

Oklahoma DA: Charges Dropped Against Christian Band Member

For about 15 years, the Klo & Kweh Music Team has traveled the United States, sharing the music of the Karen people—an ethnic minority found in Burma and Thailand—while promoting Christian causes in their native countries.

The most recent tour, which spans from Utica, New York, to Bakersfield, California, was continuing that mission by sharing Karen music and culture while also raising funds for mission projects in Burma. The first of those projects was the Dr. T. Thanbyah Christian Institute, a Christian liberal arts college that served Karen students in Burma; the other was the Hsa Thoo Lei Orphanage, which serves internally displaced Karen children in Thailand.

During a tour hiatus last month, Eh Wah—the man responsible for keeping track of the group’s finances—decided to travel home to Dallas, Texas, to check in on his family. Wah, a 40-year-old former refugee from Burma, has been a U.S. citizen for more than a decade, and by all accounts was a solid, Bible-believing Christian.

While traveling in Muskogee County, Oklahoma, Wah was stopped for a broken tail light on his car. The road he was traveling on is frequented by drug traffickers, and with questionable probable cause, officers used a “drug dog” to sniff out the vehicle.

The dog “hit” on something in the vehicle, and during a search, officers found more than \$53,000 Wah was holding on behalf of the musical group. Due to communications breakdowns resulting from Wah’s use of English as a second language and the officers’ own southern dialect, the officers believed he was being untruthful and took him into custody.

Eventually, after several hours of interrogation and a search that produced no drugs or illegal weapons, the officers released Wah to continue his trip. He was allowed to keep a \$300 check that was written to him, but all of the remaining cash was seized by the Muskogee Sheriff's Office.

Under a federal anti-terrorism law, the department was allowed to keep the money, claiming it to be "drug proceeds." Possession of drug proceeds is a felony in Oklahoma, but in this case, the "drug proceeds" were in very clearly marked envelopes for donations to the orphanage and college, proceeds from the sale of the musical group's CDs, and the cash it used for gas and highway tolls traveling from one tour stop to the next.

Muskogee County District Attorney Orvil Loge signed a trial information regarding the incident, charging Wah with possession of drug proceeds. However, after the *Washington Post* wrote about the incident, he quickly changed his tune.

"I looked at the case and met with the officers and determined that we would not be able to meet the burden of proof in the criminal case and in the civil case," he told the *Post* in an update to the story posted Tuesday morning.

The case shined a light once again on civil asset forfeitures, which have resulted in more than \$2.5 billion in seizures since 9/11. The law, which was meant to prevent terrorist groups from receiving funding, has instead become a lucrative means of funding law enforcement agencies, according to its opponents.