the Stop Cop City coalition was collecting signatures for a public referendum. I think for voters in Atlanta to be able to challenge the lease of the land of the South River Forest to the Atlanta Police Foundation, which is where Cop City is trying to be built. Correct me if I'm wrong on that. Is that right?*

MS: That is correct. And yeah, what a busy month it's been. Yesterday, September 11, the Stop Cop City vote coalition turned in 116,000 signatures on a petition initiative to place a question to Atlanta voters as to whether or not they would to overturn the 2021 lease of the South River Forest to the Atlanta Police Foundation for the construction of the Cop City facility. So that entire process

is gone on longer than the initial 60-day period that was originally allotted. Initially, under the city of Atlanta law, the only people who were able to collect signatures for that referendum petition were the city of Atlanta residents. There was a line where they had to attest or swear that “I, a City of Atlanta resident, have witnessed these signatures being gathered.”

In early July, a lawsuit was brought by five Stop Cop City advocates in unincorporated DeKalb County, where this facility is going to be built, who argued that it is a violation of their First Amendment constitutional rights for them not to be able to collect signatures on this petition. So a preliminary injunction was provided on July 27 from Federal District Court Judge Mark Cohen. He ruled that anyone could collect signatures for the referendum, and as a means of recompensing those who were deprived of their civil liberties, Judge Cohen reset the 60-day window. So the initial window is going to end on August 21. Under Judge Cohen’s preliminary injunction, that window moved to September 25. The coalition had initially planned to turn in their signatures and at that point, they had 104,000 signatures on August 21. Just before that, they had learned that the city planned to use a voter suppression technique, known as “signature matching.” It’s something that Georgia Republicans I’ve done for years and something that Georgia Democrats have fought against for years. But here we have city Democrats using that same method. And so the coalition announced that it would seek even more signatures and would delay its turn-in until September. They were going to first on September 22 in order to combat what was likely to be a larger number of invalidated signatures since the city was going to use this process.

On September 1, a three-panel judge in the 11th Circuit Court of Appeals issued a ruling that stayed the previous preliminary injunction, which put the referendum in a limbo position. It was unclear whether signatures would be able to be turned in, given that the 60-day window at that point was effectively nullified. What the coalition had decided to do at that point was turn the signatures as quickly as possible. They took a few days to debate how they wanted to do it. And then they turned that in yesterday, September 11. So they’d contacted the city and worked out a process. They brought all of the signatures to the city and they were met with a form that the city said, “We will accept these signatures. However, we will not validate the signatures pending the outcome of the 11th Circuit Court of Appeals case”, which at this point, final arguments are not set to be turned in until October 3. So, we’re in a bit of a limbo position with the entire referendum process. Yesterday, after the city denied that they would validate the signatures, the referendum coalition’s lawyers went back to Judge Cohen and asked for him to issue a ruling that the city should begin validating

the signatures and that regardless of how the 11th Circuit Court of Appeals decision turns out, the city should go ahead and begin that process for the sake of everybody's constitutional liberties.

TFSR: *There were a few things that I noted in one of the articles that you presented on the referendum and the challenges being made to it concerning Judge Scott McAfee, for instance, recusing himself from the proceedings. But also there was a note made about how the city should be engaging with the referendum through individuals who are nonpartisan and not connected to the legal engagement. However, the representatives of the Inspector General and the Attorney General's Offices that had been responsible for statements that came through the city about the referendum, is that right? Am I mocking that up?*

MS: Statements that had come through the city about the referendum – or the PDF documents that released those statements – have their source origin in partisan actors. The second update that was supposedly released by the Office of the Municipal Clerk, which is supposed to be a nonpartisan entity was authored by Michael Smith, who is Mayor Andre Dickens' press secretary. Mayor Andre Dickens has been the most consistent supporter of the Cop City project in Atlanta politics over the two years since his election. The update was authored by Robert Ashe III, who is the lead attorney for the city's court battle against the referendum in federal court. So he's been brought on to advise how to defeat the referendum in court and should not be the one authoring legal strategy on how the city plans to fairly evaluate and validate referendum signatures.

TFSR: *In the meantime, as the signatures were being collected, the last time that we spoke some months ago, the groundbreaking had already occurred, the destruction of forests, and the silt was already showing up in the river. Can you talk a little bit about what you know about why wasn't there an injunction against the construction or destruction occurring? And what state that process is in?*

MS: Environmentally, there are actually two lawsuits that are happening concurrently. There is a lawsuit filed in DeKalb County Superior Court against the issuance of the land disturbance permit alleging that that permit violates the Georgia Environmental Protection Act. And there is now a second lawsuit in federal court that argues the same thing, except in violation of the federal EPA act. Those lawsuits are a little bit more technically complex and have not been

as widely reported on. But there are lawsuits arguing the environmental impacts are damaging in both state and federal courts that are pending any ruling.

TFSR: *In the meantime, it's not actually stopped the destruction of parts of the forest. The construction is ongoing, the grading of the land and such, right?*

MS: Yes, to quote the Atlanta Police Foundation, and that quote kills me internally every time that they're able to use it: "Construction continues apace."

