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100th Anti-Patriot Act Resolution Passed In Broward, Florida

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by Jennifer Van Bergen

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Broward County, Florida, the 14th largest county in the U.S., yesterday unanimously passed a resolution affirming the Bill of Rights and registering strong concerns about the PATRIOT Act. Broward is the 100th community to pass such a resolution and the largest to have done so, according to the Northampton Bill of Rights Defense Committee, which tracks all resolutions.

The Resolution was submitted by the Broward Human Rights Board and supported by the Broward Bill of Rights Defense Coalition. The Broward Coalition, a non-partisan coalition formed to raise public awareness of this issue in south Florida, met with Commissioners in January, and has been holding area meetings and sponsoring forums on the PATRIOT Act and civil rights over the past year.

Broward is best known nationally as being one of the counties where the election controversy of 2000 played out.

The Commissioners, some of whom are staunch Republicans, broke today with that negative image and showed the nation that they support the important efforts to uphold the Bill of Rights and repeal or amendment of the USA PATRIOT Act.

The Broward Human Rights Board, with the endorsement of the Broward Coalition, had put the issue before the Commission in January of this year. The Commission filed the resolution and did not then act upon it. The Lehrer News Hour aired a segment nationally on the Bill of Rights Defense Movement focusing on Broward's efforts.

On Monday, Jennifer Van Bergen, Chair Person of the Broward Coalition, urged the Commissioners to pass the Resolution. She wrote them:

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"We support repeal or amendment of those provisions of the Patriot Act that undermine the Bill of Rights. We feel that some provisions of the Patriot Act actually make it harder for law enforcement to do its job in fighting terrorism. There are now over 100 communities nationwide that have passed resolutions against this pernicious legislation. The Hawaii legislature is the first state to do so. We hope you will vote tomorrow to support a resolution that takes a strong position on preserving our precious civil liberties, as we fight terrorism."

In a statement released by The March For Justice, a Broward Coalition member organization, Nidal Sakr stated:

"Today is a great day in the history of our democracy and a victory for the people. The resolution passed unanimously today, was a result of diligent work of Broward's exemplary citizens and organizations and came to signify the working relation between the public and their elected officials.

We call upon all people throughout the country to join the list of over 60 municipalities that have passed similar resolutions. Together, we can all make a difference, and together, WE ALL COUNT."

(For a definitive list of municipalities that have passed resolutions, see www.bordc.org.)

Following is the Resolution:

A Resolution of the Board of County Commissioners of Broward County, Florida, Affirming the Civil Rights of All Residents of Broward County

WHEREAS, Broward County, Florida has a long and distinguished history of protecting and expanding the civil rights and civil liberties of its residents; and,

WHEREAS, the residents of Broward County wish to honor the memory of all those who died as a result of the September 11, 2001, attacks; and,

WHEREAS, Broward County has a diverse population, including students, working people, and non-citizens, whose contributions to the community are vital to its character and function; and,

WHEREAS, the United States Congress passed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act); and,

WHEREAS, the Federal Administration is moving to pass a Second

USA PATRIOT ACT also known as the Domestic Security Enhancement Act of 2003 that usurps more rights than the original USA PATRIOT ACT which would provide for the presumptive denationalization of American citizens who support the activities of any organization that the executive branch has deemed "terrorist."; and,

WHEREAS, the State of Florida has enacted the Emergency Health Powers Act in May of 2002 which allows for appointed Health Officials to declare a health emergency or potential health emergency and force people to be vaccinated against their will, quarantined and the State can confiscate anyone's personal property without due process of law; and

WHEREAS, the Bill of Rights of the United States Constitution and the Constitution of Florida guarantee those living in the United States the following rights: freedom of speech, assembly and privacy; equality before the law and the presumption of innocence; access to counsel and due process in judicial proceedings; and protection from unreasonable searches and seizures; and,

WHEREAS, we believe these civil liberties are precious and may be threatened by the USA PATRIOT Act, the Domestic Security Enhancement Act of 2003 and Florida's Emergency Health Powers Act which: Reduces judicial supervision of telephone and Internet surveillance; Expands the government's ability to conduct secret searches without warrants;

Grants power to the Secretary of State to designate domestic groups as "terrorist organizations";

Grants power to the Attorney General to subject non-citizens to indefinite detention or deportation even if they have not committed a crime; Grants the Federal Bureau of Investigations (FBI) access to sensitive medical, mental health, financial and educational records about individuals without having to show evidence of a crime; and,

Grants the FBI the power to compel libraries and bookstores to produce circulation or purchase records of their patrons and forbids disclosure that such records have been requested and produced; and,

Grants the Federal Government the ability to determine persons are terrorists or provide material support to a terrorist group could be expatriated from the United States and subjected to indefinite detention without access to legal process: and,

Grants appointed state health inspectors the power to force people to be vaccinated against their will, quarantine people based on a

potential health emergency, and the Unconstitutional ability to confiscate people's property without due process of law; and,

WHEREAS, Broward County has been and remains, committed to the protection of civil rights and liberties for all citizens of Broward County; and,

WHEREAS, the Board of County Commissioners believes that a threat to any one person's Constitutional rights is a threat to the rights of all.

NOW THEREFORE, BE IT RESOLVED:

That the Broward County Commission affirms the rights of all people, including United States citizens and citizens of other nations, within the County in accordance with the Bill of Rights and the Fourteenth Amendment of the U.S. Constitution; and,

That the Broward County Commission calls upon all County officials and employees to respect the civil rights and liberties of all members of this community, including those who are citizens of other nations; and,

That the Broward County Commission calls upon all private citizens-including residents, employers, educators, and business owners-to demonstrate similar respect for civil rights and civil liberties; and,

That the Broward County Commission calls upon the United States Attorney's Office, the Office of the Federal Bureau of Investigation, Florida Department of Law Enforcement, and local law enforcement authorities to publicly disclose the names of any federal detainees suspected of terrorism held in Broward County; and,

That the Broward County Commission supports the rights of County officials and employees to conduct their duties pursuant to Constitutions of the United States and the State of Florida and further supports actions taken in opposition to unconstitutional directives and orders that violate the rights of people in Broward County; and,

That the Broward County Commission affirms its strong opposition to terrorism, but also affirms that any efforts to end terrorism should not be waged at the expense of essential civil rights and liberties of the people of Broward County and the United States; and,

That the County Administrator is directed to provide copies of this resolution to the County's U.S. Congressional Representatives, the United States Attorney General, and the President of the United

States; and,

The Broward County Commission calls upon our United States Congressional Representatives and Senators to monitor the implementation of the USA PATRIOT Act the Domestic Security Enhancement Act of 2003 and Florida's Emergency Health Powers Act and Executive Orders issued pursuant to the Act.

This resolution shall take effect immediately upon its adoption.
DULY ADOPTED in regular session, this 6th day of May, 2003.
BOARD OF COUNTY COMMISSIONERS OF
Broward COUNTY, FLORIDA
By: Diana Wasserman Rubin, Mayor

The Broward Coalition is chaired by Truthout contributor and legal analyst Jennifer Van Bergen, who is also the Vice Chair of the Broward ACLU and a member of the National Lawyers Guild. Jennifer will be teaching a course in the Fall at The New School Online University (www.nsou.edu) on the anti-terrorism laws, the Constitution, and civil rights.

★ [For more stories on: Patriot Act, Jennifer Van Bergen](#)

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