

IN THE CIRCUIT COURT FOR THE COUNTY OF ARLINGTON

COMMONWEALTH OF VIRGINIA,

v.

GALEN BAUGHMAN,

Defendant.

Case No. CR03-576(01)/1328(-01)

**MOTION OF AMERICAN CIVIL LIBERTIES UNION OF VIRGINIA FOR LEAVE TO FILE MEMORANDUM *AMICUS CURIAE***

Come now *amicus curiae*, the American Civil Liberties Union Foundation of Virginia respectfully requests that the Court grant leave for them to file a memorandum in support of Defendant in the above-captioned case. A copy of the proposed memorandum is attached hereto. In support of this motion, *amicus* states as follows:

1. The American Civil Liberties Union Foundation of Virginia (“ACLU-VA”) is a statewide, nonprofit, nonpartisan organization with approximately 28,000 members. The ACLU of Virginia appears frequently before the state and federal courts of this Commonwealth, both as counsel and as *amicus curiae*. Since its founding, the ACLU of Virginia has been a forceful advocate for civil liberties and civil rights, including the constitutional rights of people accused of criminal offenses and people serving sentences of incarceration and/or community supervision.

2. This case raises important issues relating to the privilege against self-incrimination in the Fifth Amendment to the United States Constitution in the context of

Virginia's supervision of people convicted of sex offenses. *Amici* respectfully suggest that their expertise in this area may be helpful to the Court.

3. Defendant has consented to the filing of this memorandum. Undersigned counsel has attempted to contact counsel for the Commonwealth to seek its consent to file this motion but has not yet received a response from the Commonwealth.

For the foregoing reasons, *amicus* respectfully request that the Court grant its motion to file a brief *amicus curiae*.

Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION OF VIRGINIA, INC.

By: Vishal Agraharkar



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Vishal Agraharkar (VSB #93265)  
American Civil Liberties Union of Virginia Foundation, Inc.  
701 E. Franklin St., Ste. 1412  
Richmond, VA 23219  
804.523.2151  
Fax: 804-649-2733  
vagraharkar@acluva.org

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of March 2021, I served a true and correct copy of the foregoing document by electronic mail, to the following:

Marvin D. Miller  
The Law Offices of Marvin D. Miller  
1203 Duke Street  
Alexandria, VA 22314

Joshua Katcher  
Office of the Commonwealth's Attorney  
1425 N Courthouse Rd # 5200  
Arlington, VA 22201



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Vishal Agraharkar