



# Farm-to-Consumer Legal Defense Fund<sup>®</sup>

Legal Representation ♦ Political Action ♦ Education

## WHAT TO DO IN CASE OF A RAID

### Farms with a Grade A Permit

#### Government's Limits

Without a warrant, officials are only allowed in areas that directly affect the Grade A operation of licensed facility.

However, officials have the right to inspect areas unrelated to your Grade A operation only if -

1. They have a warrant that specifically states where to search and what to seize. OR
2. You allow them to search and seize or invite them to.

#### Your Rights

When presented with a warrant or faced with an official of any agency:

1. You have the right to receive a copy of the warrant.
2. It is your right to stay silent, and you give up your rights when you answer.
3. It is your right to ask any non-related permit oversight official to leave immediately and they are required to do so unless they carry a warrant to carry out specific duties and only those specifically and clearly outlined in the warrant.
4. It is your right to video tape and record the events.
5. It is your right to have family, neighbors, customers be witnesses as long as you and they do not interfere in any way with the search warrant.
6. You have the right to receive an "inventory" of anything that is seized.

#### What to Do

- Have a "Posted No-Trespassing" sign on your property entrance. Aluminum 12" x 18" sign available at AD Rite (248) 628-6652 approximately \$20/each + shipping.
- Film or record (photos or notes) all activities of a seizure.
- Have witnesses on hand.

If a warrant is presented to search areas other than those related to your permit:

1. Read the warrant!
2. Call the Fund lawyer before the search begins. 1-800-867-5891 (24/7)
3. Present the Public Official Questionnaire and request that it be filled out and signed by all official persons present, for your records.
4. Monitor where the search is conducted. Tell them to stop if they are entering areas outside of the warrant specifications.
5. Monitor how the search is conducted. For instance, if the use of force is not called for in the search warrant, no force can be used to cut off locks or break down doors.

## **What Not to Do**

Do not hand over anything or sign anything before talking to the Fund lawyer even if it is stated so in a warrant. Do not answer questions that do not relate to the activities of your permit.

## **Non Grade A Permitted Farms**

Everything from Farms with a Grade A Permit applies, including the fact that no official has the right to be on your property unless they have a warrant, even if they say they just want to talk.

They do not have the right to be on your property or ask questions until you give it to them or unless they have a specific warrant allowing them to search and seize specific property.

If an official shows up without a warrant and refuses to leave -

1. Ask them to leave your property immediately.
2. Escort them to the property line.
3. Call the sheriff and report a trespasser.
4. Call the Fund lawyer.
5. Give the phone to the official.

## **What to Tell Your Shareholders**

All of the above applies to share holders as well. In other words, officials do not have the right to enter your home, property or premises unless they have a warrant. However, if an official shows up at a shareholders home with a warrant then they have the right to search and seize.

Urge them to join the Fund and give them the number to call in case of illegal search and seizure operations against your shareholders.

Let them know of their rights as a private shareholder and citizen and explain that the officials are not concerned with protecting their safety; but eroding their rights to make informed choices about the foods they serve their families.

## **What to Tell your Employees, Family Members and Drivers**

This information should be given to any and all of the farms distribution persons, employees & family members. These persons should also be provided with the contact information for the Fund lawyers in case of an incident while primary operation personnel are not present.

**EMERGENCY HOT LINE 1-800-867-5891 (24 hours/7 days a week)**

**[www.farmentoconsumer.org](http://www.farmentoconsumer.org)**