



Otter's View on Patriot Act Still Stands Years Later

Reported by [Adam Cotterell](#) on Oct 27th, 2011

Boise, ID – This week marks the tenth anniversary of the Patriot Act. The law has been widely criticized by civil liberty advocates as unconstitutional. But ten years ago it passed overwhelmingly. But one Idaho congressman stood against it.

Right after September 11th 2001 congress put new measures in place to go after terrorists. Only one Senator voted against the Patriot Act, Russ Feingold of Wisconsin. In the House of Representatives a small percentage of Democrats voted no and three Republicans. They were perennial presidential hopeful Ron Paul, Bob Ney (nay) of Ohio and then Idaho congressman Butch Otter.

Butch Otter "I thought it was a fundamental violation of the constitution. I still think so."

Otter, who's now Idaho's governor says the Patriot Act upsets the balance of powers.

Butch Otter "In essence what the legislative branch did was give the executive branch license to search anywhere, tap anybody's phone, do anything they want."

The Patriot Act did cancel out many electronic privacy laws and give the FBI and others unprecedented wiretapping and surveillance abilities. It also allowed law enforcement to demand documents from citizens without warrants or statements of probable cause. Otter points to the part known as sneak and peek as an example its excesses. Usually when officers conduct a search they have to present their warrant to a property owner and search in their presence. But under the Patriot act...

Butch Otter "If the law enforcement official wanted to go into the house could get in the house without permission of the person, go through all the articles that he wanted to and then leave and close the door and never tell anybody that they were there."

Otter says when the Patriot Act passed many of his fellow Republicans didn't want to go against President Bush or the Republican Attorney General who supported it.

Butch Otter "You can't give powers like this just to your friends. When you give powers like was given in the Patriot Act that's going to outlive the next president. That's going to outlive the next congress."

Otter says he thinks many of the Republicans who voted for the Patriot Act ten years ago would change their vote if they could. Some parts of the law have been repealed. Others have been allowed to sunset. But many of the provisions have been renewed more than once. Congress reauthorized the Patriot Act last May. Otter has softened his position somewhat in the past ten years. He now says some of the Patriot Act was necessary. He points to parts that allow seizure of financial records of suspected terrorists. But Otter says, he would vote the same way today.