

### **1 The government could be watching you.**

Think the government's new surveillance powers only target terrorists? Think again. The USA Patriot Act gives the government new powers to wiretap or search individuals and to secretly obtain personal records from libraries, bookstores, financial and medical institutions without probable cause. It also expands law enforcement's ability to conduct covert searches of homes or offices without notifying the subject until later. New guidelines allow the FBI to monitor houses of worship and political meetings – without suspicion of criminal activity.

### **2 Too much information means too much power.**

The USA Patriot Act and other actions after Sept. 11 gave the government awesome authority to compile data on ordinary people. Next came the office of Total Information Awareness (TIA). If knowledge is power, TIA will be omnipotent. It plans to use data-mining technology to cross reference records from multiple databases: from credit card records to travel bookings to political affiliations. Worse, TIA is in the hands of John Pointdexter, the Reagan-era official who was convicted for lying to Congress. Ostensibly designed to track terrorists, TIA threatens the privacy of all.

### **3 An open government is an accountable government.**

The government rounded up, detained and deported hundreds of men of Muslim, Arab and South Asian descent after Sept. 11. Most were held on minor visa violations without charges relating to the terrorist attacks. Reports of abuse leaked from the jail cells, from lack of access to counsel to midnight deportations without warning. Yet the govern-

ment has refused to divulge the detainees' names or open their deportation hearings to the public and media, fostering a dangerous culture of secrecy.

### **4 Race, ethnicity and religion are not grounds for suspicion.**

For many, America has become an inhospitable home. In 2001, 5,000 non-citizens from the Middle East and South Asia were targeted for FBI questioning based on their ethnicity, not because they did anything wrong. This dragnet yielded no arrests for terrorism, only a handful for minor visa violations. With war looming, innocent immigrants and citizens of Iraqi descent became the next targets of FBI questioning sweeps. Then, students, business people and other non-citizens from mostly Muslim countries were told to report to the INS for registration and fingerprinting; hundreds were detained for visa violations. And all non-citizens must now report address changes to the INS within ten days. The government is targeting innocent people based on their race and ethnicity – with no evidence that this will make us safe.

### **5 Checks and balances are there for a reason.**

Our system of checks and balances is designed to prevent any one branch of government from wielding too much power. Under the Bush administration the executive branch has eroded this principle, seizing extraordinary powers and stripping authority from the courts. The USA Patriot Act limits judges' authority to reject requests to wiretap Americans. President Bush has authorized military tribunals for non-citizens and unilaterally designated U.S. citizens as 'enemy combatants,' who are not entitled to a jury trial. John Ashcroft has authorized the monitoring of jail-cell conversations between some detainees and their

attorneys, eroding the bedrock principle of attorney-client privilege.

### **6 Dissent is American.**

*"To those who scare peace-loving people with phantoms of lost liberty, my message is this. Your tactics only aid terrorists for they erode our national unity and diminish our resolve."*

John Ashcroft's words before the Senate Judiciary Committee made plain his disdain for dissent. And his actions speak louder than words. The government has asked the media not to air tapes of Osama Bin Laden, encouraged Americans to inform on their neighbors through the now defunct Operation TIPS, and has even targeted dissenters. Barry Reingold got a visit from the FBI after he criticized President Bush in a San Francisco gym. Two prominent peace activists were delayed at San Francisco airport because their names were on a secret government 'no-fly' list. Actions like these threaten to chill freedom of speech for all.

### **7 Our communities can be safe and free.**

Safety need not come at the expense of freedom – we can have a measure of both. The ACLU embraces initiatives that enhance security without eroding liberty. And we ask that the government avoid steps that trample freedom without providing safety. The 'war on terrorism' will likely last for a very long time. Freedoms we lose may never be restored. We must speak out now and tell the government we want to be safe *and* free.

### **8 Freedom can't defend itself.**

It's up to us, the people. We have to take action if we are to protect our civil liberties. If freedom and rights matter to you, it's time to make your voice heard.

# TAKE ACTION!

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## **What you can do to help**

- ★ *Join the campaign to keep our communities safe and free! Sign up for the ACLU-NC's e-mail activist network and make your voice heard. Online at [www.aclunc.org](http://www.aclunc.org).*
- ★ *Build a groundswell of resistance! Help your city or county pass a resolution opposed to the USA Patriot Act and the government power grab. Learn more at [www.aclunc.org](http://www.aclunc.org) or call Sanjeev Bery at 415-621-2493 x 365.*
- ★ *Join the ACLU! We need you now, more than ever. Your support will help our ongoing efforts to defend our freedom. Become a card-carrying member today. Sign up at [www.aclunc.org/join.html](http://www.aclunc.org/join.html) or call 415-621-2493.*

**“Democracies die behind closed doors.”**

*- The Sixth Circuit Court of Appeals, ordering the government to end its policy of closed deportation hearings.*