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Subject: My Opposition to the National Defense Authorization Act

Throughout my police career, I have focused on serving and protecting while adhering to my oath to support the Constitutions of the State of Kansas and the United States. To that end, I have grave concerns regarding components of this Act, especially those providing for the potential detaining, by United States military, of Kansas Citizens without benefit of habeas corpus, bail, and a speedy trial, resulting from what could easily be a spurious proclamation of their status as "terrorists".

Both Constitutions define the right of citizens to be free from unreasonable searches and seizures, and furthermore proscribe that any warrants issued be based on "probable cause", a term that is the guiding principle of all law enforcement officers. We live by that principle in our daily efforts to locate, identify and apprehend criminals.

Yet, in the NDAA, we are pushed onto a slippery slope, one that appears to grant authority to the President or his appointees to "proclaim" a citizen to be a "terrorist", thereby subjecting them to apprehension and detention by the military, held indefinitely without bail or trial, all of this in violation of individual rights provided by both Constitutions.

My opinion is that by virtue of this Act, we have, to our detriment, violated the traditional boundaries and roles of law enforcement and the U.S. military, and simultaneously degraded the Constitutional rights of American Citizens, now and in the future.

I would point out how easily that slippery slope is traversed by using the model provided by WWII, with the roundup and "internment" of thousands of American citizens of Japanese descent, again without habeas corpus, bail or formal charges being levied. The loss of property and damages those victims were known to have suffered due to the violation of their Constitutional rights were enormous.

Most recently, in New Orleans, following Hurricane Katrina, law enforcement officials engaged in a documented program of "confiscation" of personally owned firearms from citizens who had not been accused of crimes nor was there any probable cause asserted in the searches and subsequent seizures of firearms. The victims were left to fend for themselves, leaving them open to being victimized by thugs who were not subjected to the same "disarmament".

The motivation in these instances were both, I am certain believed by the perpetrators to be righteous but the results were nonetheless catastrophic for the victims, as it surely would be today.

I strongly urge you, our elected representatives, to find a means to nullify or otherwise defeat this attempt to invalidate our constitutionally protected rights. The use of traditional law enforcement practices and "probable cause" will do just fine and help maintain our constitutional rights and protections.

Veteran/Military/Homeland Security Comm.

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