



POSITION ON PROPOSED LEGISLATION

Bill: HB 188 No Knock Warrants – Elimination

Position: Favorable

Date: February 9, 2021

The Office of the Public Defender supports HB 188, which would eliminate the use of no-knock warrants in Maryland.

In 2020 No Knock warrants became a national issue with protests across the nation after Breonna Taylor was killed by police officers while they were executing a [no-knock warrant at her residence](#). Unfortunately, the problems with these warrants are not exclusive to the city of Louisville.

In 2008, a SWAT team from Prince George's County, Maryland, conducted a raid at the home of Berwyn Heights resident Cheye Calvo. Both of his dogs were shot during the raid. Police learned after entering the home and killing the dogs that Calvo was the [mayor of Berwyn Heights, Maryland](#). The outrage after this incident lead the legislature to pass legislation to require annual disclosure on SWAT raids and the execution of warrants.

The disclosure from that legislation demonstrated that, between 2010 and 2014, police in Maryland killed nine people and injured ninety five civilians while executing over 8000 SWAT police raids. Unfortunately, after collecting this startling data no follow-up legislation was implemented. Because of that failure, in March 2020, a Montgomery County young man, Duncan Lemp, who was only 21 years old, was killed by police officers during the execution a [no-knock raid](#).¹

Since this national moment, jurisdictions like the [City of Louisville](#) & the [Commonwealth Virginia](#) have banned the use of no-knock warrants. They joined Oregon & Florida which ban no knock warrants. As well as Utah where a 2014 law prohibits no-knock

warrants for cases involving only drug possession. At the federal level, republicans, libertarians, and democrats have proposed legislation to ban no knock warrants.

The problem with no knock warrants isn't that officers don't have to jump through enough hoops in order to get them. The problem isn't that the legal standard for warrants needs to be changed. The problem isn't that another research bill is necessary. The problem with no knock warrants is they allow officers to break into residences without warning. Creating deadly situations for individuals and police officers alike.

The time for research has passed. The time for half measures has passed. It's time to ban no knock warrants.