

The Danger Within: Border Patrol Is Turning America Into a Constitution-Free Zone

by [David Whitehead](#)

January 15, 2019

[Source](#)

“Necessity is the plea for every infringement of human freedom. It is the argument of tyrants; it is the creed of slaves.”– William Pitt

How far would you really go to secure the nation’s borders against illegal aliens?

Would you give the government limitless amounts of money to fight yet another endless war? Surround the entire country with concrete walls and barbed wire? Empower border police to do whatever it takes to crack down on illegal immigrants, even if it means violating their human rights? Hold your nose and tolerate all manner of abuses in name of national security?

Would you allow government agents to trample on the rights of anyone who gets in their way, including legal citizens? Relinquish some of your freedoms in exchange for the elusive promise of non-porous borders? Submit to a national ID card that allows the government to target individuals and groups as it chooses in order to identify those who do not “belong”? Turn a blind eye to private prisons and detainment camps that profit off the forced labor of its detainees?

Would you turn your backs on every constitutional principle

for which our founders fought and died in exchange for empty campaign promises of elusive safety by fast-talking politicians?

This is the devil's bargain that the U.S. government demands of its people.

These devilish deals have been foisted upon "we the people" before.

Every decade or so, the government makes the case for expanding its wartime powers and curtailing the citizenry's freedom—in the war on terrorism, war on drugs, war on communism, war on foreigners, war on extremism, war on dissidents, war on peace activists, war on anti-government speech, etc.—all for the sake of national security, of course, and as expected, the American people fall in line.

This time around, the government wants us to buy into the fiction that this war on illegal aliens is so necessary for national security that we should be grateful when [roving bands of border patrol agents, flexing their muscles far beyond the nation's borders, exercise their right to disregard the Constitution at every turn.](#)

Except these border patrol cops aren't just disregarding the Constitution.

They're [trampling all over the Constitution](#), especially the Fourth Amendment, which prohibits the government from carrying out egregious warrantless searches and seizures without probable cause.

As part of the government's so-called crackdown on illegal immigration, drugs and trafficking, its border patrol cops are expanding their reach, [roaming further afield](#) and subjecting greater numbers of Americans to warrantless searches, ID checkpoints, transportation checks, and even surveillance on private property far beyond the boundaries of the borderlands.

That so-called border, once a thin borderline, is now an ever-thickening band spreading deeper and deeper inside the country.

Consequently, nearly [66% of Americans \(2/3 of the U.S. population, 197.4 million people\) now live within a 100-mile-deep, Constitution-free zone.](#)

As journalist Todd Miller explains, that expanding border region now extends "[100 miles inland around the United States](#)—along the 2,000-mile southern border, the 4,000-mile northern border and both coasts... This 'border' region now covers places where two-thirds of the US population (197.4 million people) live... The 'border' has by now devoured the full states of Maine and Florida and much of Michigan."

So much for walking that golden [ribbon of highway](#).

In this authoritarian reshaping of America, you'd better watch where you roam and ramble, because you could find yourself wandering into the government's ever-expanding, Constitution-free zone where freedom is off-limits and government agents have all the power and "we the people" have none.

Miller continues:

"In these vast domains, Homeland Security authorities can institute [roving patrols with broad, extra-constitutional powers backed by national security, immigration enforcement and drug interdiction mandates](#). There, the Border Patrol can set up traffic checkpoints and fly surveillance drones overhead with high-powered cameras and radar that can track your movements. Within twenty-five miles of the international boundary, CBP [Customs and Border Protection] agents can enter a person's private property without a warrant."

These are definitely not Mayberry cops.

The CBP, with its more than [60,000 Customs and Border](#)

[Protection employees](#), supplemented by the National Guard and the U.S. military, is an arm of the Department of Homeland Security, a national police force imbued with all the brutality, ineptitude and corruption such a role implies.

Just about every nefarious deed, tactic or thuggish policy advanced by the government today can be traced back to the DHS, its police state mindset, and the [billions of dollars it distributes](#) to local police agencies in the form of grants to transform them into extensions of the military.

As Miller points out, the government has turned the nation's expanding border regions into "[a ripe place to experiment with tearing apart the Constitution](#), a place where not just undocumented border-crossers, but millions of borderland residents have become the targets of continual surveillance."

In much the same way that police across the country have been schooled in the art of sidestepping the Constitution, border cops have also been drilled in the art of "anything goes" in the name of national security.

In fact, according to FOIA documents shared with *The Intercept*, [border cops even have a checklist of "possible behaviors" that warrant overriding the Constitution](#) and subjecting individuals—including American citizens—to stops, searches, seizures, interrogations and even arrests.

For instance, if you're [driving a vehicle that to a border cop looks unusual](#) in some way, you can be stopped.

If your [passengers look dirty](#) or unusual, you can be stopped.

If you or your [passengers avoid looking at a cop](#), you can be stopped.

If you or your [passengers look too long at a cop](#), you can be stopped.

If you're [anywhere near a border](#) (near being within 100 miles

of a border, or in a city, or on a bus, or at an airport), you can be stopped and asked to prove you're legally allowed to be in the country.

If you're [traveling on a public road](#) that smugglers and other criminals may have traveled, you can be stopped.

If you're [not driving in the same direction as other cars](#), you can be stopped.

If you [appear to be avoiding a police checkpoint](#), you can be stopped.

If your [car appears to be weighed down](#), you can be stopped.

If your [vehicle is from out of town](#), wherever that might be, you can be stopped.

If you're [driving a make of car that criminal-types have also driven](#), you can be stopped.

