

A RESOLUTION SUPPORTING THE RESTORATION OF OUR INALIENABLE
CIVIL RIGHTS GUARANTEED BY THE US AND STATE OF NEW MEXICO
CONSTITUTIONS

Whereas: The County of Grant has legal existence under the laws of the State of New Mexico and recognition under the laws of the Untited States of America and the Constitutions of both entities,

And Whereas the Bill of Rights section of the United States Constitution and Article II of the Constitution of the State of New Mexico guarantee the citizens of Grant County, New Mexico protection of their INALIENABLE civil rights, including but not limited to freedom of speech, religion, association, counsel in all legal matters, freedom from unreasonable searches and seizures, the right to own and keep firearms, the right to petition government for redress of grievances, and other rights and freedoms not listed here,

And whereas the provisions of the USA PATRIOT ACT and related EXECUTIVE ORDERS do violate, transgress upon, and deprive our citizens of rights granted to us by the wisdom of our forebears: to wit:

The USA PATRIOT ACT allows the government to covertly access sensitive medical, mental health, financial, and educational records about our loyal and patriotic citizens in violation of the Fourth Amendment of the United States Constitution and Article II, section 10 of the Constitution of the State of New Mexico, and;

The USA PATRIOT ACT allows the government to engage in covert telephone and internet surveillance without any showing of probable cause or wrongdoing, without the sanction of any court of competent jurisdiction again violating the Fourth Amendment

to the Constitution of the United States and Article II, Section 10 of the State of New Mexico, and;

The USA PATRIOT ACT allows officers of some branches of the federal or state government to burglarize any home or business without a search warrant and remove, copy, exchange, or insert whatever they see fit without informing the person or business of the massive abrogation of their supposedly INALIENABLE civil rights; expands government authority to obtain library and bookstore records(violating the Fourth Amendment) while prohibiting librarians and bookstore employees from informing patrons of covert monitoring (violating the First Amendment).

Under the USA PATRIOT ACT and RELATED EXECUTIVE ORDERS the government has executed secret arrests of persons for unspecified acts, held these prisoners in secrecy even from their own families without charges and without legal counsel at undisclosed locations under conditions of extreme discomfort and mental distress for indefinite periods of time. Freedom of Information requests for even the names of these prisoners have been denied. These activities constitute a violation and outrage of the INALIENABLE CIVIL RIGHTS AND LIBERTIES of every citizen.

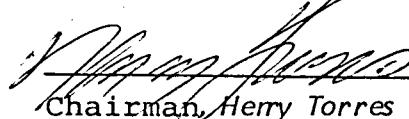
And Whereas, the imposition of the above cited infringements upon the INALIENABLE civil rights and liberties of all of Grant County's and our country's citizens has imboldened the US Dept. of Justice to draft and propose even more dangerous and far-reaching legislation known as PATRIOT II which will, if enacted, allow the government to strip away American citizenship from innocent and loyal and patriotic citizens who donate money to organizations that are dubiously and later declared to be "terrorist". These non-citizens would then be held in prison indefinitely or deported. These autocratic and illegal activites constitute an outrage and heinous violation of the INALIENABLE civil rights and liberties of all our citizens guaranteed by the Constitutions of our State and our Nation, wherefore:

BE IT RESOLVED that this Grant County Commission affirms its collective Oath of Office with its commitment to uphold and defend the Constitutions of the State of New Mexico and the United States of America and its strong opposition to any criminal acts and terrorism, but also affirms that our national effort in common to defeat terrorism must not be used as a pretext to destroy and ruin the INALIENABLE civil rights and liberties of the citizens of Grant County, New Mexico as enumerated in, plainly stated. and guaranteed by the Constitutions of the State of New Mexico and the Constitution of the United States of America.

And be it further resolved, that the County of Grant and the loyal and patriotic Americans who live in our quiet and peaceful area call upon all officeholders on every governmental level of whatever political party to restore our INALIENABLE civil rights and liberties without delay, to study the US Bill of Rights and respect the INALIENABLE civil rights and liberties we all enjoy that have been bought and paid for by so much blood shed from our loyal and patriotic soldiers, sailors, airmen, and Marines both male and female and of all colors and religious persuasions.

