

# NOTICE TO CHECKPOINT AGENTS

For both of our safety, and to discourage criminal abuse of authority, a video recording of this stop is being made.

UNITED STATES V. MARTINEZ-FUERTE, 428 U. S. 543 (1976)  
IN THE SUPREME COURT OF THE UNITED STATES

Page 428 U. S. 566

In summary, we hold that **stops** for brief questioning routinely conducted at permanent checkpoints are consistent with the Fourth Amendment, and **need not be authorized by warrant**. [Footnote 19] The principal protection of Fourth

- I have stopped as required.
- My attorney has advised me never to speak to law enforcement personnel under any circumstances.
- I hereby assert and exercise my constitutionally-protected Right to remain silent.
- **I WANT TO GO ON MY WAY IMMEDIATELY. PLEASE ADVISE ME AS SOON AS I AM FREE TO LEAVE.**

Page 428 U. S. 567

Amendment rights at checkpoints lies in appropriate **limitations on the scope of the stop**. See Terry v. Ohio, 392 U.S. at 392 U. S. 24-27; United States v. Brignoni-Ponce, 422 U.S. at 422 U. S. 881-882. We have held that **checkpoint searches are constitutional only if justified by consent or probable cause to search**. United States v. Ortiz, 422 U. S. 891 (1975).

- **Probable Cause or Consent** is required to conduct a *search*.
- Since this is a suspicion-less checkpoint, you do not have **Probable Cause** to search.
- **I DO NOT CONSENT TO ANY SEARCHES.**

And our holding today is limited to the type of stops described in this opinion. "[A]ny further detention . . . must be based on consent or probable cause." United States v. Brignoni-Ponce, supra at 422 U. S. 882.

- Any further detention requires **Probable Cause or Consent**.
- Since this is a suspicion-less checkpoint, you do not have **Probable Cause** for detention.
- **I DO NOT CONSENT TO ANY FURTHER DETENTION.**

Page 428 U. S. 563

We further believe that it is constitutional to refer motorists selectively to the secondary inspection area at the San Clemente checkpoint [...] **for the brief questioning involved**.

- The sole permitted purpose of referral to secondary inspection is for "brief questioning."
- **I ASSERT MY 5<sup>TH</sup> AMENDMENT RIGHT TO REMAIN SILENT AND WILL NOT ANSWER ANY QUESTIONS.**
- No other lawful basis remains for a referral to secondary inspection.
- **I DO NOT CONSENT TO ANY FURTHER DETENTION.**

**I WANT TO GO ON MY WAY IMMEDIATELY.  
PLEASE ADVISE ME AS SOON AS I AM FREE TO LEAVE.**

If you conduct any unlawful search, detention, or other violation of my Rights (all of which I reserve), I intend to see that criminal charges are filed, and civil action instituted against you, to the greatest extent permitted by law.

**I WANT TO GO ON MY WAY IMMEDIATELY.  
PLEASE ADVISE ME AS SOON AS I AM FREE TO LEAVE.**

This notice is designed to be used at suspicion-less checkpoints operating within the United States, not at international border crossings. Keep a copy of this notice in your vehicle and present it to the law enforcement agent if you are stopped at one of these checkpoints. Keep your car doors locked and do not open the window more than is necessary to hand the agent a copy of this notice. DO NOT SPEAK to agents without an attorney present, except to repeat the phrases shown in capital letters on this notice.

\* \* \* IN THE SPIRIT OF 1776 \* \* \*

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