

ERODING LIBERTY:

RIGHTS AND FREEDOMS WE HAVE LOST AS A RESULT OF THE U.S.A. PATRIOT ACT

Through the enactment of the Patriot Act shortly after 9/11/01, essential rights and freedoms that were once guaranteed to all American have been substantially degraded. Many Americans still do not realize the significance of what we have lost. The resulting expansion of government powers, and the erosion of 1st, 4th, 5th, 6th and 8th Amendment rights and freedoms have turned the United States in to a virtual police state.

1ST AMENDMENT FREEDOM OF SPEECH

- The Patriot Act defines “domestic terrorism” so broadly that any act “that violates a criminal law,” and “is dangerous to human life,” and also “appears to be intended to influence the policy of a government” could be considered a terrorist act. By extension, anyone who is arrested while voicing their dissent to government policies could be labeled a domestic terrorist & be subject to criminal investigation, arrest, & detention.
- The Government may now prosecute librarians or keepers of any other records if they reveal that the government requested information in the course of an investigation. It has become a crime for these individuals to try to safeguard your privacy or to tell you that you are under investigation.

1ST AMENDMENT FREEDOM OF ASSOCIATION

- Government agents may now monitor the 1st Amendment-protected activities of religious and political institutions, and then infiltrate these groups with no suspicion of criminal activity. This is a return to domestic spying on law-abiding religious and political groups.
- You may now be the subject of a government investigation simply because of the political, activist, or advocacy groups you are involved in, or the statements you make within these groups.

1ST AMENDMENT RIGHT TO ACCESS GOVERNMENT INFORMATION

- A U.S. Department of Justice directive actively encourages federal, state, and local officials to resist and/or limit access to government records through Freedom of Information Act (FOIA) requests.
- The Government has conducted immigration hearings in secret behind closed doors. Such proceedings were once open to the public. Hundreds of immigrants have already been deported.

4TH AMENDMENT FREEDOM FROM UNREASONABLE SEARCHES & SEIZURES

- Government agents may now enter your home to conduct secret “sneak and peek” searches. They may also seize your papers and personal effects, all without notice or probable cause.
- Law Enforcement authorities may now conduct secret searches and wiretaps in your home or office without showing “probable cause.” They need only to claim that intelligence gathering is “a significant purpose” of their intrusion, even when the primary goal is ordinary law enforcement. They may also monitor where and to whom you send and receive e-mail, or where you go on the internet, recording every e-mail address and website you have been in contact with.

- Law Enforcement may now demand any personal records held by any source including your doctor, employer, accountant, or library. All they have to do is claim that it is related to an investigation into “terrorism.” The record keepers may not reveal that your records were provided to the government.
- Judicial Oversight of secret searches have been effectively minimized. The Patriot Act directs judges to consent to secret searches based only on the Government’s assertion that a “significant” purpose of an investigation is gathering information related to “terrorism” as the government defines it.

5TH AMENDMENT RIGHT TO DUE PROCESS & FREEDOM FROM BEING HELD WITHOUT CHARGE

- Americans can now be jailed without a formal charge & without the right to confront the witnesses or evidence against them. American citizens are now being held in military jails without charge and without a clear path of appeal for their indefinite confinement.

6TH AMENDMENT RIGHT TO LEGAL REPRESENTATION

- Hundreds of U.S. residents have been detained for months at a time, and denied access to the advice and advocacy of an attorney. The Government may now monitor conversations between attorneys & clients in federal jails.
- The current Administration has actually filed papers in court that argue that an American Citizen held in a military jail without charge should be denied access to legal counsel because such access would interfere with the process of his interrogation.

6TH AMENDMENT RIGHT TO A SPEEDY AND PUBLIC TRIAL

- The U.S. government may now jail its residents and citizens indefinitely without charge & without public trial. After 9-11 over 1,200 immigrant men were detained for months without access to an attorney or contact with their families. Many were charged with only minor immigration violations, and then brought in front of an immigration judge in secret proceedings. Many have been deported.

8TH AMENDMENT FREEDOM FROM CRUEL AND UNUSUAL PUNISHMENT

- The U.S. Government has taken into custody individuals they identify as “material witnesses,” transported them across the country, and held them for months in solitary confinement without charge or contact with their family.

Contact the NYBORDC & Join your local Bill of Rights Defense Campaign!

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“The job of a citizen is to keep your mouth open.”—Gunter Grass