

Stephen Williamson:

Absolutely. The warrant is legal. But, if they go into the wrong apartment, and we can later show through our investigation that the warrant was obtained through gross negligence by the police, by recklessness by the police, or by intentionally giving the court the wrong information to get the warrant, then we can what's called vitiate the probable cause, or eliminate the probable cause in the warrant. And then the entry into the apartment becomes illegal.

It becomes illegal in violation of the US Constitution and everything that flows from there. All of the anxiety and fear and trauma that people suffer when their home is invaded in the middle of the night, any physical injury that results, all of which is compensable in a case if we can show that the police shouldn't have gone into the apartment to begin with. That in fact, it was an illegal entry in violation of your constitutional rights. And the way that we show that is by showing that the warrant was obtained from the court through recklessness, gross negligence, or intentional bad information provided to the court by the police to get the warrant.