



**CITY COUNCIL
ATLANTA, GEORGIA**

**03-R-1970
CORRECTED COPY**

**A RESOLUTION BY COUNCILMEMBERS DERRICK BOAZMAN,
IVORY LEE YOUNG, JR., CLETA WINSLOW, NATALYN ARCHIBONG,
FELICIA A. MOORE AND CEASAR MITCHELL**

AS SUBSTITUTED AND AMENDED BY THE FULL COUNCIL

**A RESOLUTION FOR THE PROTECTION OF CITIZENS'
CONSTITUTIONAL OR CIVIL RIGHTS AND CIVIL LIBERTIES;
URGING AND REQUESTING THE MAYOR TO DIRECT THE
ATLANTA POLICE DEPARTMENT TO REFRAIN FROM
CERTAIN ACTS; INSTRUCTING THE CITY ATTORNEY TO
SUBMIT CERTAIN INFORMATION TO THE CITY COUNCIL BI-
ANNUALLY; REQUESTING THE ATLANTA/FULTON COUNTY
LIBRARY DIRECTOR TO PROVIDE CERTAIN NOTIFICATION
TO LIBRARY USERS; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta is proud of its long and distinguished tradition of protecting the civil rights and liberties of its residents; and

WHEREAS, federal, state and local governments should protect the public from terrorist attacks such as those that occurred on September 11, 2001, but should do so in a rational and deliberative fashion to ensure that any new security measure enhances public safety without impairing constitutional rights or infringing on civil liberties of individuals; and

WHEREAS, the City Council of Atlanta believes that there is no inherent conflict between national security and the preservation of constitutional rights and civil liberty- Americans can be both safe and free; and

WHEREAS, certain federal policies adopted since September 11, 2001, including certain provisions in the USA PATRIOT Act (Public Law 107-56) and related executive orders, regulations and actions present a threat to fundamental rights and civil liberties; and

WHEREAS, these new powers pose a particular threat to the civil rights and liberties of the residents of our city who are Arab, Muslim or South Asian descent; and

WHEREAS, many other communities throughout the country have enacted resolutions reaffirming support for civil rights and civil liberties in the face of government policies that threaten these values, and demanding accountability from law enforcement agencies regarding their use of these new powers.

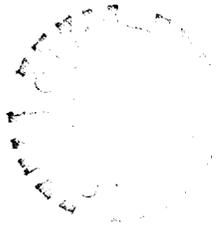
NOW BE IT THEREFORE RESOLVED that the Atlanta City Council affirms its strong support for fundamental constitutional rights and its opposition to federal measures that infringe on civil liberties; and

BE IT FURTHER RESOLVED that the Atlanta City Council affirms its strong support of immigrants and oppose measures that single out individuals for legal scrutiny or enforcement activity based on their country of origin.

BE IT FURTHER RESOLVED that the Atlanta City Council urges and requests that the Mayor direct the City of Atlanta Police Department to:

1. Refrain from enforcement of federal immigration laws unless such enforcement directly relates to a criminal act.
2. Refrain from engaging in the surveillance of individuals or groups of individuals based solely on their participation in First Amendment protected activities.
3. Refrain, whether acting alone or with federal or state law enforcement officers, from collecting or maintaining information about the political, religious or social views, associations or activities of any individual or group unless such information directly relates to a criminal investigation, or such individual or group has a documented criminal record.
4. Refrain from undertaking or participating in any initiative, such as the Terrorism Information and Prevention System (TIPS), that encourages members of the general public to spy on their neighbors, colleagues or customers.
5. Refrain from the practice of stopping drivers or pedestrians for the primary and sole purpose of scrutinizing the authenticity of their identification documents without particularized suspicion of criminal activity.

BE IT FURTHER RESOLVED that the Atlanta City Council requests the Director of the Atlanta-Fulton Public Library to notify and warn all library users that their personal library records may be obtained by the federal government under the USA PATRIOT Act.



BE IT FURTHER RESOLVED that the Atlanta City Council directs the City Attorney to transmit to the Atlanta City Council, no less than once every six (6) months, a summary of information obtained by the Atlanta Police Department pursuant to the USA PATRIOT Act (Public Law 107-56) and, based on such information and any other relevant information an assessment of the effect of federal anti-terrorism efforts on Atlanta residents.

