

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY SUPPORTING A FREE PRESS AND ACKNOWLEDGING ITS VITAL ROLE IN A FREE AND DEMOCRATIC SOCIETY; AND, FURTHER, DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO PRESIDENT DONALD TRUMP AND SENATOR MARCO RUBIO.

WHEREAS, as stated in the First Amendment to the United States Constitution, "Congress shall make no law ... abridging the freedom ... of the press... ."; and

WHEREAS, the freedom of the press, and its protection in the First Amendment, are fundamental and vital to a democracy in which the government is accountable to the people; and

WHEREAS, as stated by U.S. Supreme Court Justice Hugo Black in his Concurring Opinion in the landmark prior restraint case of New York Times Co. v. United States, 403 U.S. 713 (1971): "In the First Amendment, the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors."; and

WHEREAS, quoting James Madison's proposals for the amendments to the United States Constitution, Justice Black's Concurring Opinion also included the following at page 716: "The people shall not be deprived or abridged of their right to speak, to write, or to publish their sentiments, *and the freedom of the press, as one of the great bulwarks of liberty, shall be inviolable.*"; and

WHEREAS, as stated by the American Civil Liberties Union, "a free media serves as a watchdog that can investigate and report on government wrongdoing. It is also a vibrant marketplace of ideas, a vehicle for ordinary citizens to express themselves and gain exposure to a wide range of information and opinions." and

WHEREAS, even as early as 1774, the First Continental Congress addressed the freedom of the press in its Appeal to the Inhabitants of Quebec, as follows:

The last right we shall mention regards the freedom of the press. The importance of this consists, besides the advancement of truth, science... and arts in general, in its diffusion of liberal sentiments on the administration of Government, its ready communication of thoughts between subjects, and its consequential promotion of union among them, whereby oppressive officers are shamed or intimidated into more honorable and just modes of conducting affairs... .; and

WHEREAS, the accountability of government has never been more important in America than it is now when segments of the press have recently been refused access to White House briefings and the press has been denounced by the President of the United States, most recently at the Conservative Political Action Conference when journalists were referred to as "the enemy of the people"; and

WHEREAS, as Republican Senator John McCain recently stated in response to White House efforts to suppress the media, "We need a free press. We must have it. It's vital." Indeed, as Senator McCain further stated, "if you want to preserve democracy as we know it, you have to have a free and many times adversarial press ... And, without it, I am afraid that we would lose so much of our individual liberties over time. That's how dictators get started." and

WHEREAS, the Mayor and City Commission of the City of Miami Beach strongly support a free press as a fundamental and valuable component of our free and democratic society.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby strongly support a free press, and acknowledge its vital role in a free and democratic society; and, further, direct the City Clerk to transmit a copy of this Resolution to President Donald Trump and Senator Marco Rubio.

PASSED AND ADOPTED this ____ day of March, 2017.

ATTEST:

Philip Levine, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Donald P. ...
City Attorney

2/8/17

Date