

Associated Students of University of Puget Sound

A Resolution Affirming Civil Rights and Liberties in Light of the USA PATRIOT Act:

WHEREAS, University of Puget Sound has a diverse student and faculty body, including many students from outside the United States, and many students with diverse cultural backgrounds whose contributions to this community are vital to the culture and civic character of University of Puget Sound; and

WHEREAS, the preservation of civil rights and civil liberties is a pillar of American society and is essential to the well-being of any democracy, particularly during times of conflict when such rights and liberties, especially those of immigrants and ethnic minorities, may be threatened, intentionally or unintentionally; and

WHEREAS, The community of University of Puget Sound denounces terrorism, and acknowledges that federal, state and local governments have a responsibility to protect the public from terrorist attacks in a rational, deliberative and lawful fashion to ensure that any new security measure enhances public safety without impairing constitutional rights or infringing upon civil liberties; and

WHEREAS, the United States Congress passed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act; Public Law 107-56) on October 26, 2001; and

WHEREAS, some provisions of the USA PATRIOT Act and other related federal orders and measures may pose a threat to the civil rights and civil liberties of all students staff and faculty at University of Puget Sound, including natural citizens of the United States, and particularly, but not limited to, those who are of Middle Eastern, Muslim or South Asian descent, by:

- a. Reducing judicial supervision of telephone and Internet surveillance.
- b. Expanding the government's power to conduct secret searches without warrants.
- c. Granting power to the Secretary of State to designate domestic groups, including political and religious groups, as "terrorist organizations".
- d. Granting power to the Attorney General to subject non-citizens to indefinite detention or deportation even if they have not committed a crime.
- e. Granting the Federal Bureau of Investigation (FBI) access to sensitive medical, mental health, financial and educational records about individuals without having to show evidence of a crime.
- f. Granting the FBI the power to compel libraries and bookstores to produce circulation or book purchase records of their patrons, and forbidding disclosure that such records have been requested and produced; and

WHEREAS, law enforcement and security measures that undermine fundamental rights do irreparable damage to the American institutions and values of equal justice and freedom that the students staff and faculty of University of Puget Sound hold dear; and

WHEREAS, the Senate of the Associated Students of University of Puget Sound believes that there is not and need not be conflict between security and the preservation of liberty, and that students of the University of Puget Sound can maintain their privacy and be both safe and free;

BE IT RESOLVED BY THE SENATE OF THE ASSOCIATED STUDENTS OF UNIVERSITY OF PUGET SOUND:

THAT the ASUPS Senate supports the fundamental, constitutionally-protected civil rights and civil liberties of all members of University of Puget Sound; and

THAT the ASUPS Senate opposes those measures that infringe upon such civil rights and liberties, or that single out individuals for legal scrutiny or enforcement activity based solely on their country of origin, religion, ethnicity or immigration status; and

THAT the ASUPS Senate urges all students, staff, and faculty of University of Puget Sound to respect the civil rights and civil liberties of all members of this community, regardless of citizenship or heritage; and

THAT the ASUPS Senate urges the Tacoma Police Department and all other applicable departments, except when required by law, to refrain from:

- a. utilizing race, religion, ethnicity or national origin as a factor in selecting which individuals to subject to investigative activities except when seeking to apprehend a specific suspect whose race, religion, ethnicity or national origin is part of the description of the suspect,
- b. participating in a joint search of the property or residence, with any law enforcement agency absent the assurance that simultaneous notice of the execution of a search warrant to such member of University of Puget Sound,
- c. any practice of stopping drivers or pedestrians for the purpose of scrutinizing their identification documents without particularized suspicion of criminal activity, and

THAT the ASUPS Senate urges federal authorities not to subject any individual in the custody of the Tacoma Police Department, who may be placed in federal custody, to military detention, secret detention, secret immigration proceedings, or detention without access to counsel; and

THAT the ASUPS Senate urges the University of Puget Sound administration to provide notice to all individuals whose education records have been obtained by law enforcement agents pursuant to Section 507 of the USA PATRIOT Act (Disclosure of Educational Records).

An Instruction to the President Regarding the Dissemination of this Resolution:
Upon approval of this resolution by the ASUPS Senate, the President of ASUPS shall within two weeks disseminate via paper copy to the following recipients, with expenditures to be recovered from the ASUPS Office Fund:

Rep. Norman Dicks (D-WA)
Sen. Maria Cantwell (D-WA)
Sen. Patty Murray (D-WA)
Gov. Gary Locke (D-WA)
Tacoma City Council
Pres. Ron Thomas, University of Puget Sound
Dean Kris Bartenan, University of Puget Sound
Houston Dougharty, Dean of Students
Michael Sugawa, Associate Dean for Student Development
Todd Badham, Director of Security, University of Puget Sound
James L. Walton, Tacoma City Manager
Susan Brown, Tacoma Human Rights Commission
Mayor Bill Baarsma, City of Tacoma
Tacoma Public Library
Chief Donald Ramsdale, Tacoma Police Department
Karen Fischer, Director, University of Puget Sound Library
Yoshiko Matsui, Director, University of Puget Sound Multicultural Center
The Tacoma News Tribune
The Seattle Times
The Seattle Post-Intelligencer
The University of Puget Sound Trail
Rep. Dennis Flannigan, District 27, Washington House of Representatives
Rep. Jeannie Darneille, District 27, Washington House of Representatives
Sen. Debbie Regala, District 27, Washington Senate
Elizabeth Tauli, Tacoma City Attorney
Kathleen Taylor, Executive Director, ACLU of Washington
Pierce County