

Charlottesville violence prompts ACLU to change policy on hate groups protesting with guns

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White nationalists are met by a group of counter-protesters in Charlottesville, Virginia. Photo by Joshua Roberts/Reuters

The American Civil Liberties Union said Thursday it would no longer represent white supremacist groups who demonstrate with guns.

After the “Unite the Right” rally in Charlottesville, Virginia, turned deadly, ACLU executive director Anthony Romero told The Wall Street Journal that the group will review legal requests from white supremacist groups on a case-by-case basis, assessing more closely whether their protests would have the potential to be violent.

“The events of Charlottesville require any judge, any police chief and any legal group to look at the facts of any white-supremacy protests with a much finer comb,” Romero told the Journal. “If a protest group insists, ‘No, we want to be able to carry loaded firearms,’ well, we don’t have to represent them. They can find someone else,” he added.

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Charlottesville officials originally denied organizer Jason Kessler a permit for a march protesting the removal of a Robert E. Lee Confederate statue from a local park. In response, the ACLU [filed a lawsuit](#) against the city, citing the national organization’s long-held belief to uphold the rights of free speech for all.

The city of Charlottesville would ultimately grant the permit for the rally, where violence broke out between armed white nationalist groups and counter-protesters. It ended with a car attack that injured 19 and killed counter-protester Heather Heyer, 32, whose funeral was [held earlier this week](#).

The ACLU faced backlash over the decision to defend the white supremacist groups, including from Virginia Gov. Terry McAuliffe who [told NPR](#) that Charlottesville officials “asked for [the rally] to be moved out of downtown Charlottesville to a park about a mile and a half away — a lot of open fields. That was the place that it should’ve been. We were, unfortunately, sued by the ACLU. And the judge ruled against us.”

ACLU’s Virginia branch responded to the criticism over its decision, saying [in a statement](#): “... Let’s be clear: our lawsuit challenging the city to act constitutionally did not cause violence nor did it in any way address the question whether demonstrators could carry sticks or other weapons at the events.”

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The question of how to defend the speech rights of white supremacist groups like the Ku Klux Klan and neo-Nazis has dogged the ACLU for years. The Los Angeles Times illustrated this point by [digging up a 1934 pamphlet](#) created by the ACLU’s board of directors. The pamphlet was titled “Shall We Defend Free Speech for Nazis In America?”

“We do not choose our clients,” the pamphlet read. “Lawless authorities denying their rights choose them for us. To those who support suppressing propaganda they hate, we ask — where do you draw the line?”

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The ACLU still officially condemns the hate speech of white supremacists, Romero told the LA Times, but “at the same time, we believe that even odious hate speech, with which we vehemently disagree, garners the protection of the 1st Amendment when expressed non-violently.”

ACLU spokeswoman Stacy Sullivan [told Reuters](#) that the announced policy shift doesn’t change the group’s position on civil liberties; it was prompted more by a concern over firearms, she said.

“We’ve had people with odious views, all manner of bigots. But not people who want to carry weapons and are intent on committing violence,” she said.