



**Committee:** Judiciary

**Testimony on:** HB0188 - No-Knock Warrants — Elimination (Duncan’s Act)

**Position:** Favorable with amendments

**Hearing Date:** February 9, 2021

**Bill Contact:** Delegate Grammer

DoTheMostGood (DTMG) is a progressive grass-roots organization with more than 2500 members who live in a wide range of communities in Montgomery and Frederick Counties, from Bethesda to Frederick and from Poolesville to Silver Spring and Olney. DTMG supports legislation that promotes and protects the rights, safety, and quality of life of residents in all of its diverse communities and throughout Maryland. DTMG supports the concept of HB0188 because the no-knock warrant is an inherently flawed and dangerous policing tactic. However, our position on HB0188 is favorable with amendment because we believe the bill should not be attached to the name of a specific individual.

Over the past year, our state and nation have seen tragedies and widespread protests related to various aspects of policing. As difficult as the upheaval has been, it has borne positive fruit: the examination of many aspects of policing, and myriad calls for reform, including here in Maryland. HB0188’s proposal to eliminate no-knock warrants in Maryland is in line with this crucial, urgent need.

A growing number of states and municipalities has banned no-knock warrants, particularly since the fatal shooting of Breonna Taylor in Louisville, Kentucky, in March 2020. In December, our neighboring state of Virginia banned them, joining Oregon and Florida. Here in Maryland, Montgomery County enacted restrictions on the use of no-knock warrants as part of a use-of-force legislative package in July 2020. These states and localities have taken this important step because, as Louisville Mayor Greg Fischer explained, “the risk to residents and officers with this kind of search outweigh any benefit.” That is as true in Maryland as it is in any other state.

Although the focus on no-knock warrants has sharpened dramatically in recent months, both the practice and the problems with it are longstanding. No-knock warrants grew out of the country’s “war on drugs” in the 1970s, and they have become vastly more common in the

decades since then. In the early 1980s, local police nationwide conducted some 1,500 no-knock raids annually; by 2010, according to one estimate, there were 60,000–70,000 no-knock or quick-knock raids conducted by local police annually. In the majority of these, police were reportedly looking for marijuana — using forcible, surprise entry in relation to a nonviolent offense.

As the numbers of no-knock warrants and raids have mushroomed, so have the injuries and death that all too often result from them. Deaths of innocent people during these raids are increasingly common; since the early 1980s, at least 40 bystanders have been killed, according to the Cato Institute. A surprise entry into someone’s home, often occurring in the overnight hours, creates a risk of violence — especially in light of the prevalence of gun ownership in Maryland and nationwide. There have been numerous cases in which armed residents, thinking a home invasion is happening, have opened fire on officers, with deaths on both sides.

Because no-knock warrants present very real threats to the safety and rights of residents, and result in harm to police as well, DoTheMostGood agrees with the foundational concept of HB0188’s proposal to eliminate Maryland’s no-knock warrant authorization.

However, DoTheMostGood does not support attaching the name of Duncan Lemp to HR0188. Lemp was associated with extremist philosophies and hate groups, and we strongly oppose anything that would lionize him or make him a martyr. Naming this bill for him would do just that. Moreover, it would be utterly inconsistent not only with the idea of reform but with actions locally and nationwide to rename and remove names from streets, buildings, and other places and objects that memorialize racism. Finally, this bill is important not because of what happened to one person, but because of what has happened to too many people for too many years. It is important because no-knock warrants violate rights and, as we have seen too often, can lead to tragic results.

Therefore, DoTheMostGood recommends a **FAVORABLE WITH AMENDMENT** report on HB0188.

Respectfully submitted,  
Lenore Magida  
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