

Speaker 1:

But, every now and again, the police obtain a warrant in bad faith. Every now and again, they present to the court a warrant that is based on bad information, because the police are acting in a grossly negligent way, because they're acting in a reckless manner, or because they're intentionally putting forward something that is not correct, or not truthful, to the court. They get that warrant, and that warrant allows them to go into the apartment of the premises, and it gives them a legal right to do so.

Oftentimes, in those situations, they will go into the wrong apartment. We've represented several families. We've seen this numerous times, where you have a law-abiding, good family that is sleeping at 5:00 in the morning in their apartment. They just happen to live in a low-income neighborhood, or they happen to live in public housing in New York, where there's some gang activity, or drug activity nearby, and they're essentially in the wrong place at the wrong time.

The reason these cases are so important, and the damage can be so devastating in these instances, is because when the police execute these no-knock warrants, they go into the apartments at, usually, about 4:30, 5:00 in the morning, and they don't knock on the door. They call them no-knock warrants for a reason. They blow out the door. They knock down the door with a hydraulic device. It's not the regular police that you see on the street who come into the apartment. It's members of the police's SWAT Team, which is known as ESU.

They go in fast and furious, and they will say, "We go in quickly, and we go in aggressively, and we make it scary because we want to get to the criminals quickly. We want to make sure we get to them before they flush drugs down the toilet, or before someone can reach for a gun," which is all fine and good if they have the right apartment, but if they go into the wrong apartment like that, and they're throwing people up against the wall, and storming through every room with their flack jackets on, with large guns, it can be terrifying.

It can be so frightening that people have a hard time recovering. We have clients who suffer Post-Traumatic Stress Disorder, or are filled with grief, fear, and anxiety after such an event. We have a lot of clients who are in these situations, who suffer significant physical injury because they're pulled out of bed and thrown against a wall, or thrown on the floor, and it can be a while before the police realize that they have the wrong apartment.