

JOHN R. MONROE

JOHN MONROE LAW, P.C.

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Mr. Stephen Shimp
Executive Director
Georgia National Fairgrounds & Agricenter
401 Larry Walker Pkwy.
Perry, GA 31069-1367

[Via Email sshimp@gnfa.com](mailto:sshimp@gnfa.com)

RE: Security at State Fair

Dear Mr. Shimp:

I am writing you on behalf of my client, GeorgiaCarry.Org, Inc. ("GCO") in response to a news article yesterday on WGXA TV. GCO is a non-profit corporation dedicated to fostering the rights of its members to keep and bear arms. We are concerned about some of the suggestions discussed in the article.

First, however, I should respond to a statement in the article that "Georgia is an open carry state." The article does not attribute that statement to you (or anyone else). It does not elaborate on what that means, but for most any common meaning of that phrase, it is not correct. A license is needed in Georgia to carry openly or concealed. A person without a license may not carry in public at all. A person with a license may carry openly or concealed. In short, Georgia law does not differentiate between open and concealed carry.

The article suggests that you are considering metal (or density) detectors at the state fair, and also considering wrist bands for people who are carrying. While Georgia law would not *per se* prohibit detectors, other provisions of the law would make the detectors a waste of time and money. If a detector alarmed, then what would you do? The implication is you would search the fairgoer, but under what authority would you do so and how would you avoid violating the 4th Amendment's guarantee against unreasonable searches and seizures?

Even if you were able to determine that a person was carrying a firearm, Georgia law explicitly prohibits detaining a person for the purpose of determining if he has a license. O.C.G.A. § 16-11-137(b). The requirement to wear a wrist band also would be problematic. O.C.G.A. § 16-11-173(b)(1) prohibits any entity but the General Assembly from regulating carrying weapons "in any manner." Imposing a requirement to wear a wrist band while carrying would, of course, constitute regulating carrying.

Please consider these concepts when developing your plans for this year's Fair.

Sincerely,

John R. Monroe

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