



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger Chairman and
Members of the Judiciary Committee

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 25, 2021

RE: **SB 419** Maryland Police Accountability Act of 2021 – Search Warrants

POSITION: **SUPPORT**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) SUPPORT SB 419. This bill changes the application requirements for requesting and the process for executing a search warrant.

There has been much discussion this session about the execution of search warrants and no-knock warrants. MCPA and MSA opposed several of these bills which would have prohibited the execution of no-knock warrants and/or required a level of oversight that would place officers and the public at greater risk. As introduced, MCPA and MSA opposed SB 419. However, as amended, MCPA and MSA believe SB 419 proposes reasonable changes and provides for greater accountability and oversight of the search warrant process.

Although SB 419 places restrictions on the time in which a search warrant may be executed and requires additional information to be included in the application, the application process provides for an explanation and authorization should a search warrant need to be executed during the hours of 10:00 pm and 6:00 am. For no-knock warrants, a member of a law enforcement agency's command staff and the State's Attorney must approve the search warrant, be informed of the circumstances under which the search warrant will be executed and approve its execution. The bill does not require a delay before entering a residence nor does it limit the timeframe in which a warrant is valid to be executed, both of which are unreasonable and could place officers and the public at greater risk.

SB 419 appropriately balances accountability, oversight, and safety. For these reasons, MCPA and MSA SUPPORT SB 419 as amended by the Senate and respectfully request a FAVORABLE Committee report.