

KETCHIKAN GATEWAY BOROUGH

RESOLUTION NO. ____

A Resolution of the Assembly of the Ketchikan Gateway Borough
Supporting Protection of Individual Civil Rights Relative to COVID-19
Vaccination Requirements

RECITALS

- A. WHEREAS, the United States of America was founded on the principles of liberty, justice, and the primacy of individual freedoms endowed by the Creator; and
- B. WHEREAS, these protections are enshrined in the United States Constitution and Bill of Rights, and serve as a bulwark against threats to the principles and personal rights essential to the maintenance of our individual freedom and the well-being of our community; and
- C. WHEREAS, the preamble of the Alaska State Constitution similarly highlights the foundational role of individual freedom and liberty within the Alaskan form of government and within the federation of States; and
- D. WHEREAS, the Alaskan Constitution explicitly recognizes and protects these freedoms and goes on in Article I, Section 22 to state: The right of the people to privacy is recognized and shall not be infringed ; and
- E. WHEREAS, among the most private information individuals hold unto themselves is the personal decision to receive a health procedure or to disclose that information; and
- F. WHEREAS, in times of societal upheaval, fear, and uncertainty, the pressing urgency of the times and the expediency of the moment can lend ourselves toward taking collective action that poses a threat to the individual protections that we have held sacred since our nation s formation; and
- G. WHEREAS, the ongoing COVID-19 pandemic, now nine months old, has created such a moment where the overwhelming imperatives of protecting public health, preventing further broad economic damage, and eliminating limitations on commerce and travel are counseling our community toward swift and ever-broader responsive action to control and defeat the pandemic; and
- H. WHEREAS, the federal regulatory process is currently underway to grant authority to allow emergency use of a quickly developed vaccine to combat the COVID-19 virus; and
- I. WHEREAS, the use of the vaccine, once approved, will quickly foster the welcome

resumption of many activities that have been curtailed under multiple state and local declarations of emergency; and

- J. WHEREAS, the urgency to distribute and utilize the vaccine comes with risk that individual citizens will be compelled to both accept the vaccination and to disclose whether they have personally chosen this medical intervention for themselves; and
- K. WHEREAS, the risk further exists that in this haste to quell the pandemic, citizens will face the untenable choice of disclosing that which is undeniably personal, or being denied access to basic goods and services; and
- L. WHEREAS, it is never more important than in times of urgency and uncertainty that the community ward against trading treasured constitutional protections for the comfort of perceived safety.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE FACTS, IT IS RESOLVED BY THE ASSEMBLY OF THE KETCHIKAN GATEWAY BOROUGH as follows:

Section 1. That merchants and other service providers in the Ketchikan Gateway Borough are urged to refrain from discriminating against any individual by denying that person access to goods or services based upon their COVID-19 vaccination status or failure to provide that information.

Section 2. This resolution shall be effective immediately.

ADOPTED this ____ day of _____, 2020.

Rodney Dial, Borough Mayor

ATTEST:

Kacie Paxton, Borough Clerk

APPROVED AS TO FORM:

Glenn Brown, Borough Attorney