



**State of Maryland
Department of State Police**

Government Affairs Section
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 12, 2021

BILL NUMBER: House Bill 241 **POSITION:** Letter of Concern

BILL TITLE: Criminal Procedure – Search Warrants - Requirements

This legislation seeks to repeal the provision of law authorizing an application for a search warrant to contain a request authorizing the service of a “No Knock” warrant. This legislation also seeks to limit the time of day that the warrant can be served.

Under current law, a police officer may apply to the Court for a “No Knock” search warrant if the officer can show that evidence may be lost or destroyed or the safety of the police officer or others may be endangered. The officer may change the warrant to a “Knock and Announce” if the circumstances change.

The MDSP endorses the value of the “no knock” search warrant. Restricting hours of service makes the service predictable and easier to defeat presenting challenges for the safe service of high-risk search warrants. Rather than legislating overly restrictive standards on a valuable law enforcement tool, the MDSP recommends an amendment requiring the local State’s Attorney to review and approve every “no knock” provision before service. This would allow for the real time regulation of the tool to ensure compliance and keep both law enforcement and our communities safe.