



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

STATE OF EMERGENCY DECLARATION

- WHEREAS:** Across the United States, Americans have gathered in solidarity to demand justice for George Floyd, Ahmaud Arbery, Breonna Taylor, and many others who were tragically killed; and
- WHEREAS:** To foster productive discussion and effectuate meaningful change, community leaders have urged peaceful assembly to ensure the lawful exercise of citizens' constitutional rights; and
- WHEREAS:** In the City of Atlanta and Fulton County, thousands of people have peacefully protested, but sadly, these gatherings have been infiltrated by some with a dangerous, destructive agenda; and
- WHEREAS:** For over two months, the City of Atlanta has grappled with countless threats to public safety with riots, extensive property destruction, and human injury in multiple communities; and
- WHEREAS:** There has been a dramatic increase in violent crime in Georgia's capital city; and
- WHEREAS:** During the Fourth of July weekend, there were over thirty gunshot victims across Atlanta, resulting in at least five deaths, including the tragic murders of eight-year-old Secoriea Turner and a fifty-three-year-old man; and
- WHEREAS:** Both individuals were murdered in the area of University Avenue and Pryor Road near the Wendy's restaurant where Rayshard Brooks was killed by an Atlanta police officer on June 12, 2020; and
- WHEREAS:** At that location, city officials have failed to quell ongoing violence with armed individuals threatening citizens, shooting at passersby, blocking streets, destroying local businesses, and defying orders to disperse; and

- WHEREAS:** On the morning of Sunday, July 5, 2020, roughly sixty to one hundred individuals – armed with rocks, spray paint, and fireworks – targeted the Georgia Department of Public Safety headquarters on United Avenue, breaking windows, vandalizing state property, and attempting to set fire to the building; and
- WHEREAS:** Criminals are now victimizing Georgians to inflict chaos, cause fear among residents, and thwart law enforcement; and
- WHEREAS:** This ongoing threat to public safety will not be tolerated; and
- WHEREAS:** Code Section 38-2-6 grants the Governor the authority to empower the Georgia National Guard to subdue riot and unlawful assembly as well as arrest and apprehend persons when called to active duty to respond to emergencies; 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:** Code Section 45-12-30 vests the Governor with the authority to order and direct any person, corporation, association, or group of persons to do any act or to refrain from any act which would, in his opinion, prevent danger to life, limb, or property or prevent a breach of the peace; and
- WHEREAS:** Code Section 45-12-31 vests the Governor with the authority to call out the Georgia National Guard and order and direct said forces to take such action as in his judgment may be necessary to avert the threatened danger and to maintain peace and good order in the particular circumstances; order any sheriff or sheriffs of this state to exercise fully the powers granted them and to do all things necessary to maintain peace and good order; order and direct the Department of Public Safety and each and every officer thereof to do and perform such acts and services as he may direct and as in his judgment may be necessary to maintain peace and good order in the circumstances; and authorize, order, or direct any state, county, or city official to enforce such proclamation by injunction, mandamus, or other appropriate legal action in any and all courts of the state; and
- WHEREAS:** On March 14, 2020, due to the impact of COVID-19 on the State of Georgia, I issued Executive Order No. 03.14.20.01, declaring a Public Health State of Emergency in Georgia; and
- WHEREAS:** The Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution on March 16, 2020; and

WHEREAS: On April 8, 2020, I renewed the Public Health State of Emergency until May 13, 2020 by issuing Executive Order 04.08.20.02; and

WHEREAS: On April 30, 2020, I renewed the Public Health State of Emergency until June 12, 2020 by issuing Executive Order 04.30.20.01; and

WHEREAS: On May 28, 2020, I renewed the Public Health State of Emergency until July 12, 2020 by issuing Executive Order 05.28.20.01; and

WHEREAS: On June 29, 2020, I renewed the Public Health State of Emergency until August 11, 2020 by issuing Executive Order 06.29.20.01; and

WHEREAS: This Order shall create a coexisting state of emergency in the State of Georgia with the Public Health State of Emergency described in the immediately preceding paragraphs; and

WHEREAS: The responses by the State to this State of Emergency and the Public Health State of Emergency should both proceed simultaneously, without one impeding the other; and

WHEREAS: In consultation with public safety officials, community 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 citizens, visitors, and property.

NOW, THEREFORE, PURSUANT TO THE AFOREMENTIONED GEORGIA LAW, CODE SECTION 38-3-51, CODE SECTION 45-12-29, 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 this state and danger existing to persons and property, a State of Emergency is declared in the State of Georgia.

IT IS FURTHER

ORDERED: That such State of Emergency shall expire on Monday, July 13, at 11:59 P.M. unless renewed by the Governor.

IT IS FURTHER

ORDERED: That the Georgia Department of Defense provide up to one thousand (1,000) 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 6th day of July 2020, at 3:58 P.M.


GOVERNOR