



CITY OF ATLANTA

DEPARTMENT OF LAW

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Mayor

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PATRIS PERKINS-HOOKER
City Attorney

February 3, 2025

Inspector General Manigault
Office of Inspector General
City of Atlanta
185 Ted Turner Drive, SW
Atlanta, GA 30303

Via Email to: Skmanigault@atlantaga.gov

Re: Notice to Cease and Desist

Dear Inspector General Manigault:

On behalf of the City of Atlanta, I am demanding that your office cease the practice of adding disclosure notices on your subpoenas immediately. The specific language to be removed is *"Disclosure of the existence of this subpoena or its contents could impede the investigation being conducted and thereby interfere with the enforcement of law. Please do not notify."* This language is designed to have financial institutions view this subpoena as being one issued pursuant to O.C.G.A. Section 7-1-360 (3) as a part of a criminal or tax investigation of the depositor or customer of the financial institution. Your subpoenas are in the nature of those issued pursuant to O.C.G.A. Section 7-1-360 (2). The difference is the requirement of notice to be provided to the depositor or customer of the financial institution.

This situation recently came to my office's attention. I am hereby notifying you that this practice must cease immediately. The failure to provide notice to the depositor or customer which is a citizen, vendor or employee of the City of Atlanta is not legal, and it places the City of Atlanta at risk for potential liability for this intentional violation of Georgia's Banking and Finance laws. This practice also subverts the provisions in Part I, (Charter and Related Laws), Subpart A, (Charter), Article 8, Section 8-101 (e) of the Municipal Code of the City of Atlanta which grants a party subject to a subpoena the right to file a motion with your board to seek to quash the subpoena. Without notice of the issuance of the subpoena, this right has been eviscerated.

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You still have the power to issue subpoenas, but this power must be used in accordance with state and federal law. The party for whom you are seeking financial documents must be provided a copy of the subpoena and given the opportunity to quash the same.

If you or members of your board have any questions about the contents of this notice letter, please feel free to contact me.

Sincerely,



Patrise Perkins-Hooker
City Attorney

Cc: Mayor Andre Dickens
President Doug Shipman
Nichola Hines
Members of the Governing Board of the Office of Inspector General and the Ethics
Office