

Jackboots Policing: No-Knock Raids Rip a Hole in the Fourth Amendment

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[“We’re all potential victims.”](#)—Peter Christ, retired police officer

It’s the middle of the night.

Your neighborhood is in darkness. Your household is asleep.

Suddenly, you’re awakened by a loud noise.

Someone or an army of someones has crashed through your front door.

The intruders are in your home.

Your heart begins racing. Your stomach is tied in knots. The adrenaline is pumping through you.

You’re not just afraid. You’re terrified.

Desperate to protect yourself and your loved ones from whatever threat has invaded your home, you scramble to lay hold of something—anything—that you might use in self-defense. It might be a flashlight, a baseball bat, or that licensed and registered gun you thought you’d never need.

You brace for the confrontation.

Shadowy figures appear at the doorway, screaming orders, threatening violence.

Chaos reigns.

You stand frozen, your hands gripping whatever means of self-defense you could find.

Just that simple act—of standing frozen in fear and self-defense—is enough to spell your doom.

The assailants open fire, sending a hail of bullets in your direction.

You die without ever raising a weapon or firing a gun in self-defense.

In your final moments, you get a good look at your assassins: it's the police.



Brace yourself, because this hair-raising, heart-pounding, jarring account of a no-knock, no-announce SWAT team raid is what passes for court-sanctioned policing in America today, and it could happen to any one of us.

Nationwide, SWAT teams routinely invade homes, break down doors, kill family pets ([they always shoot the dogs first](#)), damage furnishings, terrorize families, and wound or kill those unlucky enough to be present during a raid.

No longer reserved exclusively for deadly situations, SWAT teams are now increasingly being deployed for relatively routine police matters such as serving a search warrant, with some SWAT teams being sent out as much as five times a day.

SWAT teams have been employed to address an astonishingly trivial array of so-called criminal activity or mere community nuisances: angry dogs, [domestic disputes](#), [improper paperwork filed by an orchid farmer](#), and [misdemeanor marijuana possession](#), to give a brief sampling. In some instances, SWAT teams are even employed, in full armament, to perform [routine patrols](#).

These raids, which might be more aptly referred to as [“knock-and-shoot” policing](#), have become a thinly veiled, court-sanctioned means of giving heavily armed police the green light to crash through doors in the middle of the night.

No-knock raids, a subset of the violent, terror-inducing raids carried out by police SWAT teams on unsuspecting households, differ in one significant respect: they are carried out without police having to announce and identify themselves as police.

It's a chilling difference: to the homeowner targeted for one of these no-knock raids, it appears as if they are being set upon by villains mounting a home invasion.

Never mind that the unsuspecting homeowner, woken from sleep by the sounds of a violent entry, has no way of distinguishing between a home invasion by criminals as opposed to a police mob. In many instances, there is little real difference.

According to an in-depth investigative report by *The Washington Post*, "[police carry out tens of thousands of no-knock raids every year nationwide.](#)"

While the Fourth Amendment requires that police obtain a warrant based on probable cause before they can enter one's home, search and seize one's property, or violate one's privacy, SWAT teams are granted "no-knock" warrants at high rates such that the warrants themselves are rendered practically meaningless.

If these aggressive, excessive police tactics have also become troublingly [commonplace](#), it is in large part due to judges who largely rubberstamp the warrant requests based only on the word of police; police who have been known to lie or fabricate the facts in order to justify their claims of "reasonable suspicion" (as opposed to the higher standard of probable cause, which is required by the Constitution before any government official can search an individual or his property); and software that allows judges to remotely approve requests using computers, cellphones or tablets.

This sorry state of affairs is made even worse by U.S. Supreme Court rulings that have essentially [done away with the need for a "no-knock" warrant altogether](#), giving the police authority to disregard the protections afforded American citizens by the Fourth Amendment.

In addition to the terror brought on by these raids, general incompetence, collateral damage (fatalities, property damage, etc.) and botched raids are also characteristic of these SWAT team raids. In some cases, officers misread the address on the warrant. In others, they simply barge into the wrong house or even the wrong building. In another subset of cases, police conduct a search of a building where the suspect no longer resides.