And by this resolution the Grant County Commission directs our County Clerk to send copies of this resolution to ~~the members of the~~ ~~legislature of~~ ~~the~~ ~~County government~~ Mr. Stevan Pearce in the US Congress, US Senators Bingaman and Domemici, St. Rep. Manuel Herrara, St. Sen. Ben Altamirano, and Gov. Bill Richardson.

Enacted and signed this 9 day of October, 2003 AD



Chairman, Henry Torres



Commissioner, Joseph F. Arellano

Charles L. Kelly
Commissioner, Charles L. Kelly

, County Commissioner

Attest:

Jeff Carbalal
Jeff Carbalal
Grant County Clerk

By:

Maura Castell
Maura Castell
Title: 2nd Deputy Clerk



RECEIVED
9-25-03 MAS.

REQUEST
TO BE PLACED ON
THE BOARD OF GRANT COUNTY COMMISSIONERS'
AGENDA

DATE: Sept. 25, 2003

Harry Burgess
Grant County Manager
Board of Grant County Commissioners
P. O. Box 898
Silver City, NM 88062

Re: USA Patriot Act

Dear Sirs:

I would like to request that I be placed on the agenda for the Regular Commission Meeting on Thursday or Oct. 9, 2003, 2003 at 9:00 a.m.

Reason for being on agenda: Please consider and pass A resolution opposing the USA Patriot Act. This Act is dangerous!

Thank you in advance for allowing me to be placed on the agenda. Please call me at (505) 537-7488 if I will have the opportunity to appear before the Board of Grant County Commissioners.

Sincerely,

Signature: Thomas J. Cobb

Name: Thomas J. Cobb

Address: PO Box 271

Bayard, N.M. 88023

An Unpatriotic Act
The New York Times | Editorial

Monday 25 August 2003

Attorney General John Ashcroft has embarked on a charm offensive on behalf of the USA Patriot Act. He is traveling the country to rally support for the law, which many people, both liberals and conservatives, consider a dangerous assault on civil liberties. Mr. Ashcroft's efforts to promote the law are misguided. He should abandon the roadshow and spend more time in Washington working with those who want to reform the law.

When the Patriot Act raced through Congress after Sept. 11, critics warned that it was an unprecedented expansion of the government's right to spy on ordinary Americans. The more people have learned about the law, the greater the calls have been for overhauling it. One section that has produced particular outrage is the authorization of "sneak and peek" searches, in which the government secretly searches people's homes and delays telling them about the search. The House last month voted 309 to 118 for a Republican-sponsored measure to block the use of federal funds for such searches.

Congressional opponents of the act, on both sides of the aisle, are pushing for other changes. A Senate bill, sponsored by Lisa Murkowski, an Alaska Republican, and Ron Wyden, an Oregon Democrat, addresses many of the law's most troubling aspects. One provision would make it harder for the government to gain access to sensitive data, including medical and library records, and records concerning the purchase or rental of books, music or videos.

