

CITY OF CHARLOTTESVILLE

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Message to the People of Charlottesville

on the Lee Statue, Heather Heyer's Memory, and the Public Safety of Events



Mayor Mike Signer, City of Charlottesville

August 18, 2017

Today, we mourn for area resident Heather Heyer and for Jay Cullen and Berke Bates, the two Virginia State Troopers who lost their lives while serving our city. Lieutenant Cullen is being laid to rest today, and Trooper-Pilot Bates is being laid to rest tomorrow. It has been a tragic week, and our thoughts and prayers are with all their loved ones.

Last weekend changed not only Charlottesville, but America. We witnessed a torch-lit parade on Friday night with open hatred being spewed on the grounds of Thomas Jefferson's beloved University. Saturday saw a rally led by Nazis, the KKK, and various members of the so-called "alt-right" culminate in an act of terrorism that killed one of our own.

While we are getting back on our feet, we are still traumatized. We will never be the same. But we will overcome this hatred. Government has no more sacred commitment than to keep the people safe. And it's in that spirit that I am issuing this statement.

The proximate cause for the madness of last weekend was Charlottesville's attempt, as a progressive southern city, to tell the truth about race in our city. A year and a half ago, we convened a Blue Ribbon Commission on Race, Memorials, and Public Spaces and charged them with helping us change the narrative by telling the full history of race in Charlottesville through our public spaces.

This entailed projects such as rehabilitating the historic African-American Daughters of Zion Cemetery, adding narrative and new monuments to our Confederate Parks, built during the Jim Crow era, and changing their names. It also included a vote to remove and then sell the statue of Robert E. Lee: a vote where I was in the minority, until now.

That crucial work—for us as a city, as a Commonwealth, and as a country built on the backs of slaves—is what made us a target for forces radiating out from the alt-right movement and the Donald Trump presidential campaign. These forces tell us that America was already great. That there's no new truth to be told. That the country's narrative is fine as it is. But that's dead wrong. The fact is we have to achieve greatness. We have to work at it.

As the Mayor of this historic, tolerant City, I have been praying on steps forward—and praying hard. During the memorial service for Heather Heyer Wednesday, I listened intently to the extraordinary testimonies to Heather's passionate life and tenacious spirit. I came back, again and again, to her mother Susan's passionate call for us to magnify her daughter's voice. She said, "Let's channel that anger not into hate but into righteous action."

And so here are the three steps I will be taking, as an individual member of City Council, to try and answer that urgent call. (Under our form of government, any policies we adopt will have to be supported by a majority of Council and implemented by our City Manager and our staff.)

The Statues

As many people know, up until the memorial service for Heather Heyer Wednesday, I supported one of the recommendations of our Blue Ribbon Commission that we “transform in place” the Lee statue by creating a new context around it.

But last weekend changed everything. Heather Heyer’s memorial service was a profound turning point for me and many others. Her mother said, “They tried to kill my child to shut her up. But guess what? You just magnified her.” I realized at Heather’s memorial service that that our Confederate statues’ historical meaning has been changed forever. In other words, it will never be possible again for the Lee statue to *only* tell the story of what happened here during the Civil War and the Jim Crow era. Its historical meaning now, and forevermore, will be of a magnet for terrorism.

With the terrorist attack, these monuments were transformed from equestrian statues into lightning rods. We can, and we must, respond by denying the Nazis and the KKK and the so-called alt-right the twisted totem they seek. And so for the sake of public safety, public reassurance, to magnify Heather’s voice, and to repudiate the pure evil that visited us here, I am calling today for the removal of these Confederate statues from downtown Charlottesville.

Today, I applaud Governor McAuliffe’s call for legislative action and request that the Governor and the General Assembly come together in a special session so the legislature can swiftly act to enable localities to determine the fate of monuments like the Lee statue. Whether they go to museums, cemeteries, or other willing institutions, it is clear that they no longer can be celebrated in shared civic

areas, like Charlottesville's Downtown Mall. These steps would allow Charlottesville City Council's decision earlier this year to move and sell the Lee statue to happen as soon as possible.

Public Safety

I also want to address the public's concerns about how to address these events going forward. In a new age of domestic terrorism, we need to re-examine the balance that we strike between public safety and violent protests.

