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**PRESS RELEASE
FOR IMMEDIATE RELEASE
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ACLU SETTLES GRAFFITI ORDINANCE CHALLENGE

The ACLU of Georgia today announced a comprehensive settlement of its constitutional challenge to Atlanta's controversial Graffiti ordinance.

In 2003, the City of Atlanta adopted an anti-graffiti ordinance which made it a crime for citizens to place art on their own property without prior government approval and established very ambiguous standards for approval. In September 2004, the ACLU filed suit in U.S. District Court on behalf of Donald Bender, a local businessman who had frequently commissioned artistic murals for his commercial properties. The ACLU alleged that the graffiti ordinance, which could result in criminal charges against property owners who failed to receive prior government permission for placing works of art, violated the free speech and due process rights of citizens.

Mr. Bender is pleased with the resolution of the case. "The City has been responsive to the issues we raised and the result is a fairer and more enforceable ordinance,"

The settlement of the lawsuit, recently finalized by the City, results in a revamping of the ordinance by eliminating criminal penalties for property owners who commission murals for their property or are victims of unauthorized graffiti. The new ordinance retains criminal penalties for vandals who place unauthorized graffiti and creates a new program using inmates to clean up graffiti throughout the City.

"This is a win-win for the City and property owners," said Gerald Weber, Legal Director of the Georgia ACLU. "We found a way to clean up the city and protect free speech."

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Copies of the Complaint in *Bender v. City of Atlanta* are available at www.acluga.org

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