

VOICES

The Atlanta Journal-Constitution

"Ask yourself one question. 'Is it right?' Then do what you believe is best for your town, your state and your country." — James M. Cox, founder, Cox Enterprises

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First Amendment opens door to justice, change

By Lisa N. Cupid

Georgia's new hate crimes law is welcome and long overdue. But as the headlines marked this historic moment last week, I kept thinking about what finally forced change in Georgia. The shooting death of Ahmaud Arbery and the subsequent delay of justice were just too horrifying to ignore. That



Lisa N. Cupid

injustice was brought to light and the seeds of change were sown because we are empowered by First Amendment rights.

The shameful case of an unarmed Black man shot by white pursuers as he jogged through a Brunswick neighborhood was a stark reminder that we are far from the equality that a robust democracy can provide.

Despite civil rights gains of the past 60 years, we still have not protected, respected and advocated for all of our citizens with the same diligence. Arbery's killing laid that bare.

But the Arbery case — and the cases of George Floyd's death in Minneapolis and Breonna Taylor's death in Louisville, Kentucky — also remind us that democracy, despite its flaws, comes with checks and balances.

Democracy is designed to be truly of the people. When Americans want change, they have a First Amendment right to peaceably assemble and to petition the government for a redress of grievances.

The last few weeks have undeniably demonstrated the power of our right to protest.

The First Amendment also protects the right to record in public spaces, whether what's being captured on video is



Ahmaud Arbery's father, Marcus Arbery (left), is embraced as he is led away from the Glynn County Courthouse during a break from the proceedings in Brunswick last month. Access to public records brought the case to light. ALYSSA POINTER / ALYSSA.POINTER@AJC.COM

police activity, as happened with Floyd's killing, or the actions of public officials in public buildings, a right reinforced by a recent ruling in the U.S. District Court in Macon.

And here's another way the First Amendment and companion laws in Georgia ensure that our elected government belongs to every citizen — and enable the justice that stems from that. The public and the press have a legally protected right to know what elected officials are doing with the power granted to them by the people.

The checks and balances that first brought scrutiny in the Arbery case involved the public's access to government records.

New York Times journalist Richard Fausset in April filed an open records request that revealed a memo from the then-prosecutor on the case. In the memo, the prosecutor detailed why he believed there was not sufficient probable cause for arrest warrants.

The story got national attention, and, a few days later, the release of a video of Arbery being shot sparked international outrage. The Georgia Bureau of Investigation ultimately arrested three men, all of whom were indicted on murder charges on June 24.

As an elected official on the Cobb County Commission, I believe that government transparency created by open

records and open meetings adds accountability that is beneficial both to the voters who put me into office and to me.

The public expects that they will have access to information about what I and other commissioners do, and I take every action with the knowledge that the public has that oversight.

As an elected official, I also know that enabling public access can be cumbersome and sometimes confrontational. But in a democracy, it is essential.

That's why I joined the Georgia First Amendment Foundation's board of directors in 2016.

That's why in a world filled with so much need and so many opportunities to make a difference, government transparency is a cause worth my time and energy.

As the African American mother of two young sons, I understand and fear the consequences of having officials empowered by the people who take power from the people instead.

That's why the on-the-record accountability of open government matters.

In the Arbery shooting death, public records opened the door to justice.

My hope is that we will get to a place in our democracy where government officials' commitment to transparency is about more than just answering records requests in three days or guaranteeing that citizens can attend meetings. It is operating with the public's best interests in mind, with a commitment to justice and with the knowledge that the people are paying attention.

Lisa N. Cupid is a Cobb County commissioner and a board member of the Georgia First Amendment Foundation.

ON THE RECORD

Excerpts from AJC hate crimes editorials

June 28

Tuesday's approval of House Bill 426 means Georgia will soon leap clear of an ignominious shortlist of states that lacked a hate crimes law.

HB 426 will enhance criminal penalties that can be used against people who target others based on race, gender, sexual orientation, national origin, religion, or physical or mental disability. The House passed it in 2019. The shocking, violent deaths of Black people since then no doubt helped change some legislators' views — and votes. Recent and local among them was the death of Ahmaud Arbery, shot to death along a Glynn County road in February. His death and others led to worldwide protests calling for change.

