

Resolution on U.S.A. Patriot Act

Here is a text as provided April 13, 2005, by petitioner Ray Warner, of Williamstown, Mass., of a Town Meeting Warrant article.

WHEREAS more than 350 communities in the United States, including more than 40 in Massachusetts, have enacted resolutions critical of the U.S.A. Patriot Act and reaffirming support for civil rights and civil liberties in the face of federal policies that threaten these values, and demanding accountability from law enforcement agencies regarding the use of these powers,

WHEREAS the U.S.A. Patriot Act, which was passed abruptly following the tragic and murderous events of Sept. 11, 2001, seriously damages the constitutional protections that are enshrined in the Bill of Rights, and

WHEREAS the Patriot Act lessens the strength of the Judicial and Legislative branches of our government while simultaneously giving nearly unlimited powers to the Executive branch, thereby damaging the separation of powers provisions of the U.S. Constitution that were meant to protect us from tyranny, and

WHEREAS the Patriot Act authorizes dangerous government secrecy in that it (a) allows secret military tribunals at which a person is afforded no independent defense counsel and could be sentenced to death without knowledge or approval of the American people, and (b) allows indefinite imprisonment of suspects even if no criminal charge has been placed against them, and

WHEREAS the Patriot Act lessens citizens' privacy in that it (a) includes "sneak and peek" provisions that allow a citizen's home and possessions to be searched without his or her knowledge either before or after the search, (b) allows the collection of information about individual citizens from private business records (including financial, medical, library readings and purchases) under order of a secret court, (c) forbids citizens who provide such information under secret court order from speaking publicly about what they have been ordered to do, (d) permits surveillance of individual e-mail and Internet communications, and (e) allows the sharing of such personal, private individual information among government agencies and even foreign governments,

THEREFORE, the Town of Williamstown, Mass., resolves to oppose those provisions of the Patriot Act that are in conflict with the U.S. Constitution, and especially of the Bill of Rights. Furthermore, we call upon our elected State Representatives to introduce and support a State Resolution opposing the Patriot Act. Especially, we call upon our Federal Representatives and Senators to seek repeal of all of those provisions of the Patriot Act that present the appearance of a conflict with the U.S. Constitution and the Bill of Rights.

BE IT FURTHER RESOLVED that the Williamstown Town Meeting:

REQUEST the Board of Selectmen to require the Town Manager to direct the Police Department to:

- (a) Refrain from engaging in the surveillance of individuals and groups of individuals based on their participation in activities protected by the First Amendment, such as political advocacy or the practice of religion.
- (b) Refrain, whether acting alone or with federal or state law enforcement officers from collecting or maintaining information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of criminal activities and there are reasons to suspect that the subject of the investigation is or may be involved in criminal conduct.
- (c) Report to the Board of Selectmen any request by federal authorities that, if granted, would cause agencies of the Town of Williamstown to exercise or cooperate in the exercise of powers in apparent violation of any town ordinance or the laws or Constitution of this Commonwealth of the United States.

(2) REQUEST that the Library Trustees direct the librarians within the Town of Williamstown to:

- (a) Post in a prominent place within each library the following notice: “WARNING: Under Section 215 of the U.S.A. Patriot Act (Public Law 107-56) records of the books and other materials you borrow from this library may be obtained by federal agents. That federal law prohibits librarians from informing you if records about you have been obtained by federal agents. Questions about this policy should be directed to Attorney General Alberto Gonzalez, Department of Justice, Washington, D.C. 20530.”
- (b) Have a policy that insures the regular destruction of records that identify the name of the book borrower after a book is returned or that identify the name of the Internet user after completion of Internet use.

(3) REQUEST the school committees to direct the Superintendents of Schools to provide notice to individuals whose education records have been obtained by law enforcement agents pursuant to Section 507 of the Patriot Act.

(4) DIRECT the Town Clerk to:

- (a) Transmit a copy of this resolution to Senators Edward Kennedy and John Kerry and Representative John Olver accompanied by a letter urging them to monitor federal anti-terrorism tactics and work to repeal provisions of the Patriot Act and other laws and regulations that infringe on civil rights and liberties.
- (b) Transmit a copy of this resolution to Governor Mitt Romney and State Representative Daniel Bosley accompanied by a letter urging them to monitor federal antiterrorism tactics and work to repeal provisions of the U.S.A. Patriot Act and other laws that infringe on civil rights and liberties.
- (c) Transmit a copy of this resolution to President Bush and Attorney General Alberto Gonzalez.

-- END OF RESOLUTION --