

RESOLUTION NO. 3634

A RESOLUTION OF THE TOWN OF SAN ANSELMO REAFFIRMING THE IMPORTANCE OF CONSTITUTIONAL RIGHTS AND CIVIL LIBERTIES IN RESPONSE TO THE USA PATRIOT ACT

Whereas, a great crime against humanity occurred on September 11, 2001, resulting in new federal laws and enforcement powers; and

Whereas, on October 26, 2001, President Bush signed the Patriot Act into law, giving new powers to both domestic law enforcement and international intelligence agencies; and

Whereas, the United States Constitution is the basis for our civil rights and civil liberties, and a cornerstone of American liberty is defending and protecting our freedoms and Constitutional rights; and

Whereas, there is concern by some that the Patriot Act was rushed through Congress without adequate debate and public input; and

Whereas, it is within the purview of local governments to take a stand in support of our Bill of Rights because weakening of those rights threatens the broad range of political expression on the local, state and national level vital to our democracy; and

Whereas, at the request of members of its citizenry concerned about the suppression of civil rights by the Patriot Act, the San Anselmo Town Council makes this statement in support of the United States Constitution and Bill of Rights.

Now Therefore, Be It Resolved that the Town Council of the Town of San Anselmo reaffirms the importance of Constitutional rights and civil liberties and believes that all levels of government should ensure that all enforcement and administrative proceedings are conducted consistent with due process of law and Constitutional principles.

Be it Further Resolved, that the Town Council of the Town of San Anselmo acting in the spirit and history of our community, does hereby:

1. Affirm its opposition to any portion of the Patriot Act that weakens or destroys our civil rights and liberties.
2. Remain firmly committed to the protection of civil rights and civil liberties for all people including those who are citizens of other nations. We affirm this commitment to embody the spirit of democracy, to embrace and defend human rights and civil liberties, to make those liberties viable for all, regardless of citizenship status, gender, racial identification, religious affiliation, age, or country of origin.
3. Call upon all private citizens – including residents, employers, educators, and business owners – to demonstrate similar respect for civil rights and civil liberties.

4. Affirm for all Town departments and employees the following principles: Every person has the right to freedom of speech and association. Every person has the right to freedom of religion. Every person has the right to assembly and right to privacy. Every person has the right to due process in judicial proceedings. Every person has the right to counsel and attorney-client privilege. Every person has the right to be free from unreasonable search and seizure. Detentions or arrests may not be made without establishing reasonable suspicion or probable cause that a crime has been committed or is about to be committed. Every person has a right to equal protection under the law and the right not to be deprived of life, liberty or property without due process of law.
5. Reaffirm its commitment to unbiased policing as expressed in the policies of the San Anselmo Police Department and endorse the principle that no law enforcement or other Town employee will discriminate against any person; and Town employees may not profile any person solely on the basis of ancestry, race, ethnicity, national origin, color, age, sex, sexual orientation, marital status, physical or mental disability or religious preference.
6. Request that federal officials acting within the Town work in accordance with policies of the San Anselmo Police Department, and in cooperation with the Department, that these officials neither engage in racial profiling nor permit arrests without charges.
7. Request that federal officials not engage, to the extent legally permissible, in law enforcement activities that threaten civil rights and civil liberties of the people of San Anselmo. Organizations should not be monitored based on their religious or political views. Information about political, religious or social views, associations, or activities should not be collected unless the information relates to public safety concerns or establishes suspicion of criminal activity or the potential for criminal activity.
8. Request that the Town Clerk send copies of this resolution to the President of the United States and to local Congressional representatives.

The foregoing Resolution was adopted by the Town Council of the Town of San Anselmo on the 11th day of February, 2003 by the following vote:

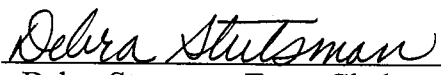
AYES: Breen, Chignell, Kilkus, Kroot, Thornton

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:


Debra Stutsman, Town Clerk