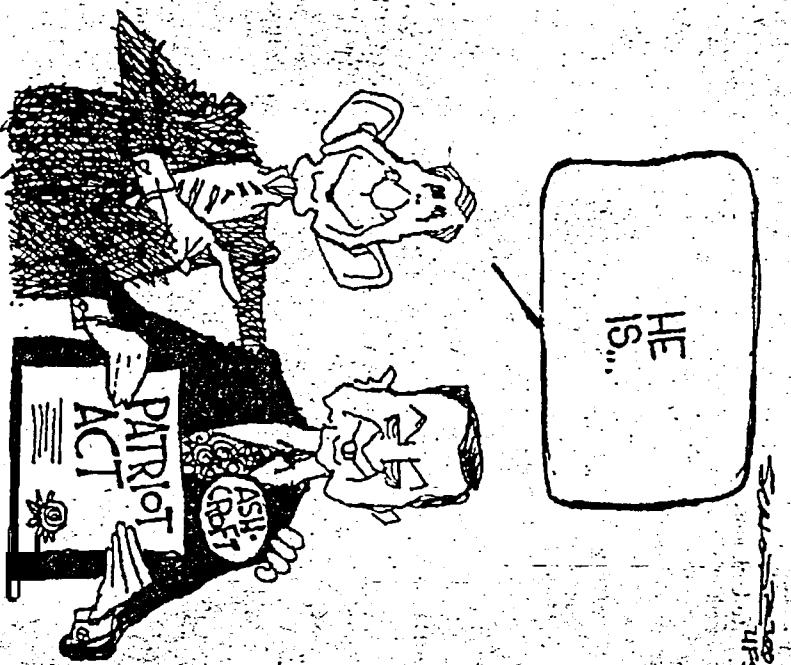
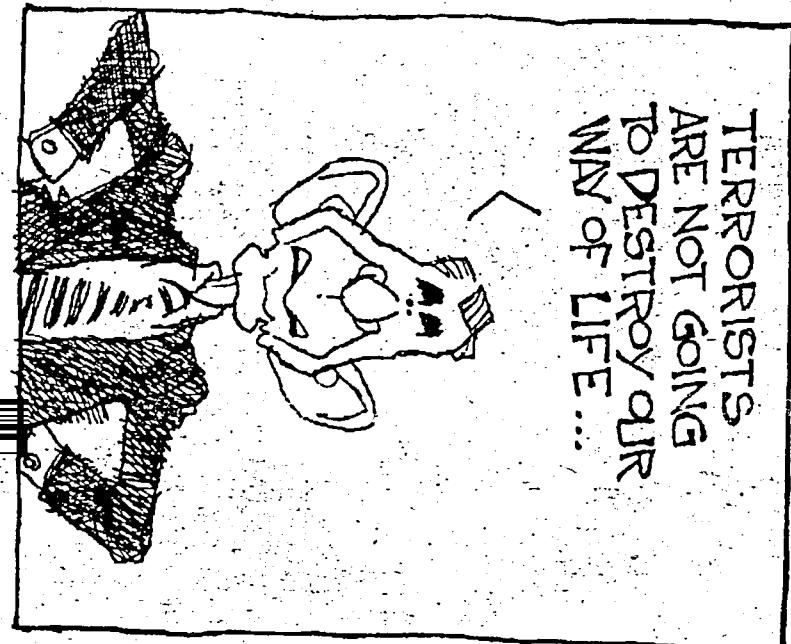
Another change would narrow the definition of "terrorism," so the law's expanded enforcement tools could not be used against domestic political protesters, such as environmentalists and anti-abortion activists, with no link to international terrorism. The bill would also require the government to be more specific about the targets of wiretaps obtained under the law, and would restrict the kind of information that could be collected on Internet and e-mail use.

One member of Congress, Representative John Conyers Jr., a Michigan Democrat, has charged that Mr. Ashcroft's lobbying campaign, in which United States attorneys have been asked to participate, may violate the law prohibiting members of the executive branch from engaging in grass-roots lobbying for or against Congressional legislation. Legal or not, the campaign seeks to shore up a deeply flawed piece of legislation. The Patriot Act is the Bush administration's attempt to make the country safe on the cheap. Rather than do the hard work of coming up with effective port security and air cargo checks, and other programs targeted at actual threats, the administration has taken aim at civil liberties.

The administration is clearly worried, as opposition to the excesses of the Patriot Act grows across the country and the political spectrum. Instead of spin-doctoring the problem, Mr. Ashcroft should work with the law's critics to develop a law that respects Americans' fundamental rights.

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9-17-03
Council opposes
portions of Patriot Act

ALBUQUERQUE — The City Council here has joined other cities and counties across the country in passing a resolution opposing parts of the USA Patriot Act.

The council unanimously voted Monday to adopt a bill affirming civil rights and declaring parts of the federal law a threat to civil liberties.

The Patriot Act, signed into law following the Sept. 11 terrorist attacks, contains sweeping provisions expanding the government's authority to plant wiretaps, enter homes, search computers and carry out other covert surveillance. It toughens criminal penalties for terrorists and removed a legal barrier that for years prevented intelligence agencies and criminal investigators and prosecutors from sharing information.

About 30 people spoke in favor of the council's measure Monday before its passage.

— Clara Pollio

Sun-News