

# FBI investigating Georgia officials who failed to arrest Ahmaud Arbery's killers

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Lee Merritt, the attorney representing the family of Ahmaud Arbery, who was shot and killed just outside Brunswick, Georgia earlier this year, recently told reporters that federal authorities have launched a criminal inquiry into the two district attorneys and the police department involved in the case earlier this year.

“This is a vast conspiracy at this point,” Merritt told TMZ on Monday. “They’re spreading the net here. They said the GBI [Georgia Bureau of Investigation] doesn’t anticipate making any additional arrests, but the FBI very well may.”

Arbery, an unarmed 25-year-old black man, was pursued and killed on February 23 by a group of three white men, including Gregory McMichael, a recently retired police investigator for Glynn County and driver of one of the two pursuing vehicles; Travis McMichael, Gregory’s son, who grappled with and shot Arbery three times, twice in the chest, with his shotgun; and William Bryan, a neighbor who recorded the killing on video and allegedly blocked Arbery’s escape with his automobile during the pursuit. Arbery’s family has stated that Ahmaud was out jogging in the neighborhood on the day of the incident and had not committed any crimes.

None of the three men were arrested following the killing, and the police report includes a statement made by Gregory McMichael that he and his son were attempting to make a citizen’s arrest of Arbery, who they believed was behind what they claimed were a “string of robberies” in the Satilla Shores neighborhood. The only evidence of any activity on the part of Arbery is a private surveillance video that shows him trespassing on a construction site, but the owner of the property insists that no burglary or damage was done, and that he does not condone the vigilante-style response of the McMichaels.

The case was initially taken up by Glynn County District Attorney Jackie Johnson, who quickly recused her office from the case, due to the fact that Gregory McMichael had recently retired as an investigator for her office, in 2019. She has since been accused of ordering police to make no arrests on the day that Arbery was shot, which she denies.

The case was then given to the Waycross Judicial District Attorney George Barnhill, who recommended that there should be no arrests in the case. He wrote in an April letter to the GBI that the actions of the McMichaels and Bryan were, “Under Georgia law...perfectly legal.” He even went so far as to suggest that Arbery himself was responsible for the shooting, since he tussled with Travis McMichael over the shotgun.

Barnhill did not recuse his office from the case until April 7, when a request was made by Arbery’s mother after she found that Barnhill’s son had worked alongside Gregory McMichael in the Glynn County DA’s office. It was later revealed that both Barnhill’s son and McMichael had been directly involved in the prosecution of Arbery in an incident some years earlier.

The McMichaels were not arrested until May 7, after a video of the shooting went viral online and the case had been taken over by the GBI. Travis was charged with murder and Gregory as a party to the crime. William Bryan was also arrested by the GBI two weeks later and was charged with felony murder and criminal attempt to commit false imprisonment. All three men are currently being held in the Glynn County Jail.

Merritt claims that federal investigators are now looking into potential “criminal and civil” violations by both Johnson and Barnhill, and that the FBI is looking into the actions of the Glynn County Police Department. The Georgia chapter of the National

Association for the Advancement of Colored People (NAACP) has called on both district attorneys to resign and face charges of obstruction of justice.

“All citizens are entitled to the same protection under the law,” Merritt explained to TMZ on Monday. “This case makes it clear that all black citizens in South Georgia aren’t getting the same protection because if you shoot anybody in the street in broad daylight, just in general, you expect at least an arrest. There were no arrests made.”

Department of Justice representative Kerri Kupec confirmed in a May 11 statement that federal investigators were assessing evidence “to determine if federal hate crime charges are appropriate.” Georgia is one of three southern states that has no hate crime laws, which generally allow for more severe sentencing for perpetrators of crimes ruled by a court to be motivated by bias.

In 2019, the Georgia House passed a bill that would have penalized crimes committed out of bias against race, color, religion or sexual orientation, but the measure has stalled in the state Senate this year due to the legislative session ending over concerns about COVID-19. Since Arbery’s murder began making headlines in early May, efforts to pass that bill have been renewed.

The Georgia Legislative Black Caucus recently issued a statement urging the state Senate to pass the bill, and State House Speaker David Ralston, a Republican, has also called for the state Senate to pass the bill “with no delay and no amendments.” Members of the Black Caucus are proposing that the measure be renamed the “Ahmaud Arbery Hate Crime Bill.”

Arbery’s killing has also fueled efforts to pass a hate-crime law in South Carolina, where more than 30 lawmakers have signed legislation brought by Wendell Gilliard, a Democrat, that would establish such a law in the state. That measure is currently awaiting action in the House Judiciary Committee.



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