



**TESTIMONY IN SUPPORT OF HB 27
Judiciary Committee, February 27, 2024**

Submitted by:

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The Silver Spring Justice Coalition (SSJC) is a coalition of community members, faith groups, and civil and human rights organizations from throughout Montgomery County committed to eliminating harm caused by police and empowering those communities most affected by policing. In furtherance of this goal, we urge you to support HB 27, which will ban the use of no-knock warrants.

We have all heard and seen horror stories about no-knock warrants gone bad. Brianna Taylor is just one of many of the Black community lost to no-knock warrants gone awry. As noted by the Legal Defense Fund:

We know many examples of police executing no-knock raids at wrong addresses, such as the raid that resulted in seven-year-old Aiyana Stanley-Jones' death. We know of police throwing a flashbang and grievously injuring an 18-month-old toddler known as "Bou Bou" by his family. We know that plain-clothes law enforcement officers forcefully entered 92-year-old Kathryn Johnston's residence in a no-knock raid, and, when she fired one shot that did not strike any officer, police shot at her 39 times, killing her.¹

In 2019, a no-knock warrant executed by Montgomery County police injured a firefighter of color, his wife and child - none of whom were the subjects of the warrant. The error led to a lawsuit against the county for \$2.5 million.²

¹ <https://www.naacpldf.org/end-no-knock-warrants/>

²https://www.washingtonpost.com/local/public-safety/no-knock-warrant-lawsuit/2021/05/05/833b8e3a-adc9-11eb-acd3-24b44a57093a_story.html

Given that no-knock warrants are among the most dangerous and hazardous police activities, it is surprising to many that they are usually granted by magistrates and judges simply on an officer's say so. Moreover, given the current legal standards, officers need to say little to justify the grant of a no-knock warrant, and as a result, they are used far too frequently. As reported by the Washington Post:

. . . judges generally rely on the word of police officers and rarely question the merits of the requests, offering little resistance when they seek authorization for no-knocks, a Washington Post investigation has found. The searches, which were meant to be used sparingly, have become commonplace for drug squads and SWAT teams.³

Not only are no-knock warrants dangerous, but some data suggests there are significant racial disparities in the use of no-knock warrants. The Center for Criminal Justice states: “[police raids may be racially disparate](#); in one study, 42% of households raided under SWAT search warrants had Black occupants.”⁴

The argument that no-knock warrants are needed to surprise and subdue dangerous people is a self-fulfilling prophecy. Of course, people who have guns — sometimes legally — are likely to defend themselves when they think that criminals are breaking into their homes. Why do we jeopardize the lives of officers and innocent civilians by permitting no-knock warrants?

No-knock warrants are not worth the danger they pose to innocent civilians or law enforcement officers. Think about it: Officers don't need no-knock warrants to seize thousands of fentanyl pills, or kilos of illegal drugs. Those quantities can't be destroyed when police serve a regular warrant. Nor are no-knock warrants needed to seize guns or other contraband. The no-knock warrant is obsolete, and it has been so abused, particularly to the harm of people of color, that attempting to reform the process is futile.

The only solution is to pass this bill. We urge a favorable report.

³ <https://www.washingtonpost.com/investigations/interactive/2022/no-knock-warrants-judges/>

⁴<https://counciloncj.foleon.com/policing/assessing-the-evidence/iii-no-knock-warrants-and-police-raids>