



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB0419 - No-Knock Warrants - Elimination
Before the Judicial Proceedings Committee
on January 28, 2021**

Chairman Smith and members of the Committee:

I am pleased to introduce Senate Bill 419 to repeal the statutory authority for no-knock search warrants. Specifically, this bill prohibits an officer from entering what is being searched if they do not give notice of their authority or purpose.

Among the many horrific but all too common accounts of police killings that have riveted national attention is the tragic shooting of Breonna Taylor. Breonna Taylor was sleeping in her own home when it was raided by police officers who never identified themselves and erroneously relied on a no-knock warrant for someone who did not live there and was miles away at the time.

Normally, when executing a search warrant, law enforcement is required to knock and announce their presence as well as provide residents an opportunity to answer the door prior to searching a home. This requirement serves several important purposes: it protects privacy; prevents damage to personal property; and, most importantly, minimizes the potential for injury to both civilians and officers.

No-knock warrants, which authorize police to, without warning, break into someone's home, are violent -- often escalating what may

otherwise be a cooperative situation. They also contribute to the racial disparities in the criminal justice system. No-knock warrants are disproportionately authorized for communities of color, against individuals of color and their families. From 2010 through 2016, at least 81 civilians and 13 officers died during SWAT raids, including 31 civilians and eight officers during execution of no-knock warrants. Half of the civilians killed were members of a minority. Of those subject to SWAT search warrants, 42% are black and 12% are Hispanic.

Our criminal justice system is supposed to promote public safety and justice. However, no-knock warrants are currently authorized under Maryland law, even though they clearly undermine those purposes. During the investigation of the death of Baltimore Police Department Detective Sean Suiter, a no-knock warrant based purely on drug allegations was executed as a fishing expedition -- breaking into a family's home, with officers wearing fatigues and carrying rifles into a bathroom while a 6-year-old boy was showering. The house was torn apart and property was taken but never returned. The subject of the raid was subsequently cleared of any involvement in Det. Suiter's death.¹

Allowing police officers, under the darkness of night while dressed in tactical gear and without notice, to smash open doors - sometimes with explosives, typically destroying property - does not protect the safety of residents or officers. It does exactly the opposite - it puts everyone involved in danger. Here's why. First, it suggests to the residents that someone is breaking into their home. Defensive actions to respond to an intruder often result in gunshots, sometimes by the home's residents and ultimately by the police. Second, no-knock warrants also erode the presumption of innocence, a tenet of our justice system, by refusing to give a suspect the opportunity to

¹ See:

<https://www.baltimoresun.com/news/crime/bs-md-suiter-dea-harlem-park-20200109-6zxkphysdbabvevjmwwhlpuzxu-story.html>

voluntarily comply with the law. And finally, we cannot ignore the racial disparities in the issuance and execution of no-knock warrants. Nor can we ignore the lasting physical, sometimes deadly, harm and emotional trauma these violent intrusions cause to Marylanders.

No-knock warrants do not need to be reformed; they must be eliminated. No amount of training and operational planning can remove their inherently violent potential and complete disregard for basic privacy. My bill will repeal the statutory provision that allows courts to authorize no-knock warrants, and allow for Maryland to join the jurisdictions that have banned this dangerous practice.

**As such, I urge this committee to give a favorable report on SB0419.
Thank you.**

Respectfully,

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive style with a large, looping initial "J".

Jill P. Carter