



FOR IMMEDIATE RELEASE

Trial Concludes in Federal Lawsuit Over Surprise Warrantless Searches of Award-Winning Hunting Dog Trainer and his Wife's Rural Homestead

Constitutional Challenge to Surprise Warrantless Searches of Rural Homestead Now Awaits Ruling from Federal Judge

Cowley County, Kansas – A federal civil rights trial challenging the constitutionality of Kansas's surprise warrantless searches of a rural homestead concluded earlier this week. The case, brought by award-winning hunting dog trainer Scott Johnson and his wife Harlene Hoyt, now awaits a ruling from U.S. District Judge Kathryn H. Vratil.

The couple argued that the regime violates the Fourth Amendment's core protections, allowing inspectors to enter private homes and private property without warrants, notice, or consent.

WHO:

Plaintiffs: [Scott Johnson and Harlene Hoyt](#), represented for free by the public interest law firm [Kansas Justice Institute](#).

Defense: Kansas Attorney General's Office.

Presiding Judge: Hon. Kathryn H. Vratil, U.S. District Court for the District of Kansas.

WHAT:

Federal civil rights case challenging the government's surprise warrantless searches of licensed dog trainer's homestead.

STATUS:

Trial concluded May 27, 2025. Briefing and arguments have concluded as well, and a ruling is expected in the coming weeks or months.

WHY IT MATTERS:

“This case is incredibly important for Scott and Harlene. But it’s also about every Kansan, every American,” said Sam MacRoberts, litigation director for Kansas Justice Institute, the nonprofit law firm representing them. “Our homes are supposed to be our castles. If the government can invade Scott and Harlene’s homestead without a warrant, then no home is truly safe,” MacRoberts said. “This trial wasn’t just about Scott and Harlene — it’s about the right of every Kansan to be secure in their own home,” MacRoberts continued.

BACKGROUND:

[Kansas Justice Institute](#) is able to continue its fight against the government’s surprise warrantless searches of rural Kansas homesteads after the United States Court of Appeals for the Tenth Circuit ruled that the Fourth Amendment lawsuit [should not have been dismissed](#) and reinstated it. [The civil rights case was filed in October 2022](#) on behalf of award-winning hunting dog trainer Scott Johnson and his wife Harlene Hoyt.

Under Kansas law, Scott Johnson must obtain a license to operate his home-based business, Covey Find Kennel. But with that license comes a heavy price: the government demands consent to unannounced, suspicionless searches—no warrant, no probable cause required. If Mr. Johnson or his designated representative, his wife, cannot meet an inspector within 30 minutes of a surprise visit, they face automatic penalties, fines, and threats to their livelihood. Even asking the inspector to return later is an offense.

“A person’s homestead is their castle, and the government shouldn’t be allowed to enter it without a warrant,” MacRoberts continued. “Scott and Harlene have never wavered in the defense of their rights,” MacRoberts added.

The Kansas Attorney General’s office has defended the warrantless search regime arguing that an exception to the Fourth Amendment warrant requirement, known as the pervasively regulated industry exception, applied to dog training and handling.

In the 2015 case of *City of Los Angeles v. Patel*, the Supreme Court rejected a similar argument that hotels counted as a pervasively regulated industry. The Court explained that the pervasively regulated industry exception to the Fourth Amendment’s warrant requirement is “a narrow exception” that cannot be allowed to “swallow the rule” that the government must obtain a warrant before searching private property.

Scott Johnson and his wife, Harlene Hoyt, with the help of Kansas Justice Institute, [filed the lawsuit](#) in October 2022 to protect against the unreasonable, unannounced, warrantless searches of their rural homestead as well as unconstitutional licensing requirements. The case was dismissed in May 2023, but reinstated by the Tenth Circuit in June 2024. Links to the court filings may be found by clicking [here](#).

Kansas Justice Institute is a free public interest law firm that fights back against government overreach.