

# Librarians' Guild

## RESOLUTION TO REPEAL THE USA PATRIOT ACT

**Whereas**, the professional ethic of librarianship is to facilitate the free flow of information, to facilitate its distribution through books, other library materials and media, and to protect the privacy of those who seek information; and

**Whereas**, the Board of Library Commissioners of the Los Angeles Public Library System holds that suppression of ideas undermines a democratic society and has adopted the Library Bill of Rights and the Freedom to Read statement of the American Library Association; and it is the responsibility of libraries and librarians, as guardians of the public's freedom to read and right to access, to contest encroachments upon those freedoms by individuals, groups, or the government; and

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

**Whereas**, sections 214-216 of the USA PATRIOT Act, the revised Attorney General Guidelines to the Federal Bureau of Investigation, and other related measures expand the authority of the federal government to investigate citizens and non-citizens, to engage in surveillance, and to threaten civil rights and liberties guaranteed under the United States Constitution and Bill of Rights; and

**Whereas**, many sections of the USA PATRIOT Act violate the basic civil rights of individuals guaranteed by the First and Fourth Amendments to the Constitution; and

**Whereas**, The USA PATRIOT Act disproportionately affects the poor and unemployed, many of whom rely on computers in libraries and other public places; and the Board of Library Commissioners values the richness of the diverse population of Los Angeles and is offended by the targeting of any particular racial, ethnic, cultural, political, or religious group in government investigations; and

**Whereas**, The USA PATRIOT Act, Homeland Security Act and current and future laws and regulations increase the likelihood that activities and records of library patrons, including their tangible and intangible records, their use of computers to browse the Web and to access e-mail, may be under government surveillance without their knowledge or consent; and

**Whereas**, The USA PATRIOT Act assaults civil liberties and allows the Federal government to seize the records of library users with a court order obtained from a secret court, and not only can the government force libraries to turn over patron records, but it is illegal for the librarian to tell anyone about a search, except his or her attorney; now, therefore, be it

**Resolved**, that the Board of Library Commissioners opposes any use of governmental power to suppress the free and open exchange of knowledge and information or to intimidate individuals exercising free inquiry; and, be it further

**Resolved**, that the Board of Library Commissioners, as the policy setting body for the Library Department as stated in the City's Charter, directs all librarians, library advocates, and library administrators to inform their communities, staff and patrons about the far-reaching danger of current legislation, including the USA PATRIOT Act, Homeland Security Act and other related and future legislation that impinges on individual privacy, patron confidentiality and access to information; and be it further

**Resolved**, that the Board of Library Commissioners strongly condemns any current and future legislation that erodes privacy, information access and Constitutional rights and opposes the use of governmental power to suppress the free and open exchange of information and ideas; and be it further

**Resolved**, that the Board of Library Commissioners has a long and distinguished history of defending intellectual and civil liberties, and will affirm and uphold the efforts of librarians everywhere to defend and support patron privacy and free and open access to information; and be it further

**Resolved**, that the Board of Library Commissioners, will take actions as appropriate to obtain and publicize information, including posting signs, about the surveillance of libraries and library users by law enforcement agencies and to assess the impact on library users and their communities; and be it further

**Resolved**, that the Board of Library Commissioners calls for the repeal of the USA PATRIOT Act and Homeland Security Act which violate fundamental rights and liberties guaranteed in the United States Constitution, Bill of Rights and the State of California Constitution; and be it

**Finally Resolved**, that this resolution be forwarded to the President of the United States, the Attorney General of the United States, members of both Houses of Congress, the Mayor and members of the City Council of the City of Los Angeles, the library community and to others as appropriate.