TFSR: *But so do other forms of protest. This is a movement that isn't a centralized conspiracy. You see people acting on their own accord in their own ways and according to their own ethics. On September 7, y'all reported and shared some video of a protest that occurred outside of the proposed Cop City location, as well as people going into the area and doing nonviolent civil disobedience in order to disrupt the process of destruction of the land and construction of the site. Can you talk a little bit about what you witnessed? Who's known to be participating in this and how it was received within the community?*

MS: Yeah, on the morning of September 7, a group of about 30 people gathered at a site a couple of miles away from the construction facility. It was largely led by members of the Clergy Coalition. They gathered they sang songs, they prayed, and they provided encouragement to five individuals who were wearing chains around their bodies, who were prepared to go into the construction site and chain themselves to construction equipment. So I believe around nine o'clock, that group left, the five left. Then there was a caravan of supporters that left shortly thereafter, and set up a support rally, the first group was able to walk into the construction site. There are two construction entrances, the police had set themselves up off one entrance. And they had nobody on this southern entrance. So they were able to just walk in, the construction gate was left open. And they ran to the nearest piece of equipment, which I believe was a bulldozer, and chained themselves to it. Meanwhile, the supporters set up a rally of about 25 people just outside of construction and posted calls to action for other people to come and join the protest.

This has been well-received by so many people on social media. When we posted about it, numerous people were saying, "Finally, thank God, some direct action is taking place." People have been supportive of these more traditional means of engaging in the political landscape through electoralism and the referendum. But there's been this underlying desire to see some direct action

take place for quite some time. The last major direct action that we've seen was on March 5, with the destruction of much of the equipment that was currently on the site. Numerous people were driving by, and dozens of cars and trucks, and motor buses drove by honked their support against the facility or for the protesters, which was quite heartening to see from my end. And since then, we've seen so much support of the people who had carried out that demonstration. In that same vein this morning, we had the announcement of a November 13 action. They're calling for a mass action to attempt to block construction of the site. This is in line with previous weeks of action. There are going to be several days, they're calling for people to come down on November 10 and take part in this action on November 13. They're planning a multi-city tour, I was just told that it's somewhere in the neighborhood of 70 cities that have been confirmed to be part of this tour. So organizers are going to go on this tour and encourage people to come and join them in Atlanta on November 10. And then ideally carry out some action to temporarily or permanently halt construction on November 13.

TFSR: *And when you're saying they, Can you talk a little bit about what's known about Block Cop City? What group it is? Who they represent or who they claim to represent or any info so people can know what they're getting into?*

MS: Yeah, so the Block Cop City group, they've been part of the movement for quite some time, of course, with the repression related to the movement, there have been no names given about who they are. But they said that they've been members of the grassroots movement for over the last two years. This was announced on Cop City's social media. They are in some way connected to the larger movement and the social media accounts connected with the movement. But as far as individual groups behind the Block Cop City group, we're not sure. There's a space on their website for groups to join in as sponsors. But at this point, it is empty.

TFSR: *Yep. Maybe that makes sense, considering the pending legal activity. That makes a lot of sense. Just to go back to the public action, the nonviolent civil disobedience that occurred just recently. There was a little ceremonial space that was opened up along the fence line, there's a video you shared on the site that showed several pictures that were zip-tied to the fence being cut down by police, as well as an officer with an assault rifle with a very long, large clip. Can you talk about whose pictures were up there, who put them up, and what it was celebrating or mourning?*

MS: Organizers for that support rally had put up pictures of individuals killed by police violence. And that connects to a recent action that is taking place in the movement. In early August, an Atlanta police officer named Kiran Kimbrough killed a 62-year-old deacon named Johnny Hollman. Holman's family actually joined with Cop City protesters. Cop City protesters have been saying this entire time that police violence is the problem and that Cop City will only exacerbate that. So the Holman family was connected to Cop City protesters, they held a demonstration together. And it's brought home that very real reality of Cop City and police violence. And so there was an altar set up and pictures of those people who have been killed by police violence to connect to those ideas and to remember the very real stakes of what happens if this facility gets built.

TFSR: *That was the questions that I had. This conversation helps to clarify some of the points that were made in the articles on the site and not because you all are poor writers. But just because you're writing articles as things are happening. And then you can only make an article so long, while pointing back and footnotes to prior articles or reportage from other sources. But thank you very much.*

MS: Every time I run up against what can I explain, what can't I explain, what should I include, what shouldn't I include? To try to keep an article length that is appropriate for people to actually want to read it. There's been so much history to this movement over the last few years that if I were to write all of the relevant information, we'd be in the several thousand-word mark instead of the idea 1000 to 1500 words that people tend to read.

TFSR: *Thank you so much for doing that work and being present throughout this to be able to offer reporting on it and get the voices further afield from on the ground. Are there any other sources you'd to point to for people to pay attention to this or any things that are on the horizon that you're aware of that might change? Besides the upcoming October final arguments in the 11th Circuit Court of Appeals case?*

MS: I would follow Cop City Vote Coalition's social media accounts. They are @copcityvotes. Of course, the Defend the Atlanta Forest social media accounts to find out what's happening in the movement at large. Please follow the Atlanta Community Press Collective, we do our best to update everything that is happening with this movement and how quickly things are moving. Our Twitter account is @Atlanta_press and our Instagram account is @atlprescollective. Our website is atlprescollective.com.

TFSR: *Do you have a Patreon or do you just take direct donations if folks want to support local on-the-ground reporting on movement activity?*

MS: Yes, if folks would to support our work, we are a 501(c)3 fiscally sponsored organization. All donations to us are tax-deductible. You can donate to us at opencollective.com/acpc

TFSR: *Awesome. Matt, thank you so much for this conversation again and for all the work that you're doing.*

MS: Yeah, thanks for having me.

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