

SATURDAY 3rd  
1pm-3pm

The concept of habeas corpus dates from 1304 in England. A writ of habeas corpus is a court order. It commands a prison official holding a detainee to bring the prisoner to the court. The concept is the most important protection of individual freedom against arbitrary government action. Implicit in it is the power of a court to determine the validity of a prisoner's detention. Once the prisoner has been brought to the court, it can be determined whether that person has been imprisoned lawfully. If courts lack that power, people can be held indefinitely, without trial.

END

TAKE ACTION

CORPORATE

In the 1969 U.S. Supreme Court case of *Harris v. Nelson*, the court recognized that "the writ of habeas corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action and must be administered with the initiative and flexibility essential to ensure that miscarriages of justice within its reach are surfaced and corrected."

SPONSORED

the United States who has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination." In other words, the right to make a determination of who is an "unlawful enemy combatant" has been taken away from the U.S. courts by this new law.

GOVERNMENT

However, Section 7 of the Military Commissions Act prescribes that: "No court, justice or judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus filed by or on behalf of an alien detained by

NOW

The term "unlawful enemy combatant" is defined by this law to include "a person who has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense." Note that the determination as to whether someone is an unlawful alien combatant - which can be made by Secretary of Defense Donald Rumsfeld, his successor or someone he appoints - is a fact that cannot be challenged in a U.S. court. You might say no U.S. citizen could be imprisoned under this law without a trial and indefinitely, but if the very fact that someone is an unlawful alien combatant cannot be challenged in court, what would stop the government from taking this step?

**She can take it to government, but she cannot take it across the street to an article 3 court."**

When Wu refers to an "article 3 court," he's referring to a court created under Article III of the U. S

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10am-2pm

**END TAKE ACTION**

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Mary Johnson  
28 years old  
5'9", 140 lbs  
Brown Hair  
Brown Eyes

Deputy Mark Jones  
1-800-555-0168  
County Sheriff's Office

If you have any information leading to the whereabouts of Mary Johnson please contact the Sheriff's Office at the number below.

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