If your [car appears to have been altered or modified](#), you can be stopped.

If the [cargo area in your vehicle is covered](#), you can be stopped.

If you're [driving during a time of day or night that border cops find suspicious](#), you can be stopped.

If you're [driving when border cops are changing shifts](#), you can be stopped.

If you're [driving in a motorcade](#) or with another vehicle, you can be stopped.

If your [car appears dusty](#), you can be stopped.

If [people with you are trying to avoid being seen](#), or exhibiting "unusual" behavior, you can be stopped.

If you [slow down after seeing a cop](#), you can be stopped.

Are you starting to get the picture yet?

This isn't about illegal aliens and border crossings at all.

It's a test to see how hard "we the people" will fight to hold onto what remains of our freedoms.

If this is a test, we're failing abysmally.

Then again, we've been failing this particular test for a long time now.

Indeed, as journalist Hayes Brown [concludes](#), the United States has a long, dubious history of putting national security before people's freedoms.

Certainly, it took no time at all for us to forget Benjamin Franklin's warning that "[Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety.](#)"

It was 1798 when Americans, their fears stoked by rumblings of a Quasi-War with France, chose safety over liberty when they failed to protest the [Alien and Sedition Acts](#), which criminalized anti-government speech, empowered the government to deport "dangerous" non-citizens and made it harder for immigrants to vote.

During the Civil War, Americans went along when Abraham Lincoln [suspended the writ of habeas corpus](#) (the right to a speedy trial) and authorized government officials to spy on Americans' mail.

During World War I, Americans took it in stride when President Woodrow Wilson and Congress adopted the Espionage and Sedition Acts, which made it a crime to interfere with the war effort and [criminalized any speech critical of war](#).

By World War II, Americans were marching in lockstep with the government's expanding war powers to imprison Japanese-American citizens in detainment camps, censor mail, and [lay the groundwork for the future surveillance state](#).

Fast-forward to the [Cold War's Red Scares, the McCarthy era's hearings on un-American activities, and the government's surveillance of Civil Rights activists](#) such as Martin Luther King Jr.—all done in the name of national security.

By the time 9/11 rolled around, all George W. Bush had to do was claim the country was being invaded by terrorists, and the government was given [greater powers to spy, search, detain and arrest](#) American citizens *in order to keep America safe*.

The terrorist invasion never really happened, but the government kept its newly acquired police powers made possible by the nefarious USA Patriot Act.

Barack Obama continued Bush's trend of undermining the Constitution, going so far as to give [the military the power to strip Americans of their constitutional rights, label them extremists, and detain them indefinitely without trial](#), *all in the name of keeping America safe*.

Despite the fact that the breadth of the military's power to detain American citizens violates not only U.S. law and the Constitution but also international laws, the government has refused to relinquish its detention powers made possible by the National Defense Authorization Act (NDAA).

Now you have Donald Trump claiming the country is being invaded by dangerous immigrants and insisting that the only way to keep America safe is to build an expensive border wall, expand the reach of border patrol, and [empower the military to "assist" with border control](#).

This latest crisis is yet another manufactured reality that keeps us tuned into the government's soap opera and oblivious

to all else.

It's time to change the channel.

While the border wall debate certainly stirs up, divides and distracts the populace, expanding the government's police powers is not the answer.

For that matter, building a border wall is unlikely to do much to deter illegal immigrants from getting into this country (they will just continue to tunnel under border walls or go around them as they have been doing), it won't thwart drug traffickers (they already use legal ports of entry and corrupt government agents as conduits to funnel their drugs into the country), and it certainly won't make America any safer from its most pressing threat—that is, government agents armed with totalitarian powers.

It will, however, expand the reach of the police state under our noses.

As I make clear in my book [*Battlefield America: The War on the American People*](#), once the government acquires—and uses—additional powers (to spy on its citizens, to carry out surveillance, to transform its police forces into extensions of the police, to seize taxpayer funds, to wage endless wars, to censor and silence dissidents, to identify potential troublemakers, to detain citizens without due process), it does not voluntarily relinquish them.

It's time “we the people” put our house in order.

Just look at the mess we're in right now: the longest government shutdown in history, political theatrics that keep the populace distracted while the police state clamps down, an economy that is disintegrating before our eyes, a surveillance state that is gearing up for total control, an aging national infrastructure that is falling apart, an appalling lack of leaders with moral backbones and civic knowledge, and a

government that grows more authoritarian with every passing day.

The problem is not that the U.S. is being invaded by rapists, thieves and cold-blooded killers.

Rather, the problem is that the U.S. government is overrun with rapists, thieves and cold-blooded killers who are on the government payroll.

Our own government is now the greatest threat to our safety, and there's no border wall big enough to protect us from these ruffians in our midst.

"We the people" will always be the best defense against tyrants and thugs, whether they serve in our own government or foreign threats.

So stop worshiping at the feet of false political idols whose allegiance is only to power and profit. Stop tolerating this [topsy-turvy state of affairs](#) that punishes truth, transparency and justice while rewarding greed, corruption and injustice. Stop obeying every immoral government order. And stop letting your personal politics get in the way of standing up for your freedoms.

As historian Howard Zinn rightly recognized:

Our problem is civil obedience. Our problem is the numbers of people all over the world who have obeyed the dictates of the leaders of their government and have gone to war, and millions have been killed because of this obedience... Our problem is that people are obedient all over the world, in the face of poverty and starvation and stupidity, and war and cruelty. [Our problem is that people are obedient while the jails are full of petty thieves, and all the while the grand thieves are running the country.](#) That's our problem.