

27-R-03

A RESOLUTION

Opposing Sections of the USA Patriot Act

WHEREAS, the purpose of the Human Relations Commission (hereinafter known as The Commission) shall be to foster, encourage and stimulate the improvement of human relations among and between citizens of all races, colors, creeds, national origins and economic education levels so as to provide all individuals with an equal opportunity to grow, participate and share to the best of their ability in our economic, educational, political, social and judicial systems; and

WHEREAS, the City of Evanston proudly houses a diverse population, including many residents from other nations, whose contributions to our community are vital to its character and function; and

WHEREAS, the City of Evanston shall attempt to uphold fundamental rights and prevent the abuse of civil rights afforded to its residents; and

WHEREAS, the United States Constitution generally guarantees all persons living in the United States fundamental rights including freedom of religion, speech and assembly; protection from unreasonable searches and seizures; due process and equal protection; right to counsel; and a fair and speedy trial; and

WHEREAS, a great crime against humanity on September 11, 2001 resulted in new federal laws and enforcement powers, including the USA Patriot Act (hereinafter known as the Act), signed by President George W. Bush on October 26, 2001; and

WHEREAS, the Act appears to weaken or contradict the above mentioned fundamental rights; and

WHEREAS, the Act significantly expands the government's ability to access sensitive medical, mental health, financial and educational records about individuals, lowers the burden of proof required to conduct secret searches and telephone or internet surveillance, increases federal law enforcement authority to obtain library records and prohibits librarians from informing patrons about monitoring or information requests; and

WHEREAS, privacy is essential to the exercise of free speech, free thought and free association; in a library, the subject of users interests should not be examined or scrutinized by others; and

WHEREAS, the interpretations and applications of the Act and Executive Orders under this Act may encourage racial and ethnic profiling of both citizens and non-citizens; and

WHEREAS, the preservation of fundamental rights and civil liberties is a pillar of American society and is essential to the well-being of our democracy, particularly during times of conflict when such rights, especially those of immigrants and ethnic minorities, may be threatened, intentionally or unintentionally, under false pretense of national security or patriotic zeal; and

WHEREAS, law enforcement and security measures that undermine fundamental rights do irreparable damage to American institutions and values of equal justice and freedom that the residents of the City of Evanston hold dear; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1. That the City of Evanston, while opposing terrorism, insists that efforts to end terrorism not be waged at the expense of fundamental rights and civil liberties.

SECTION 2. That the City of Evanston opposes those measures that single out individuals for legal scrutiny or enforcement activity based solely on their country of origin, religion, ethnicity or immigration status.

SECTION 3. That the City Clerk is hereby directed to communicate this Resolution to all City Departments and employees, Illinois Congregational Delegation, to all Human/Community Relations Commissions in the State of Illinois, the Governor and Attorney General of Illinois, the Illinois State Police, the United States Attorney General, and the President of the United States.

SECTION 4. That the City of Evanston urges Congress to repeal the U.S.A. Patriot Act and to refrain from passing any further legislation that violates or unduly limits the civil rights and liberties guaranteed by the United States Constitution.

SECTION 5. That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

Lorraine H. Morton, Mayor

ATTEST:

City Clerk

Adopted: _____, 2003