

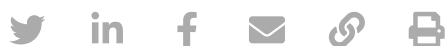


LEGAL

## Coffee County judge denies Georgia man right to release full bodycam video in family's traffic stop

Deonte Williams, whose five children were put in foster care after the stop, argued his First Amendment right to disseminate body camera footage of the incident.

BY: **ANITA WADHWANI** - SEPTEMBER 27, 2023 10:01 AM



📷 The Coffee County, Tenn. Justice Center. (Photo: John Partipilo)

A Coffee County judge on Tuesday denied a Georgia man's request that he be allowed to publicly share unredacted dashboard and bodycam footage of a misdemeanor traffic stop that led to all five of his young children being sent to foster care.

Deonte Williams, through his attorney, argued he has a First Amendment right to disseminate footage from the February traffic

stop carried out by the Tennessee Highway Patrol. Troopers pulled Williams over for “dark tint and traveling in the left lane while not actively passing” as he was driving his family from their Georgia home to an uncle’s funeral in Chicago.

The footage captures a two-hour span when troopers searched the Dodge Durango, detained the family then arrested Williams for possessing fewer than five grams of marijuana – a misdemeanor in Tennessee. Bianca Clayborne, Williams’ partner, was cited and told she was free to leave with their children. Instead, when Clayborne drove to the jail to post bond for Williams, the five children were taken from her by police and social workers. The children ranged in age from four months to seven years old.



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There shouldn't be any reason they cannot share them.

*– Dawn Deaner, attorney for Deonte Williams and Bianca Clayborne*

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Coffee County General Sessions Judge Greg Perry entered a “protective order” in June barring the footage from being “disseminated to the public” and warned that anyone who did would be found in contempt.

In arguing for the protective order to be set aside, the couple’s attorney called it an improper restraint on the couple’s Constitutionally protected speech rights.

“There must be a compelling government interest to prohibit speech in this manner,” said Dawn Deaner, who represents Clayborne and Williams. “They came by these recordings in a lawful manner. There shouldn’t be any reason they cannot share them. The people involved in them are their children and them, so if they feel comfortable sharing videos with whomever they wish to share them with, they should have the freedom to do that.”

Unredacted footage of the traffic stop was turned over to Deaner in response to a subpoena, but the case never went to trial where it

might have been introduced as evidence and become part of the court's public record. In August, charges were dropped against Clayborne. Williams pled guilty to a misdemeanor simple possession charge.

Coffee County District Attorney Marcus Simmons argued the family be legally barred from sharing the hours of unredacted video already in their possession. Instead, Simmons said, the couple could submit a public records request to the Tennessee Highway Patrol, who could opt to redact portions of the video.

"The state was opposed to giving (video) to them in the first place," Simmons said. "If they want it to release it, the state's position is the appropriate way to get it is a FOIA request, or request under the Public Records Act, to allow the Tennessee Highway Patrol to do the necessary redactions."

"I just want to remind the court here there are children...I don't know if these children, months, years from now if they want their faces on the news," he said. "The state would just ask to keep those interests in mind also."



## A Black family fights to get their kids back from Tennessee Department of Children's Services

A Black family from Georgia is fighting for the return of their five young children from the custody of the Tennessee Department of Children's Services after a traffic stop in Manchester, Tenn. last month. Bianca Clayborne and Deonte Williams were on Interstate 24 heading to a family funeral in Chicago — kids asleep in the ... [Continue reading](#)

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In denying the motion allowing the family to share video it already has, Perry said he was concerned the release could violate a gag order he imposed in juvenile court, where the couple fought to get their children home after the traffic stop.

Perry, who declined the couple's request to recuse himself from the criminal case because of his involvement in their juvenile court case, issued the gag order after the family, and their personal attorney, spoke publicly about the children's removal, the conduct of the Department of Children's Services and the juvenile court proceedings.

"I would advise them to tread lightly regarding dissemination of information under the juvenile case file," Perry said in court on Tuesday.

Perry, however, agreed to modify his existing order to allow the parents — and the public — to file formal records requests with the

Tennessee Highway Patrol for redacted versions of the dash and body camera videos.

“I’ll modify the order to allow them to get those records through THP redacted because of the minor children,” the judge said. “I’m going to release it to everyone. Anyone that wants to come get it, they can access it through THP.”

(A Tennessee Lookout public records request for the footage in March was denied by the THP, which cited the then-open criminal against the parents as a reason for the denial.)

The children were returned to their parents two months after the traffic stop and there is no current juvenile court case concerning the family.

The incident received widespread public attention, in part because it raised questions about whether the family, who is Black, received disparate treatment while driving through a largely white, rural area of Tennessee.

Their case drew [condemnation and demands the children be immediately returned from the Tennessee NAACP, Democratic lawmakers](#) and others after the [publication of a story in the Lookout](#) chronicling the incident and the parents’ anguished fight to get their children back.



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Anita Wadhvani is a senior reporter for the Tennessee Lookout. The Tennessee AP Broadcasters and Media (TAPME) named her Journalist of the Year in 2019 as well as giving her the Malcolm Law Award for Investigative Journalism. Wadhvani is formerly an investigative reporter with The Tennessean who focused on the impact of public policies on the people and places across Tennessee.

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