



August 20, 2017

Colonel W. Steven Flaherty  
Superintendent, Virginia State Police  
P.O. Box 27472  
Richmond, VA 23261

Chief Al S. Thomas, Jr.  
Charlottesville Police Department  
606 E Market St, Charlottesville, VA 22902

Dear Superintendent Flaherty and Chief Thomas:

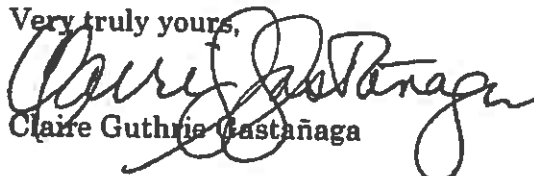
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As you are both involved in completing after action reports and investigating possible criminal acts that occurred during the events of last Saturday, August 12 in Charlottesville, I wanted to reaffirm our publicly stated willingness to be a constructive voice in that process as we all learn, at tragic cost, from the events that day.

In that regard, I wanted you both to know that, on Thursday, August 17, we forwarded to the FBI the attached letter and video in response to their request issued on Wednesday <https://tips.fbi.gov/digitalmedia/8b8abd1ef31b408>. As you will see, the video shows a white male participant in the "Unite the Right" rally shooting a gun at the feet of a black counter-protester. The incident happened quite near the entrance to Emancipation Park on the corner of First and Market Streets. State Troopers are shown in the background.

We are continuing to review all of the video that our staff or volunteer legal observers recorded that day. Please let us know if you would like to receive copies of those videos, in what format you would like to receive them, and to whom we should forward the copies.

We all have much to learn from the tragedy in Charlottesville. Let us know when and how we can be a voice in the learning process. Protecting the First Amendment in the current context is going to require extremely careful security and policing. State and local law enforcement (including campus police) need to be able to protect events where there is protest and threat of violence and withstand the criticism that offering protection to those with unpopular ideas is wrong. If we cannot find a way to police protests effectively and constitutionally, in the extreme, the result will be that any and all speech can be prohibited if there is any threat of violence and only speech endorsed by the government with the resources to secure it will be heard.

Very truly yours,  
  
Claire Guthrie Gastañaga

Attachments

