



# THE STATE OF GEORGIA

## EXECUTIVE ORDER

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BY THE GOVERNOR:

### STATE OF EMERGENCY FOR FULTON COUNTY

- WHEREAS:** On the afternoon of Friday, May 29, 2020, thousands of Georgians gathered in the City of Atlanta to honor the life of George Floyd, demand justice for his death, and march in solidarity; and
- WHEREAS:** Community leaders across the nation have urged peaceful assemblies to ensure the lawful exercise of citizens' constitutional rights; and
- WHEREAS:** Despite the initial peaceful assembly of Georgians in our capital city, circumstances became dangerous; and
- WHEREAS:** After the conclusion of the organized, peaceful assembly, other persons began inciting violence and lawlessness among those still lingering in the area of the peaceful assembly; and
- WHEREAS:** These additional persons threatened public safety and private property by throwing rocks, breaking windows, and destroying law enforcement property; and
- WHEREAS:** Some persons trespassed and ransacked the CNN Center, the College Football Hall of Fame, and other properties in downtown Atlanta and in the Buckhead Community; and
- WHEREAS:** Code Section 38-2-6 grants the Governor the authority to order the Georgia National Guard into active service to subdue riot and unlawful assembly; and
- WHEREAS:** Code Section 38-2-307 vests the Governor with the authority to empower the Georgia National Guard with the power to arrest and apprehend persons when called to active duty to respond to emergencies; and
- WHEREAS:** In consultation with the City of Atlanta, public safety officials, civil rights leaders, and emergency preparedness officials, I have

determined that the following actions are necessary and appropriate to protect public peace and provide for the safety and welfare of Georgia's residents, visitors, and private property.

**NOW, THEREFORE, PURSUANT TO GEORGIA LAW AND THE AUTHORITY VESTED IN ME AS THE GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY**

**ORDERED:** That because of unlawful assemblage, violence, overt threats of violence, disruption of the peace and tranquility of Fulton County, and danger existing to persons and property, a State of Emergency is declared in Fulton County, Georgia.

**IT IS FURTHER**

**ORDERED:** That such State of Emergency shall expire seventy-two (72) hours after its issuance unless renewed by the Governor.

**IT IS FURTHER**

**ORDERED:** That the Georgia Department of Defense provide up to five hundred (500) Georgia National Guard troops to be used in response to this State of Emergency.

**IT IS FURTHER**

**ORDERED:** That these Georgia National Guard troops be called up to State Active Duty as necessary by the Adjutant General.

**IT IS FURTHER**

**ORDERED:** That pursuant to Code Section 38-2-307, the Georgia Department of Defense troops called to respond to this State of Emergency shall have the same powers of arrest and apprehension as do law enforcement officers to be exercised with caution and only if the circumstances demand the exercise of such powers to protect the safety of persons or property.

**IT IS FURTHER**

**ORDERED:** That all resources of the State of Georgia be made available to assist in the ongoing response to the State of Emergency in Fulton County.

**IT IS FURTHER**

**ORDERED:** That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in

violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

**IT IS FURTHER**

**ORDERED:** That this Order shall be effective upon signature.

This 29<sup>th</sup> day of May 2020, at 11:54 P.M.

  
GOVERNOR