

Kentucky Police Department tests the 4th Amendment

AUGUST 16, 2017 AUGUST 18, 2017 / NALINIGLOBAL /



To: Paducah Police Chief, Brandon Barnhill-
bbarnhill@paducahky.gov (<mailto:bbarnhill@paducahky.gov>)

From: Nalini-Global- Naliniglobal@yahoo.com
(<mailto:Naliniglobal@yahoo.com>)

The Paducah Police Department of Kentucky has recently launched a new initiative known as the, **“Lock it or Lose it”** campaign. Officers will now be encouraged to conduct sweeps around the city to check vehicles parked on public property, to see if they are properly locked and/or if valuables are in plain-view. If the vehicle is found to be unlocked and unattended by the owner, the officer will run the license plate and make attempts to reach the owner of the vehicle by telephone. If the officer cannot make contact, the officer will place a door hanger on the owner’s

registered home address linked to the license plate. The informational door hanger will contain a warning to keep their vehicle properly locked up.

Officers who come across vehicles that **are** properly locked, will leave a "Thank you" card on the windshield of the vehicle. On the back of the card, a survey can be completed and mailed to the Paducah Police Department. Those who fill out the survey are automatically entered into a drawing contest to win prizes. Officer Christopher Fearon recently spoke on a local Television program called "*The Paducah View*", promoting the initiative stating that , **"...Paducah is a safe town to live in, and sometimes people gain a false sense of security because of that."** The initiative is not a nation-wide federal mandate, however, other cities and states have launched similar programs such as the "Lock it or Lose it" program launched in **Lakeland, Florida** last year. The Lakeland Police Department uses even more invasive tactics such as placing a bright orange cone on the top of an unlocked vehicle and leaving "lock it or leave it" brochures inside of the vehicle in order to send a "wake up" message to the car owner to lock up his/her valuables.

According to an article written by the *West Kentucky Star*, Officer Fearon states that, **".....the Paducah Police Department will not leave warning hangers on the car itself nor will they open the car doors."** However, there is a million dollar question that comes with such a statement.

How can you know if a car is unlocked unless you try to open it?

On the surface, such a program may seem innocent or even well-intended. To be honest, it probably is well intended. Some may jump to conspiracy theories about, "Big Brother is Watching", or claim that there is some secret agenda, yet, I believe it is simply a plan that is not well-thought out albeit well intended.

I have two problems with this initiative.

- 1. A potential breach of the 4th Amendment**
- 2. An abuse of power**

For an officer to make contact with a person or his property, there generally has to be "probable cause" or "Reasonable Suspicion". "Probable cause" is a principle that is highly debated, especially with practices such as the "Terry Stop" being the norm these days. A "Terry Stop", is more a less an officer's legal right to stop someone for questioning if the subject is doing something "suspicious" but is not engaging in a blatant activity that warrants probable cause for arrest or seizure of property.

Looking at the “Lock it or Lose It” program, I can see many pitfalls with this well-intended program.

Under the 4th Amendment of the United States Constitution, a private individual has the right to be secure in his possessions and maintain his privacy. This includes his home, his personal belongings, his e-mails, text messages, and yes.....his vehicle! If an officer wants to enter the home of a citizen, search a vehicle, or seize property, he must obtain a warrant signed from a judge or the subject must voluntarily consent.

If an officer routinely approached your house, unwarranted, and began to “jiggle” the locks on your door to make sure they are “secured”, would you feel safer or violated? If your answer is “violated”, then you are probably not a supporter of this initiative. Or at least you shouldn’t be. In order for an officer to determine whether or not a vehicle is locked, unless the door is left wide-open, the officer will have to physically attempt to open the door of the vehicle. The Paducah Police Department claims that they will not open doors, but how else could they test whether or not a car door is locked?

If this program becomes the norm around the nation, citizens will begin to develop a false-sense of trust for law enforcement officers who “check” their locks. While I believe most officers have good hearts and truly want to protect their communities, who is to say that this program wouldn’t be alluring to an officer who may be inclined to use this program to conduct full on searches or to plant evidence illegally? This type of program could create a curtain for abuse of power and make it easier for law enforcement to target citizens or to obtain an arrest and/or conviction.

If my car is stolen, or my valuables are taken because of my own negligence, I have no one to blame but myself and the person who lacks the moral aptitude to refrain from stealing. Our local police are already burdened with investigators looking to track down murderers, pedophiles, rapists, and other violent criminals. We cannot expect law enforcement to protect us 24/7 unless we all agreed to live in a militarized police-state where our every action, thought, and movement were all being recorded or monitored.

With the rise of the TSA, Terrorist threats and the controversy surrounding the “NSA Spy Program” leaked by former intelligence officer Edward Snowden, many Americans look at this program with the same question that has plagued us all since September 11th, 2001.

“How do we balance security while respecting our individual liberty and privacy?”

The police and military have a job to do. Their #1 duty is to protect the life, liberty, and pursuit of happiness of their fellow residents and citizens. Their job is not to make sure we button up our shirts correctly, brush our teeth every morning, or lock our cars when we run inside the grocery store to purchase a loaf of bread.

Not only is this program disrespecting the 4th amendment of the Constitution, but it is also creating unnecessary, "Busy Work" for police officers who could be applying their time and resources towards tackling and solving crimes that are actually taking place or have already taken place. From a tax burden issue, who will pay for these informational cards to be printed up? What will be the administrative cost of this program a year from now? How many man hours will be dedicated to this program? These, among other issues, certainly need to be addressed before further implementation of this program continues.

What are your thoughts? Should the program be discontinued, altered, or do you see it as perfectly innocent?

Let me know at, NaliniGlobal@yahoo.com
(<mailto:NaliniGlobal@yahoo.com>)

Thank you,

With love and honor

Randell D Stroud,

Founder of Nalini-Global

2017

(To be Submitted)

Uncategorized

4TH , AMENDMENT , ARREST ,
CHRISTOPHER , CIVIL , CONSTITUTION ,
DEPARTMENT , FEARON , FLORIDA ,
GLOBAL , ILLEGAL , IT , KENTUCKY ,
LAKELAND , LOCK , LOSE , NALINI ,
NATIONS , NEW , OFFICER , OR ,
POLICE , RANDELL , RIGHTS , SEARCH ,
SEIZURE , STROUD , TENNESSEE , UNITED ,
WARRANT , YORK

BLOG AT WORDPRESS.COM