



**WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, October 8, 2003, for the purpose of considering a request for a resolution on the USA Patriot Act.**

Mayor Davis called the meeting to order at 8:05 p.m.. It was held in the Multipurpose Room of the Community Center.

PRESENT were Mayor Judith Davis, Mayor Pro Tem Rodney Roberts, and Council members Alan Turnbull and Thomas White. Mr. Edward Putens arrived at 9:30 p.m.

ALSO PRESENT were David Moran, Assistant to the City Manager and Michael McLaughlin, City Manager; Kevin Hammett, chair, Community Relations Advisory Board; Diane Oberg, Greenbelt News Review; and many interested persons.

Consideration of Request for Resolution on Patriot Act: Mayor Davis said the purpose of the meeting was for the Council to consider a request by the Greenbelt Bill of Rights Defense Coalition for the City to approve a resolution related to the Patriot Act. Mr. Moran briefly summarized his research on the topic including what other communities have done, the recommendation of the Community Relations Advisory Board, and insight from Congressman Hoyer's office indicating that there are concerns about the Act in Congress. Mr. McLaughlin noted that while many communities have approved resolutions similar to the one proposed to the Council, many other communities took actions that expressed concern about the Patriot Act, but did not require their communities to "refrain" from actions that might support provisions of the Act.

David Haberman, a resident, had provided information to the City outlining the constitutional issues related to the Act. He commented that Council's role is different from that of a private citizen. Council has taken an oath to uphold the Constitution and since the Patriot Act, until overturned, is the law of the land, the Council has a responsibility to uphold it.

In Council's deliberations, Mr. Turnbull noted that while as an individual he might support the recommendation that people not comply with the requirements of the Act, as a Council member he could not direct City employees to break the law or put themselves in a position to choose between federal law and Council directive. Mayor Davis supported this approach and communicating to the City's federal representatives to monitor, sunset, or repeal the Act as soon as possible. Mr. Roberts expressed strong concern that the Act seemed to lessen or take away due process. Mr. White noted he felt the resolution passed by the City Council of Chicago is perhaps the best-reasoned and captures the sentiment that he could support to express concern about the Act.

After much discussion including residents in the audience, support was expressed for a letter to the City's federal representatives expressing concern about various provisions in the Act, that there be no further expansion of the Act, and that the City's representatives seek to monitor and sunset the law as quickly as possible. It was noted

that the City's letter could pull from both the Chicago and proposed Greenbelt resolution in order to craft a response.

There was also a good deal of discussion of the City implementing a policy on how employees handle requests for Patriot Act related actions. Council wants to be informed of these type requests, so that it can bring these matters to the City's elected officials, if necessary.

It was concluded that this matter, with the draft letter and policy, would be placed on Council's October 27, 2003, agenda.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Michael McLaughlin  
City Manager