



KEEP AMERICA
SAFE AND FREE
THE ACLU CAMPAIGN TO DEFEND THE CONSTITUTION

**Key Quotes from Law Enforcement Experts, Conservative Voices,
Legal Authorities, Elected Officials and Editorial Boards**

FOR IMMEDIATE RELEASE

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Al Gore, former Vice President of the United States, (as reported in “Bush Security Measures Amount to an ‘Attack on Civil Liberties’” The Associated Press, 9/26/2002) “What’s going on nationally, with the attack on civil liberties, with American citizens in some cases just disappearing without right to counsel, without access to a lawyer, I think that is disgraceful...I think we need to stand up for our principles in this country and stand up for what this nation represents, even as we face the terrible dangers that we have to confront in the world today.”

Nancy G. Edmunds, U.S. District Judge, Eastern District of Michigan, (from decision in Rabi Haddad case Detroit News, Inc. v. Ashcroft) “An open detention and removal hearing will assure the public that the Government itself is honoring the very democratic principles that the terrorists who committed the atrocities of 9/11 sought to destroy.”

Robert Novak, conservative columnist (as reported in “USA Patriot Act remains shrouded in secrecy” The Miami Herald, 9/10/02) “Ashcroft is even more intractable than his predecessor, Janet Reno, in refusing information to the legislative branch.”

David Keene, chairman of the American Conservative Union (appeared in column, “Ashcroft: Good Intentions on a Bad Road” The Hill, 7/31/2002) “The Bush administration argues convincingly that roving wiretaps, reading people’s e-mail, putting video cameras on every corner and perusing their library habits will make it easier to catch terrorists before they act...the problem is that once all this is in place, we will no longer be living in the same country we lived in prior to Sept. 11. Those asking us to give up liberty for security should be careful.”

Vincent Cannistraro, former head of counterterrorism at the CIA, (as reported in “The War on Terror Enters Phase 2” New York Times, 5/2/2002) “The Justice Department’s detention of thousands of immigrant Muslims – the policy of ‘shaking the trees’ in Islamic communities – alienates the very people on whom law enforcement depends for leads and may turn out to be counterproductive.”

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David Cole, a professor at Georgetown University Law Center (as reported in “U.S. to fingerprint selected foreign travelers” *The Philadelphia Inquirer*, 9/11/2002) “I don’t think fingerprinting and photographing across the board is unconstitutional or improper, but when it is selectively targeted on people, it does raise equal-protection concerns, and it is likely to increase the divide of distrust that our Justice Department already has created with the Arab and Muslim communities here and abroad.”

Warren Christopher, former Secretary of State (as reported in “After Sept. 11, a Legal Battle Over Limits of Civil Liberty,” *New York Times*, 8/4/2002) “I’ll never forget going to Argentina and seeing the mothers marching in the streets asking for the names of those being held by the government. We must be very careful in this country about taking people into custody without revealing their names.”

William Sessions, former FBI director, at LBJ School of Public Affairs, Panel discussion, LBJ Future Forum, 10/3/02 “I’m sure there have been civil rights problems since the [September 11th] attacks because they taught many Americans that we are vulnerable from shore to shore. There will continue to be a constant tension between civil liberties and the government’s need to withhold information that might jeopardize its ability to fight the terrorists. Don’t kid yourself though, a constant examination of these things is justified.”

Representative Dick Armey (R-TX), House Majority Leader and Chair of the House Select Committee on Homeland Security, remarks on the proposed TIPS program during the mark-up of the Homeland Security Act of 2002, 7/26/2002 [The House version of the Homeland Security Act prohibits] “the creation of a Government program that would have the effect or purpose of encouraging workers and others who have access to our homes and our neighborhoods to report to the Government information that they think is suspicious. This work is best left to State and local law enforcement officials. There are much better ways to involve our communities in securing our homeland. After all, we are here today to defend our freedoms.”

John Timoney, former Philadelphia Police Commissioner and former New York City Police Department official (as reported in *Philadelphia’s City Paper*, 9/5/2002) “The biggest disappointment of the past year has been the failure of the Justice Department under John Ashcroft to convince the American public that the war on terrorism can be conducted with minimal infringement on civil liberties.”

Damon Keith, Circuit Judge, 6th Circuit Court of Appeals (excerpt from decision in *Detroit News, Inc. v. Ashcroft*, 8/27/2002) “The Executive Branch seeks to uproot people’s lives, outside the public eye, and behind a closed door. Democracies die behind closed doors. The First Amendment, through a free press, protects the people’s right to know that their government acts fairly, lawfully, and accurately in deportation proceedings.”

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Gladys Kessler, U.S. District Judge, United States District Court for the District of Columbia, (excerpt from decision in *Center for National Security Studies v. U.S. Department of Justice* that the government should disclose the names of its “special interest detainees,” 8/2/2002) “Secret arrests are a concept odious to a democratic society, and profoundly antithetical to the bedrock values that characterize a free and open one such as ours.”

Chris Finan, head of the American Booksellers Foundation for Free Expression (as reported in 9-11-01 / Looking Back, Looking Ahead / A nation remembers / Patriot Act’s scope, secrecy ensnare innocent, critics say” *The San Francisco Chronicle*, 9/8/2002) “The Patriot Act has a potentially chilling effect on the First Amendment rights of bookstore customers because it gives the FBI the power to investigate what people are reading.”

Washington Post Editorial, “An Affront to Democracy,” 11/12/2001 “When Mr. Ashcroft sought broad new powers to combat terrorism, the Justice Department responded to fears of abuse by insisting that it could be trusted. Since then, it has responded to calls for the release of the names of the nearly 1,200 people it has detained by announcing that it would, henceforth, no longer release even the tally of people it has locked up. Now it has – without any Congressional involvement – created a rule [eavesdropping on attorney-client communications] that attacks a basic foundation of the judicial system. The trust is wearing thin.”

New York Times Editorial, “A Win for Open Trials,” 8/28/2002 “There is a long tradition in the United States, backed up by a well established First Amendment law, of trials taking place in the open...The courts and Congress are sending a clear message to the Bush administration that its antiterror campaign risks trampling on the Constitution.”