SWAT teams have even on occasion conducted multiple, sequential raids on wrong addresses or executed search warrants despite the fact that the suspect is already in police custody. Police have also raided homes on the basis of mistaking the presence or scent of legal substances for drugs. Incredibly, these substances have included tomatoes, sunflowers, fish, elderberry bushes, kenaf plants, hibiscus, and ragweed.

All too often, botched SWAT team raids have resulted in one tragedy after another for the residents with little consequences for law enforcement.

The horror stories have become legion in which homeowners are injured or killed simply because they mistook a SWAT team raid by police for a home invasion by criminals. Too often, the destruction of life and property wrought by the police is no less horrifying than that carried out by criminal invaders.

As one might expect, judges tend to afford extreme levels of deference to police officers who have mistakenly killed innocent civilians but do *not* afford similar leniency to civilians who have injured police officers in acts of self-defense. Indeed, homeowners who mistake officers for robbers can be sentenced for assault or murder if they take defensive actions resulting in harm to police.

Yet the shock-and-awe tactics utilized by many SWAT teams only increases the likelihood that someone will get hurt.

That's exactly what happened to [Jose Guerena](#), the young ex-Marine who was killed after a SWAT team kicked open the door of his Arizona home during a drug raid and opened fire.

According to news reports, Guerena, 26 years old and the father of two young children, grabbed a gun in response to the forced invasion but never fired. In fact, the safety was still on his gun when he was killed. Police officers were not as restrained. The young Iraqi war veteran was allegedly fired upon 71 times. Guerena had no prior criminal record, and the police found nothing illegal in his home.

[Aiyana Jones is](#) dead because of a SWAT raid gone awry. The 7-year-old was killed after a Detroit SWAT team—searching for a suspect—launched a flash-bang grenade into her family’s apartment, broke through the door and opened fire, hitting the little girl who was asleep on the living room couch. The cops weren’t even in the right apartment.

Exhibiting a similar lack of basic concern for public safety, a Georgia SWAT team launched a flash-bang grenade into the house in which Baby Bou Bou, his three sisters and his parents were staying. The [grenade landed in the 2-year-old’s crib](#), burning a hole in his chest and leaving him with scarring that a lifetime of surgeries will not be able to easily undo.

Payton, a 7-year-old black Labrador retriever, and 4-year-old Chase, also a black Lab, were shot and killed after a [SWAT team mistakenly raided the mayor’s home](#) while searching for drugs. Police shot Payton four times. [Chase was shot twice](#), once from behind as he ran away.

“My government blew through my doors and killed my dogs. They thought we were drug dealers, and we were treated as such. I don’t think they really ever considered that we weren’t,” [recalls](#) Mayor Cheye Calvo, who described being handcuffed and interrogated for hours—wearing only underwear and socks—surrounded by the dogs’ carcasses and pools of the dogs’ blood.

If these violent SWAT team raids have become tragically widespread, you can chalk it up to the “make-work” principle that has been used to justify the transfer of sophisticated military equipment, weaponry and training to local police departments, which in turn has helped to transform police into extensions of the military—a standing army on American soil.

The problem, as one reporter rightly concluded, is “not that life has gotten that much more dangerous, it’s that [authorities have chosen to respond to even innocent situations as if they were in a warzone.](#)”

A study by a political scientist at Princeton University concludes that militarizing police and SWAT teams “[provide no detectable benefits in terms of officer safety or violent crime reduction.](#)” The study, the first systematic analysis on the use and consequences of militarized force, reveals that “police militarization [neither reduces rates of violent crime nor changes the number of officers assaulted or killed.](#)”

SWAT teams, designed to defuse dangerous situations such as those involving hostages, were never meant to be used for routine police work targeting *nonviolent* suspects, yet they have become intrinsic parts of federal and local law enforcement operations.

There are [few communities without a SWAT team](#) today.

In 1980, there were roughly 3,000 SWAT team-style raids in the US.