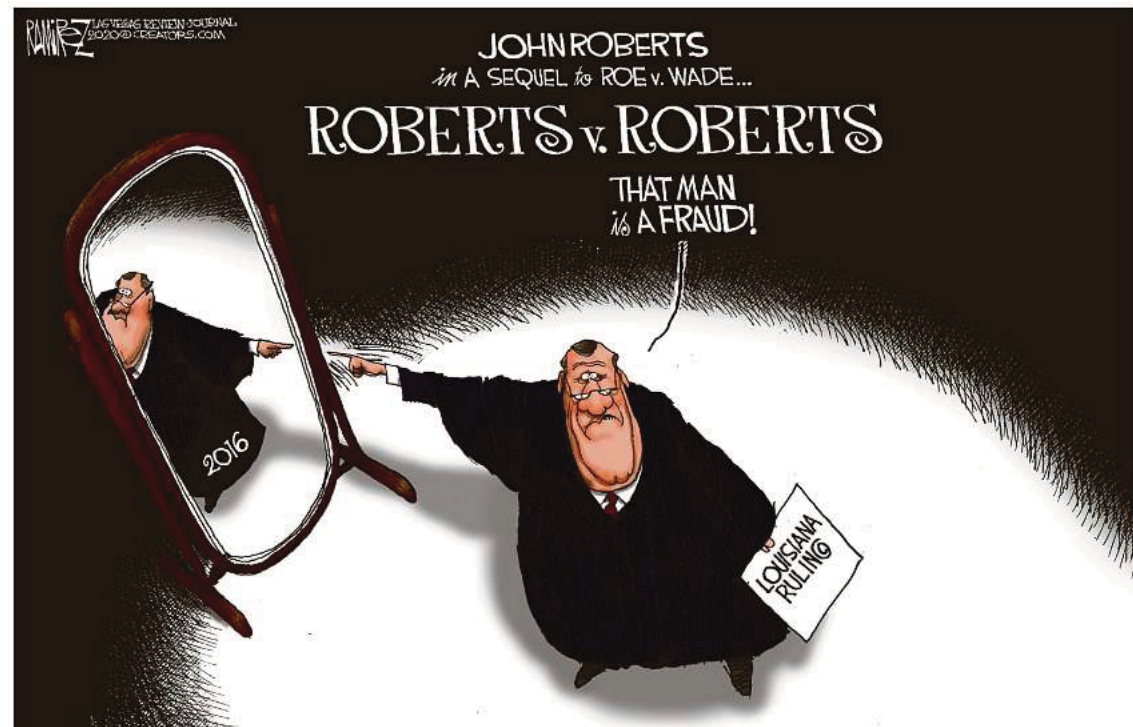
June 7

The other must-do for lawmakers is to approve hate crimes legislation. The Senate should quickly pass HB426, as the House did in 2019. The killing of Arbery has put Georgia in the world's spotlight. If we truly want to be a modern state that's globally competitive, Georgia must have the tools in place to ensure justice can be done. A hate crimes law is a necessary part of that.

Mike Luckovich



From the right



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READERS WRITE

Intact family units key to reducing youth delinquency

Regarding the column, "In these times, Tayo Alli is right public defender pick," (Metro, June 28), in these times, young people are appearing in the court systems not because of the educational system, but because the schools can't correct troubled family issues. Children without a complete family unit don't do well in school and are influenced by other children who don't do well and drop out so as to be accepted by their peers: a vicious cycle resulting in more young men appearing in the court hallways. Those youngsters would have had a better chance if there'd been a father in the picture. And their mothers weren't using good judgment while being impregnated by someone who could not offer the child a worthwhile future.

JACK FRANKLIN, CONYERS

Feeding those in need made easier by digital tools

Every year, 72 billion pounds of food are wasted, all the while, millions of Americans suffer from food scarcity. At Goodr, a benefit corporation that delivers surplus food to enterprises and communities that feed hungry families, our team is helping attack this problem by diverting a significant amount of food from landfills and delivering it to people who work with those in need. And now that we are amid a global pandemic, excess food has become an essential resource to many who have never before needed food assistance.

More than ever, we must ensure that excess food can do the most good. Digitally connected tools allow us to do that. Digital technology and data from programs like Google Analytics help us convert wasted food into a positive impact. Unfortunately, digital platforms are under attack. Policymakers are trying to regulate tech companies, which would prevent small businesses, like Goodr, from accessing these tools at a low cost, making serving the community and putting an end to hunger that much harder for us.

JASMINE CROWE, FOUNDER AND CEO, GOODR

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About the Opinion page: The AJC recognizes the diversity and differences of opinion among our readership, and we strive to accommodate this reality by regularly offering insights that point toward solutions for problems facing us today. Part of this work is regularly offering both conservative and liberal opinion voices as well. And we recognize the variety of opinions even within the same side of the political aisle, and hope you do too. For example, some of our liberal writers have been critical of the Clintons or former President Obama — much as some of our conservative columnists take to task President Donald Trump. We're constantly looking at how best to bring you a variety of viewpoints because we recognize the importance of balance on our Opinion pages — both between and within conservative and liberal ranks.