

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 7-15-23

Submitted by: Vice-Chair TESCHE and
Assemblymembers Shamberg, Taylor, Van Etten, Von
Gemmingen, and Whittle
Prepared by: Department of Assembly
For reading: July 15, 2003

ANCHORAGE, ALASKA
AR NO. 2003-223 - as amended

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY RELATING TO THE USA PATRIOT
ACT, THE BILL OF RIGHTS, THE CONSTITUTION OF THE STATE OF ALASKA, AND THE CIVIL
LIBERTIES, PEACE, AND SECURITY OF THE CITIZENS OF OUR COUNTRY**

WHEREAS, the State of Alaska and the Municipality of Anchorage each recognizes the
Constitution of the United States as our charter of liberty, and that the Bill of Rights enshrines the
fundamental and inalienable rights of Americans, including the freedoms of religion, speech, assembly, and
privacy; and

WHEREAS, each of Alaska's duly elected public servants has sworn to defend and uphold the
United States Constitution and the Constitution of the State of Alaska; and

WHEREAS, the Municipality of Anchorage again denounces and condemns all acts of terrorism,
wherever occurring; and

WHEREAS, attacks against Americans such as those that occurred on September 11, 2001, have
necessitated the crafting of effective laws to protect the public from terrorist attacks; and

WHEREAS, any new security measures of Federal, State, and local governments should be
carefully designed and employed to enhance public safety without infringing on the civil liberties and rights
of innocent citizens of the State of Alaska and the Nation; and

WHEREAS, certain provisions of the "Uniting and Strengthening America by Providing
Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001," also known as the USA
PATRIOT Act, allow the Federal government more liberally to detain and investigate citizens and engage
in surveillance activities that may violate or offend the rights and liberties guaranteed by our State and
Federal constitutions, and

WHEREAS, the State of Alaska, the Fairbanks North Star Borough, the City and Borough of
Juneau, and the Cities of Kenai, North Pole, Skagway, and Gustavus have joined well over 150 state and
local governments in speaking out against terrorism and, at the same time reaffirming their support for
individual rights and freedoms guaranteed under State and Federal constitutions.

NOW, THEREFORE, the Anchorage Municipal Assembly resolves:

Section 1: That the Anchorage Assembly reaffirms its support of the government of the United
States of America in its campaign against terrorism, and affirms its commitment that the campaign not be
waged at the expense of essential civil rights and liberties of citizens of this country contained in the United
States Constitution and the Bill of Rights.

Section 2: That it is the policy of the Municipality of Anchorage to oppose any portion of the USA
PATRIOT Act that would violate the rights and liberties guaranteed equally under the State and Federal
constitutions.

Section 3: That, in accordance with Municipal policy, an agency or instrumentality of the

Municipality, in the absence of reasonable suspicion of criminal activity under Alaska State law or under Municipal law, may not:

- (1) initiate, participate in, or assist or cooperate with an inquiry, investigation, surveillance, or detention;
- (2) record, file, or share intelligence information concerning a person or organization, including library lending and research records, book and video store sales and rental records, medical records, financial records, student records, and other personal data, even if authorized under the USA PATRIOT Act; or
- (3) retain such intelligence information; the State Attorney General shall review the intelligence information currently held by the State for its legality and appropriateness under the United States and Alaska Constitutions and permanently dispose of it if there is no reasonable suspicion of criminal activity.

Section 4: That an agency or instrumentality of the Municipality may not,

- (1) Unless necessary to protect the safety of people, use Municipal resources or institutions for the enforcement of Federal immigration matters, which are the responsibility of the Federal government;
- (2) collect or maintain information about the political, religious, or social views, associations, or activities of any individual, group, association, organization, corporation, business, or partnership, unless the information directly relates to an investigation of criminal activities and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct; or
- (3) engage in racial profiling; law enforcement agencies may not use race, religion, ethnicity, or national origin as factors in selecting individuals to subject to investigatory activities except when seeking to apprehend a specific suspect whose race, religion, ethnicity, or national origin is part of the description of the suspect.

Section 5: That the Anchorage Assembly implores the United States Congress to correct provisions in the USA PATRIOT Act and other measures that infringe on civil liberties, and opposes any pending and future Federal legislation to the extent that it infringes on Americans' civil rights and liberties.

Section 6: That copies of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable John Ashcroft, Attorney General of the United States; the Honorable Frank Murkowski, Governor of Alaska; and to the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska Delegation in Congress.

PASSED AND APPROVED by the Anchorage Assembly this 15th day of July, 2003.

De L 2
Chair

ATTEST:

Barbara E. Gruenke
Municipal Clerk

4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
	Municipal Manager		
	Cultural & Recreational Services		
	Employee Relations		
	Finance, Chief Fiscal Officer		
	Fire		
	Health & Human Services		
	Office of Management and Budget		
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planning		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
	Municipal Attorney		
	Municipal Clerk		
	Other		
5	Special Instructions/Comments		
	addendum - action		