While I am friends with many gun owners and am a strong supporter of the Second Amendment, that right, like all Constitutional rights, comes with limits. Just as machine guns cannot be owned by civilians in this country, (a restriction supported by the National Rifle Association), it should not be acceptable to open-carry or concealed-carry firearms at an event of the sort we saw last weekend. First, the danger is too great of a catastrophic incident. Second, it is intimidating beyond any reasonable standard for citizens, particularly members of vulnerable communities.

And so I am going to work with my colleagues on City Council to demand that our General Assembly swiftly enact legislation allowing localities to ban the open or concealed carry of weapons in public events reasonably deemed to pose a potential security threat.

Second, we must refine the ways in which we approach events in this new age of hatred and domestic terror. As elected officials, we have a sworn duty to uphold the Constitution and protect our citizens. While not absolute, the First Amendment's protections are sweeping, and the U.S. Supreme Court, whether in *Brandenburg v. Ohio* or in the 2011 decision ruling in favor of the hateful Westboro Baptist Church, generally requires localities to enable even the most offensive speech to be heard.

That is what we did here in Charlottesville leading up to August 12. As befits a City with a Free Speech Wall right in front of our City Hall, our permitting system is designed with an expansive view of the First Amendment. But we were faced with thousands of armed people swarming to the crowded

and dense space of Emancipation Park and the Downtown Mall. These concerns led our leadership team to fight to relocate the protest to McIntire Park, which, at 100 acres, could better accommodate crowds of protestors and counter-protestors.

Unfortunately, a lawsuit was filed on the baseless grounds that our decision to move the protest was not “content-neutral.” At about 9:30 p.m. the night before the event, a federal judge ruled against the City, forcing us to host the rally in downtown Charlottesville.

I will work with my colleagues on Council and our staff to launch a comprehensive review of our permitting process to give the City the maximum ability to prioritize public safety in such situations, including by limiting the size of events and by exploring updating the current legal “credible threat of violence” standard with a new approach that can address the threat of the intentional creation of mayhem before it happens—particularly when it’s fomented through social media and shadow networks.

We need to refine our approach for devious developments among today’s bigots and alt-right. The alt-right protesters often framed their provocations, the weapons they carried, and their uniforms, as self-defense—but it became clear once they arrived that these were all preparations to draw others into conflict.

Given these developments, it is clear that government needs new tools under the First Amendment to protect the public from such intentional mayhem. The meaning of the Constitution has changed over time, and governments have always needed to strike a balance between free speech and public safety. As everyone knows, you cannot yell “Fire” in a crowded theater. In our review and the actions to follow, we should consult with leading First Amendment scholars so that our new rules meet the spirit of our treasured Constitution.

Heyer Memorial

Finally, I believe that we must act to consecrate the memory of Heather Heyer—a martyr in what Senator John McCain recently described as the battle here between our better angels and our worst demons. In the coming days and weeks, I will propose to my colleagues on City Council and to stakeholders in our community that we take concrete steps to memorialize Heather’s name and legacy. Many good options may surface from our creative and loving community, and we should consider them all seriously, including whether Emancipation Park could include Heather’s memory in some fashion. However we ultimately decide to remember Heather, it should be in a way that tells the truth of what happened in our city—before, during and after August 12, 2017—and that should, again, magnify her voice.

I want to close with a request for help. In the coming days and weeks, various initiatives will be announced to explore what happened last weekend and its consequences for us as a city. The most important work before us today, however, is to heal. The Charlottesville Area Community Foundation, one of our most valued community partners, has launched the *Heal Charlottesville Fund*. This important initiative will work to provide immediate assistance and stabilization to residents, dialogues on reconciliation, and programs for restoration and healing. I urge everyone to consider donating to this effort here: <http://www.cacfonline.org/news/detail/heal-charlottesville-fund>

In closing, Charlottesville is one of the greatest cities not only in the country, but the world. We embrace tolerance, diversity, inclusion, and creativity, and it has led us to become our slogan: a “World-Class City.” This is a city where love will conquer hate, and I am seeing that each day after August 12. With that in mind, I’m looking forward to working with my colleagues on City Council, with our staff, and with our community stakeholders, to magnify Heather Heyer’s voice—and to strive to become a more perfect union.