Incredibly, that number has since grown to [more than 80,000 SWAT team raids per year.](#)

Where this becomes a problem of life and death for Americans is when these militarized SWAT teams are assigned to carry out routine law enforcement tasks.

In the state of Maryland alone, [92 percent of 8200 SWAT missions were used to execute search or arrest warrants](#).

Police in both Baltimore and Dallas have used [SWAT teams to bust up poker games](#).

A Connecticut SWAT team [swarmed a bar](#) suspected of serving alcohol to underage individuals.

In Arizona, a [SWAT team was used to break up an alleged cockfighting ring](#).

An Atlanta [SWAT team raided a music studio](#), allegedly out of a concern that it might have been involved in illegal music piracy.

A Minnesota SWAT team raided the wrong house in the middle of the night, handcuffed the three young children, held the mother on the floor at gunpoint, shot the family dog, and then [“forced the handcuffed children to sit next to the carcass of their dead pet and bloody pet for more than an hour”](#) while they searched the home.

A California SWAT team drove an [armored Lenco Bearcat into Roger Serrato’s yard](#), surrounded his home with paramilitary troops wearing face masks, threw a fire-starting flashbang grenade into the house in order, then when Serrato appeared at a window, unarmed and wearing only his shorts, held him at bay with rifles. Serrato died of asphyxiation from being trapped in the flame-filled house. Incredibly, the father of four had done nothing wrong. The SWAT team had misidentified him as someone involved in a shooting.

And then there was the police officer who [tripped and “accidentally” shot and killed Eurie Stamps, an unarmed grandfather of 12](#), who had been forced to lie facedown on the floor of his home at gunpoint while a SWAT team attempted to execute a search warrant against his stepson.

Equally outrageous was the [four-hour SWAT team raid on a California high school](#), where students were locked down in classrooms, forced to urinate in overturned desks and generally terrorized by heavily armed, masked gunmen searching for possible weapons that were never found.

These incidents underscore a dangerous mindset in which the citizenry (often unarmed and defenseless) not only have less rights than militarized police, but also one in which the safety of the citizenry is treated as a lower priority than the safety of their police counterparts (who are armed to the hilt with an array of lethal and nonlethal weapons).

Likewise, our privacy, property and security are no longer safe from government intrusion.

Yet it wasn’t always this way.

There was a time in America when a person’s home was a sanctuary, safe and secure from the threat of invasion by government agents, who were held at bay by the dictates of the Fourth Amendment, which protects American citizens from unreasonable searches and seizures.

The Fourth Amendment, in turn, was added to the U.S. Constitution by colonists still smarting from the abuses they had been forced to endure while under British rule, among these home invasions by the military under the guise of “writs of assistance.” These writs gave British soldiers blanket authority to raid homes, damage property and wreak havoc for any reason whatsoever, without any expectation of probable cause.

To our detriment, we have come full circle to a time before the American Revolution when government agents—with the blessing of the courts—could force their way into a citizen’s home, with seemingly little concern for lives lost and property damaged in the process.

Rubber-stamped, court-issued warrants for no-knock SWAT team raids have become the modern-day equivalent of colonial-era writs of assistance.

Then again, we may be worse off today when one considers the extent to which courts have sanctioned the use of no-knock raids by police SWAT teams (occurring at a rate of more than 80,000 a year and growing); the arsenal of lethal weapons available to local police agencies; the ease with which courts now dispense search warrants based often on little more than a suspicion of wrongdoing; and the inability of police to distinguish between reasonable suspicion and the higher standard of probable cause.

This is exactly what we can expect more of as a result of President Biden’s commitment to [expand law enforcement and so-called crime prevention at taxpayer expense](#).

Yet as I make clear in my book [Battlefield America: The War on the American People](#) and in its fictional counterpart [The Erik Blair Diaries](#), no matter what the politicians insist to the contrary, militarized police armed with weapons of war who are empowered to carry out pre-dawn raids on our homes, shoot our pets, and terrorize our families are not making America any safer or freer.

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