

A CONSTITUTION-FREE ZONE?

Why the ACLU Opposes Border Patrol Checkpoints away from the Border

Officers of the U.S. Customs and Border Protection Agency are supposed to secure the U.S. border, but they've been setting up checkpoints inland—on highways on the Olympic Peninsula and at the Anacortes ferry terminal. Typically, the agents ask drivers and passengers about their citizenship. The ACLU opposes these checkpoints as an intrusion on people's freedom.

- **In a free society, people should not be stopped and questioned by government officials if they've done nothing wrong.** If individuals aren't suspected of criminal activity, then they should be free to travel without interference.

- **Random checkpoints are hallmarks of authoritarian societies and don't reflect American values.** In this country, we believe that individuals shouldn't be targeted by law enforcement in fishing expeditions.

- **The Washington Constitution prohibits stopping people without reasonable suspicion of a crime.** State and local law enforcement officials aren't permitted to set up random checkpoints. Although not bound by the state constitution, federal border patrol agents should respect the rights of Washington residents and not interfere with their right to travel except at the border.

- **Though touted as a national security measure, such stops of motorists don't make us safer.** They waste resources by stopping everyone without cause. Instead, law enforcement should focus on suspicious activity.

- **In practice, the checkpoints take aim at immigrants and provide opportunities for racial profiling.** The checkpoints foster great anxiety among immigrants, including citizens and legal residents who fear that a misunderstood response might lead to detention.

What to Do If You're Stopped

- You don't have to answer any questions from Border Patrol agents who stop motorists at checkpoints. But if you don't, you can expect to be detained for a "reasonable" amount of time.

- If you find the practice of checkpoints troubling, contact your representatives in the U.S. Congress and your local officials. If you've been stopped, describe what happened to you. Explain why you think it was wrong, and urge your leaders to voice opposition to the checkpoints.

- If you feel that you've been stopped wrongly by checkpoints away from the border in Washington, call the ACLU at 206/624-2180.

