

RESOLUTION #88-243

WHEREAS, it is reported that the movie, The Last Temptation Of Christ, contains language and visual scenes that explicitly and forcefully contradict the religious and emotional beliefs held by many citizens within St. Johns County and that many of those citizens desire County government to prevent or discourage other citizens from viewing the movie; and

WHEREAS, it is reported that other citizens of the County have a strong desire to be able to see the movie and to judge for themselves the artistic merit, the religious merit, and the political merit of the movie; and

WHEREAS, the Board of County Commissioners of St. Johns County recognizes that it represents all people within the County and that its actions should be consistent with the United States Constitution and with the Florida Constitution; and

WHEREAS, those Constitutions provide in part:

First Amendment (U.S.)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

(The First Amendment having been made applicable to State action by the Fourteenth Amendment (U.S.))

Article I, Section 3 (Fla.)

Religious freedom. - There shall be no law respecting the establishment of religion or prohibiting or penalizing the free exercise thereof. Religious freedom shall not justify practices inconsistent with public morals, peace or safety. No revenue of the state or any political subdivision or agency thereof shall ever be taken from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

Article I, Section 4 (Fla.)

Freedom of speech and press. - Every person may speak, write and publish his sentiments on all subjects but shall be responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions and civil actions for defamation the truth may be given in evidence. If the matter charged as defamatory is true and was published with good motives, the party shall be acquitted or exonerated.

; and

WHEREAS, the Board of County Commissioners of St. Johns County also recognizes that it has been given the power under Florida Statute 125.01 to adopt resolutions, not inconsistent with law, which are in the common interest of the people of the County; and

WHEREAS, it is reported that abusive speech and behavior have occurred between persons having different beliefs and opinions concerning the movie and its subject matter; and

WHEREAS, the Board of County Commissioners of St. Johns County, Florida wishes to go on record in discouraging the citizens of, and visitors to, St. Johns County, Florida from becoming embroiled in controversy to an extent and in a manner that precipitates violation of Florida law, including Florida Statute 870.01 - participating in an affray, Florida Statute 877.03 - engaging in brawling or fighting and Florida Statutes 784.011 and 784.03 - assault and battery.

Now, Therefore, Be It Resolved this 13th day of September, 1988 by the Board of County Commissioners of St. Johns County, Florida that the citizens of, and visitors to, St. Johns County, Florida, are encouraged to use utmost discretion in determining whether to attend the movie, The Last Temptation Of Christ, and if the decision is made to attend, to use self restraint in interaction with those

other persons attending or in the immediate vicinity of the movie.

Passed and adopted by the Board of County Commissioners of St. Johns County, Florida this 13th day of September, 1988.


ATTEST: Carl "Bud" Markel, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY:

  
Deputy Clerk

BY:

  
Its Chairman