

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 11/25/2003

Reference No.: CR-78-2003

Proposer: Hendershot

Draft No.: 1

Sponsors: Hendershot, Shapiro, Exum, Dean

Item Title: A Resolution expressing the policy of the County to preserve the Constitutional rights of residents and employees of the County whenever those rights may be in conflict with the USA PATRIOT Act

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Carol B. White
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: __/__/__

Executive Action: __/__/__

Committee Referral: 11/18/2003 PSFM

Effective Date: __/__/__

Committee Action: 11/20/2003 FAV

Date Introduced: 11/18/2003

Public Hearing: __/__/__ __:__ __

Council Action: 11/25/2003 ADOPTED

Council Votes: PS:-, MB:A, SHD:A, TD:A, CE:A, DCH:-, TH:A, TK:A, DP:A

Pass/Fail: P

Remarks: _____

PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE REPORT Date: 11-20-03

Committee Vote: Favorable, 4-0, (In favor: Councilmembers Exum, Bland, Hendershot and Peters.)

This resolution will express the policy of the County to preserve the constitutional rights of residents and employees of the County whenever those rights are in conflict with the USA Patriot Act.

Woody Woodruff expressed support of the resolution and was concerned about the Patriot Act being nothing but another profiling law.

Flavia Jimenez of CASA of Maryland, Inc., supports the legislation. CASA feels that if the County police expend time inquiring into immigration matters it would reduce their ability to carry out

their primary duty of insuring the health and safety of the community.

Lowell Owens of the Prince George's Bill of Rights Defense Coalition stated that the Coalition welcomes this resolution. To a great extent, this legislation incorporates the substance of a strong civil liberty resolution which they were planning to present to the County Council. Also, they are pleased to see Prince George's County joining with the growing nationwide roster of local governments on record against the unconstitutional excesses of the US Patriot Act and related federal rules and orders.

Rev. Bruce Eberhardt also expressed his support for this resolution.

June White Dillard, President of the Prince George's County's branch of the NAACP submitted a statement supporting CR-78-2003. She stated that the causes of terrorism must and should be addressed but measures to limit and prevent terrorism must not abridge our basic constitutional rights.

There should not be any negative fiscal impact on the County as a result of adopting CR-78-2003.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

CODE INDEX TOPICS: