

KNOW YOUR RIGHTS INSIDE YOUR HOME

When Police Demand Entry or Action from Outside

Your home is protected by the U.S. Constitution. Police need a **warrant** or **urgent need** (e.g., danger) to enter or act (Payton v. New York, 1980). Ask police to show their badge and provide name/badge number.

No Warrant? No Entry (Fourth Amendment Search or Seizure)

1. Ask: *"Do you have a warrant?" "The right of the people to be secure in their houses against unreasonable searches and seizures, shall not be violated"*
2. If no warrant, say: *"I do not consent to entry or searches without a warrant."*

Emergency Claims (Fourth Amendment Search or Seizure)

1. Ask: *"Whats the emergency? Give details."* Video record if legal and safe (First Amendment right, check state laws). *"The right of the people to be secure in their houses against unreasonable searches and seizures, shall not be violated"*
2. If unclear, say: *"I do not consent without a warrant or clear reason."* (Brigham City v. Stuart, 2006)

Ordered to Exit (Fourth Amendment Seizure)

1. Ask: *"Am I under arrest or detained?" "The right of the people to be secure in their houses against unreasonable searches and seizures, shall not be violated"*
2. If no arrest, say: *"I stay in my home without legal reason. Im not required to provide ID unless detained."* Video record if legal and safe (First Amendment right, check state laws). (United States v. Mendenhall, 1980)

Wellness Checks (First Amendment Free Speech; Fourth Amendment Search or Seizure)

Stay Silent (Fifth Amendment Self-Incrimination; Sixth Amendment Right to Counsel)

1. Say: *"I invoke my Fifth Amendment right to remain silent." "No person shall be compelled in any criminal case to be a witness against himself"*
2. Say: *"I want an attorney before speaking." "In all criminal prosecutions, the accused shall enjoy the right to have the Assistance of Counsel for his defence."* (Miranda v. Arizona, 1966)

Stay calm. Contact an attorney immediately. For information only.
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