

## What is the USA PATRIOT Act?

On October 26, 2001, President George W. Bush signed into law the USA PATRIOT Act (acronym for "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism"). Passed hurriedly, and during a time of extreme national panic and anxiety prompted by (as yet unexplained) anthrax mailings in the wake of 9-11, it created a new crime, "domestic terrorism," so broadly defined that it could conceivably apply to acts of civil disobedience.

## What Constitutional Rights does it violate?

The USA PATRIOT Act, along with numerous Executive Orders issued after 9-11, threatens basic rights of citizens, guaranteed by the Bill of Rights of the U.S. Constitution. Specifically, these provisions undermine the following Constitutional rights of US Citizens:

- **FREEDOM OF ASSOCIATION:** Government may monitor religious and political institutions without suspecting criminal activity to assist terror investigation.
- **FREEDOM OF INFORMATION:** Government has closed once-public immigration hearings, has secretly detained hundreds of people without charges, and has encouraged bureaucrats to resist public records requests.

- **FREEDOM OF SPEECH:** Government may prosecute librarians or keepers of any other records if they tell anyone that the government subpoenaed information related to a terror investigation.
- **RIGHT TO LEGAL REPRESENTATION:** Government may monitor federal prison jailhouse conversations between attorneys and clients, and deny lawyers to Americans accused of crimes.
- **FREEDOM FROM UNREASONABLE SEARCHES:** Government may search and seize Americans' papers and effects without probable cause to assist terror investigation.
- **RIGHT TO A SPEEDY AND PUBLIC TRIAL:** Government may jail Americans indefinitely without a trial.
- **RIGHT TO LIBERTY:** Americans may be jailed without being charged or being able to confront witnesses against them.

(Source: "Overview of Changes to Legal Rights" By The Associated Press, September 5, 2002)

## Why is this a local issue?

It is the municipality's responsibility to ensure that its residents feel safe and protected by just laws from unfair treatment, invasion of privacy without

probable cause, and detentions without charges and in secrecy. When most local elected officials take office, they swear to uphold both the state and federal constitutions, including the Bill of Rights in their municipality.

## What is the point of passing a local resolution?

There are many benefits to passing a local resolution. Perhaps most importantly, organizing to get a resolution passed provides an opportunity to educate many people in your community about the dangerous provisions of the USA PATRIOT Act and how they weaken democracy.

Passing a local resolution also expresses to the federal government, and specifically to your representatives in Congress that their constituents are not happy with limits on and violations of civil liberties

## How many communities have passed such resolutions?

As of July 4, 2004, four states and 332 cities and counties have passed these resolutions against the USA PATRIOT Act. We are already seeing some tangible effects from the movement – more politicians are responding to the loud and clear message their constituents are sending, and taking a stand against further encroachments against civil liberties. While the USA PATRIOT Act passed overwhelmingly (98-1 in the Senate and 357-66 in the House), already in the 108th Congress, at least 15 bills or amendments proposing the rollback of the Patriot Act have been introduced.

## I have nothing to hide, so why should I care if I'm under surveillance?

People have different reasons for resisting this law. Privacy advocates, people exercising their first amendment rights, and advocates of human rights should all be concerned.

Privacy advocates are concerned about those provisions that make it easier for the government to conduct surveillance. Section 218 of the Patriot Act allows your home to be searched without probable cause. Section 213 allows for "sneak and peak searches," meaning law enforcement can search your home and tell you within a "reasonable time." If they don't take anything and just snoop around, they're not required to tell you at all.

The Patriot Act creates a new crime, "domestic terrorism," defined as "acts dangerous to human life that are a violation of the criminal laws of the United States or of any State" and that "appear to be intended . . . to influence the policy of a government by intimidation or coercion." This broad definition can be used against activists exercising their rights to assemble and dissent.

## So what can I do to get involved?

First visit the HRBORDL website ([www.hrbordl.org](http://www.hrbordl.org)) and also visit the national organization, Bill of Rights Defense Committee ([www.bordc.org](http://www.bordc.org)) of which HRBORDL is an affiliate. Then let us know if you wish to volunteer.

For further information, contact

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We still need volunteer coordinators to sponsor resolution drives in the following Hampton Roads municipalities:

- Virginia Beach
- Portsmouth
- Chesapeake
- Suffolk
- Newport News
- Poquoson
- York County
- James City County
- Williamsburg



# Hampton Roads Bill of Rights Defense League

*"Injustice anywhere is a  
threat to justice  
everywhere."*

*--Martin Luther King, Jr.*

Our mission is to protect the constitutional rights of the citizens of Hampton Roads by sponsoring resolutions to be brought before the city councils and supervisory boards of all jurisdictions in the Hampton Roads area, denouncing and repudiating the USA PATRIOT Act and all other recent acts by the Federal Government that directly threaten the Constitutional rights of Hampton Roads citizens.