BE IT FURTHER RESOLVED that the Atlanta City Council directs the Municipal Clerk to transmit a copy of this resolution to all members of Georgia's Congressional Delegation.

BE IT FINALLY RESOLVED that the Municipal Clerk transmit a copy of this resolution to Governor Sonny Perdue and Attorney General Thurbert Baker, and appropriate members of the State Legislature, accompanied by a letter urging them to ensure that State anti-terrorism laws and policies be implemented in a manner that does not impair or infringe on citizens' constitutional or civil rights and civil liberties.

Amendment Incorporated by OMC/ WHG 01/07/04

A true copy,


Rhonda Dauphin Johnson, CMC
City of Atlanta Municipal Clerk

Adopted As Amended by the Atlanta City Council January 05, 2004
Approved as per City Charter Section 2-403 January 14, 2004

RCS# 5305
1/05/04
4:20 PM

Atlanta City Council

Regular Session

03-R-1970

PROTECTION OF CITIZENS CIVIL LIBERTIES
ATL/FUL CO LBRY & CITY ATTY SUBMIT INFO
ADOPT SUB AMEND

YEAS: 11
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	NV Norwood
Y Young	Y Shook	A Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

03-R-1970

ADMINISTRATIVE CORRECTION TO LEGISLATION
REQUEST FORM



Rhonda Dauphin Johnson
Municipal Clerk

Re: 03-R-1970
Legislative ID Number (Ordinance/Resolution)

01/05/04
Adoption Date

01/14/04
Approval Date

FROM

Councilmember

Department Head

Name: Rhonda Dauphin Johnson - For the Record

Dept/Bureau: Council/Clerk

E-Mail Address: rjohnson@atlantaga.gov

Telephone No: _____ Fax No: _____

Rhonda Dauphin Johnson
Signature(s) of Councilmember and/or Department Head

(Questions 1-5 below and on reverse side of page must be completed)

1.) What is the requested change/correction? (Give detailed description; Use additional page(s) if necessary; Provide supporting attachments as needed.)

Incorporate changes, within the Caption and the body of the resolution, that correct spelling errors, typographical errors where words are repeated, inconsistent references within the legislation as shown on the attached pages identified as:

2/3/04 - Noted Corrections #1

" " " #2 Page 1

" " " " 2

Councilmember Jim Maddox Absent 1/16/04

03-R-1970

(Do Not Write Above This Line)

Handwritten signatures and names:
 Councilmember Derrick Polzeman
 Councilmember [unclear]
 Councilmember [unclear]

A RESOLUTION
 A Resolution for the Protection of Citizens' Civil Liberties and Civil Liberties; instructing the Atlanta/Fulton County Library Board and the City Attorney to submit certain information to the City Council bi-annually; and for other purposes

ADOPTED BY
 JAN 0 5 2004
COUNCIL

As Amended

- ^{Floor} CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred: 11/3/03
 Referred To: Public Safety/Legal
 Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____

First Reading
 Committee: _____
 Date: _____
 Chair: _____
 Referred To: _____

PSLA Committee
 Date: 11/16/03
 Chair: _____
 Action: _____
 Fav, Adv, Hold (see rev. side): _____
 Other: _____
 Members: _____
 Refer To: _____

Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Hold (see rev. side): _____
 Other: _____
 Members: _____
 Refer To: _____

PSLA Committee
 Date: 12-9-03
 Chair: _____
 Action: _____
 Fav, Adv, Hold (see rev. side): _____
 Other: _____
 Members: _____
 Refer To: _____

Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Hold (see rev. side): _____
 Other: _____
 Members: _____
 Refer To: _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Consent V Vote RC Vote

CERTIFIED
 JAN 0 5 2004
Handwritten signature: [unclear]

CERTIFIED
 JAN 0 5 2004
Handwritten signature: Frank Douglas Johnson
 MUNICIPAL CLERK

APPROVED
 JAN 1 4 2004

WITHOUT SIGNATURE
 BY OPERATION OF LAW