

A Fundamental Right To Not Be Sprayed

The Leon County Commission in Tallahassee, FL had recently done an outstanding job at bringing our county into a more progressive, sustainable and environmentally safe program of mosquito control. However, the county has more recently overturned this program due to political expediency. County decisions were made, based on purely personal and political motivations, to terminate a pilot program which barely got started. This is completely unacceptable.

These comments, however, are directed at both Leon County and the State of Florida, since it is the State that has empowered the counties to conduct mosquito control programs that have a very profound flaw. It looks like this:

We all possess a fundamental right to not be chemically assaulted by anyone, or any entity under the sun. Likewise, we all have the right not to have our home and property chemically trespassed by anyone, or any entity under the sun.

Therefore, we all have a fundamental right not to be sprayed by the county mosquito control programs currently in operation throughout the State. Does anyone have the right to walk onto your property and indiscriminately spray toxic chemicals wherever they wish? We think not. Should they do so, repeatedly, they might end up in an institution for the criminally insane!

Is there any business, organization or governmental entity that possesses the inherent power to conduct itself in this same manner? We don't think so, lest they be responsible for chemical assault or trespass. Furthermore, we would challenge anyone in Leon County, or the State of Florida, to cite a single instance where anyone, or any entity, possesses the legitimate (does not transgress

inviolable rights), statutory power to engage in such intrusive and outright harmful behavior.

We say 'harmful' because there are, in fact, many among us in 2010 who do not, and who cannot, tolerate these chemical intrusions into their lives. Many are now hyper-reactive and chemically sensitive and acutely allergic to these toxic, noxious and poisonous insecticides. In some extreme cases, even a single exposure to these insecticides can cause life-threatening anaphylactic shock, and therefore death, if competent medical intervention does not arrive expeditiously.

City, county, state, and even the federal, governments have seen to it that the public is protected from secondhand smoke. Sensible laws have been enacted over these past many years which make it unlawful to offend another with passive smoke in public buildings, workplaces, restaurants, etc. And yet the same governments have somehow arrogated power unto themselves which permit the polluting of air throughout residential subdivisions with dangerous organophosphates and synthetic pyrethroids – one a nerve agent; the other an endocrine disruptor. This comparison highlights a glaring inconsistency that deserves immediate and serious attention, as well as remedial action.

Be aware: If by exercising your right, you are violating our right, then we have an serious and urgent problem, which the State is compelled to address. By spraying our property against our wishes and against our will, the State is violating our human rights, our civil rights and our constitutional rights. By deduction one might conclude that the government itself is therefore breaking the law, and in this conclusion one would be correct. The State (and counties) have in fact been in violation of common law, federal law, state statute and county ordinance for as long as this systematic, indiscriminate, wide area, street spraying regime has been in existence.

Exactly what laws are being broken, many who advocate these illegal and poisonous programs may ask? No one – not individual citizen or corporate entity or government body at any level – ever has the right to commit chemical assault or chemical trespass against another or their property. Isn't this just common sense? And yet county mosquito control programs are more guilty of this crime than any other which have become generally accepted by those who feel they have no alternative to accept it.

Clearly, it is time to bring an end to these procedures, and to replace them with non-toxic, ecologically sound and lawful alternatives. Effective mosquito population management can be achieved through a combination of focused educational programs and preventive measures, timely dissemination of appropriate and accurate information, and ongoing consciousness-raising initiatives that shift the burden away from the county and to the citizens, where it belongs.

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P.S. We do not deny anyone's right to spray their property, and only their property. Have at it! Just please respect our right to grow an organic garden, to open our windows without fear of insecticide invasion and to assure our children of a chemical-free yard to play in.