

# ERODING LIBERTY



RIGHTS AND FREEDOMS WE HAVE NEEDLESSLY  
LOST IN THE NAME OF NATIONAL SECURITY

Through the enactment of the USA PATRIOT Act and subsequent executive directives and regulations, essential rights and freedoms that were once guaranteed to all individuals 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, 6<sup>th</sup>, 8th and 14<sup>th</sup> Amendment rights and freedoms have transformed the United States.

## **1st AMENDMENT FREEDOM OF SPEECH**

- The Patriot Act broadly expands the official definition of terrorism, so that many domestic groups that engage in nonviolent civil disobedience could very well find themselves labeled as terrorists.
- The Government may now prosecute librarians or keepers of any other records if they reveal that the government requested information on their clients or members 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 First 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, if not thousands, of immigrants have already been deported in secret.

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RIGHTS AND FREEDOMS WE'VE LOST SINCE 9-11

## **4th AMENDMENT FREEDOM FROM UNREASONABLE SEARCHES & SEIZURES**

- 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 has 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.
- Hundreds of Arab, Muslim and South Asian men were rounded up in the Ashcroft raids following September 11, and held for weeks without charges until all were cleared of terrorism charges

## **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 Bush Administration filed papers in court that arguing 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 a public trial.

## **8th AMENDMENT FREEDOM FROM CRUEL AND UNUSUAL PUNISHMENTS**

- 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.
- According to the Justice Department's own Inspector General, immigrant men rounded up in the Ashcroft raids following September 11 and held in the Metropolitan Detention Center in Brooklyn, NY were subjected to a pattern of "physical and verbal abuse."

## **14th AMENDMENT RIGHT TO EQUAL PROTECTION**

- Over 82,000 men from Arab, Muslim and South Asian countries registered with the Government under the Special Registration program. Over 13,000 are now in deportation proceedings. None have been charged with terrorism.

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