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Georgia accuses activist of ‘terrorism’ because he posted ‘copyrighted’ legal code online

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The state of Georgia claims an open records activist broke copyright law — and maybe even committed a terrorist act — by posting the full, annotated versions of the state’s legal code online.

State officials claim in a lawsuit filed last week that Carl Malamud had engaged in an 18-year “crusade to control the accessibility of U.S. government documents” by scanning and reposting the annotated version of the Georgia legal code, which courts often rely on to make decisions on the law, on his website Public.Resource.org.

The state also “points directly to the annotated version as the official laws of the state,” reported [Techdirt](http://Techdirt.com).

The basic legal code is readily available for free online and in print, but the state claims in its suit that information in the annotated legal code is copyrighted.

The annotated legal code is currently available for \$378 through legal publisher Lexis Nexis or through a complicated series of steps through the Georgia General Assembly website.

Malamud argues that public laws should not be subject to any form of copyright protection — and he says the courts have generally upheld that view.

The lawsuit cites a remark made by Malamud in 2009 describing his efforts to post government documents online as “standards terrorism” to accuse the digital activist of committing acts of terrorism.

“Consistent with its strategy of terrorism, (Malamud) freely admits to the copying and distribution of massive numbers of Plaintiff’s Copyrighted Annotations,” the lawsuit claims.

The state, which complains in the suit about Malamud’s online donation campaigns to fund his operations, argues that it cannot maintain online records on its annotated legal code without charging residents to access the documents.

Oregon had previously threatened to sue Malamud for copyright violation but has since backed down.