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POSITION ON PROPOSED LEGISLATION

BILL: HB 0027- No-Knock Warrants

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: 02/23/2024

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on House Bill 0027.

HB 0027 repeals the authority for the issuance and execution of no-knock search warrants. It establishes that a warrant may not authorize an officer to enter a building, apartment, premises or place without first announcing the officer's purpose and authority. It specifies that a warrant may be executed only between 8:00 a.m. and 7:00 p.m.; and requires an officer executing a search warrant, prior to entering certain areas to give reasonable notice to alert any occupants within the officer's authority and purpose.

My name is Christina Hawkins. I am the Statewide Peer Support Manager for the Maryland Office of the Public Defender as well as a person in long term recovery from a substance use disorder. Being a person in recovery qualifies me to provide support and insight to the individuals that we serve; as I have lived through active addiction and understand the behaviors, feelings, emotions, decision making and so much more that is involved with someone in the grips of addiction. My lived experience also gives me insight on injustices and gaps in our judicial system- especially to those who are suffering from substance use disorders.

The years 2018 and 2019 were some of the hardest years of my life- reaching bottoms I had never thought possible and suffering the most significant losses of my life including my daughter to the child welfare system and my fiance to an overdose. I was honestly spiraling out of control and that undoubtedly received attention from the local authorities.

In January of 2019, the Drug Court program in my area sent me to inpatient drug treatment as a final attempt to save my life. I completed the program and returned to my home to give recovery another shot. I had secured a job interview for the afternoon of February 12, 2019. I woke up that morning and started getting ready for the day which included taking a shower. No more than 5 minutes after getting into the bathtub, I was abruptly interrupted by my front door being knocked off of the hinges and police men scattering my home. A male police officer made his way into the bathroom where he found me naked in the shower. He called the only female officer on site, into the bathroom. She provided me with a robe and a pair of slippers she found in my bedroom. I was humiliated and terrified.

The police continued to search my house while I stood in a robe, still wet, and unclear about what was happening. The officers found an empty cellophane baggie with what appeared to be residue and arrested me for possession. I was brought to the commissioner in a robe and slippers, wet hair, in the winter, snow on the ground. The next day, February 13th, the case was dismissed and I was released from the detention center in the same robe and slippers I had on the previous day.

If House Bill 0027 was in place on February 12, 2019- the officers coming into my home would have been required to announce their arrival and reason for entering my home. They would have come in and searched the bathroom and been able to tell me to get dressed. It would have saved me from the unnecessary embarrassment I suffered, as well as the aftermath of me having to walk the streets with nothing on but a robe and slippers.

Today, with 5 years in recovery, I still remember this as one of the most embarrassing moments of my life. I still hold resentments towards the police officers for making me feel like I was not a human while they violated my privacy and my home. HB0027 provides rights and insight to human beings who are being investigated for various reasons and are at risk for a no-knock search warrant.

For these reasons, I urge this Committee to issue a favorable report on House Bill 0644.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

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