

Submitter:

Joshua Padgett

On Behalf Of:

Committee:

House Committee On Judiciary

Measure, Appointment or Topic:

HB4114

I submit this testimony in support of HB 4114, the Protect Your Door Act, because it meaningfully reinforces the practical enforceability of the Fourth Amendment and restores a long-standing principle of American constitutional law: that rights without remedies are rights in name only.

The Fourth Amendment guarantees the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. Historically, this protection was not merely aspirational. It was enforceable through common-law causes of action that allowed individuals to seek redress against those who violated the sanctity of the home without lawful authority. Over time, however, judicial doctrines and statutory frameworks have narrowed those avenues of accountability, creating gaps where constitutional violations may occur without meaningful consequence to the individual actor responsible.

HB 4114 addresses this problem directly and appropriately. The bill does not create a new constitutional right, nor does it expand the substantive scope of the Fourth Amendment. Instead, it restores a traditional and well-established enforcement mechanism by allowing individuals to pursue civil remedies when their clearly defined constitutional protections are violated through unlawful entry into their homes. In doing so, the legislation aligns with foundational legal principles that recognize state tort law as a legitimate vehicle for vindicating constitutional interests.

Importantly, the bill is carefully structured to respect both federalism and existing legal standards. It preserves well-recognized exceptions to the warrant requirement, including valid judicial warrants, freely given consent, and legitimate exigent circumstances. Lawful conduct remains protected. Accountability attaches only when entry occurs in violation of settled Fourth Amendment doctrine. This narrow tailoring ensures that the legislation deters unlawful behavior without chilling legitimate law enforcement or government functions.

The enforcement mechanism established by HB 4114 is also proportional and reasoned. By allowing recovery of actual damages, statutory minimum damages, and attorney fees, the bill ensures that constitutional claims are realistically enforceable, even in cases where financial harm may be difficult to quantify. Without such provisions, many violations would remain effectively immune from challenge, undermining the deterrent function of constitutional law.

Finally, HB 4114 serves a broader institutional purpose. Public confidence in the rule

of law depends on the consistent application of legal accountability. When individuals lack recourse for violations of core constitutional protections—particularly within the home, which has long occupied a special place in American jurisprudence—the legitimacy of those protections erodes. This legislation affirms that constitutional boundaries are not optional and that respect for individual liberty is maintained through enforceable standards, not merely symbolic guarantees.

For these reasons, I strongly support HB 4114 and urge its adoption as a measured, historically grounded, and constitutionally sound reaffirmation of the Fourth Amendment's enduring protections.