

The aims of the NFA are

- ☞ To promote, support and protect all safe firearms activities
- ☞ To promote, support and protect all educational firearms activities
- ☞ To promote natural justice for all firearms activities.

Are you an NFA Member?



**National
Firearms
Association**

**Ph: (403) 640-1110
Fx: (403) 640-1144**

**Box 4384, Station C
Calgary, Alberta
T2T 5N2**

www.nfa.ca

The Police are at your door -- what do you do?

This "Primer" will give you the basics. Discuss it with your family, and post it inside a cupboard or someplace your family knows about.

Add your own important phone numbers.

Only by knowing and understanding the law can you protect your rights.

If you have questions about firearms law....

The National Firearms Association is your source for answers!
Call us!

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**National
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A Primer on Search Warrants

This is the Law on Search Warrants

Summary Response Checklist if the Police come Knocking:

1. Ask to see the search warrant.

Note: The searchers are required to SHOW you a COPY of the warrant or TELL you what is in it before executing it, and LEAVE you a copy of it when they leave..

2. Ask the person in possession of the warrant to identify himself and all of those with him and to indicate whether those persons are authorized to aid in the execution of the warrant.

3. Request time to review the warrant and to obtain advice with respect to the appropriate course of conduct.

4. Read the warrant carefully to determine:
a) the premises covered.

b) the specific documents or objects it covers.

c) the alleged offence(s) which are subject of the warrant

Note: Read the DATE and TIMES that the warrant authorizes search. Often, the warrant is invalid because they were supposed to do the search YESTERDAY, or EARLIER TODAY, and entry can then be legally refused. CC s. 488 forbids the execution of a search warrant AT NIGHT, unless "(a) the justice [who issues it] is satisfied that there are reasonable grounds for it to be executed by night, (b) the reasonable grounds are included in the Information [laid before the justice to get the warrant], AND (c) the warrant authorizes that it be executed by night."

5. At the same time that the warrant is being reviewed, instruct someone to make the following calls (if not already made): -legal counsel - individuals named in the warrant whose offices are to be searched— each should be advised that the search is pending and cautioned that they must not remove, alter or destroy any documents or other material in their offices.

Note: ADD the local news media and **NFA HQ, (403)439-1394**

NOTE: If told that you must sit down and not use the phone, ask: "Am I under arrest?" If the answer is "No, not YET!", then no one has any right to TOUCH you, or to hinder your use of the telephone. If an officer DOES touch you, then ask again: "Am I under arrest?" If the answer is no, then say: "In that case, take your hand off me— or I will arrest YOU for assault." [Yes, you ARE authorized to do that by Canadian law, CC s. 494(1) and (3)].

6. Do not "agree" that the search can be expanded beyond the limits described in the warrant.

7. Do not answer any substantive questions.

Note: More people are convicted from what they SAY than from any other cause. You have a right to SILENCE. USE IT. Unless you know as much about firearms law as the NFA does, you have NO IDEA whether or not you ARE guilty— because you may SEEM to be guilty, and yet the NFA can often tell your lawyer why you are NOT. Three days ago, for example, I was able

to tell a person charged with carrying a concealed handgun that the NFA could supply him with an excellent (but not totally guaranteed) defence.

8. Do not attempt to impede, physically or otherwise, the person executing the warrant.

Note: That is obstruction, and a criminal offence.

9. If any documents exist in respect of which solicitor-client privilege may exist, identify the documents and their location and indicate to the search officer that the documents are subject to solicitor-client privilege and that you require that the appropriate procedures be followed to protect the privilege.

10. Keep an accurate log (or copy) of all documents seized. The searchers are required to file an "Information" with the court to get a search warrant. Unless the justice blocks it, the "Information" is a public document. After executing the warrant, the searchers must file a "Return" with the court, explaining what they did with the warrant and listing what they took. SO: After being searched, go to the court that issued the warrant and request a copy of the Information and return relating to that warrant. You should be able to get them for the cost of photocopying, and they are VALUABLE.