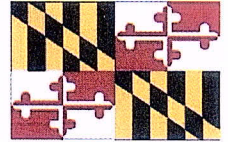




CLYDE BOATWRIGHT
STATE PRESIDENT

Maryland State Lodge
FRATERNAL ORDER OF POLICE

8302 COVE ROAD, BALTIMORE, MD 21222



KENNY SCHUBERT
SECRETARY

EARL KRATSCH
TREASURER

February 18, 2025

HB 0255 – No-Knock Warrants

Dear Chairman Clippinger and Distinguished Members of the Judiciary Committee,

The Maryland State Fraternal Order of Police **OPPOSES** House Bill 255 – No-Knock Warrants. This bill places a complete prohibition on the issuance of no-knock warrants even in the most extreme of circumstances, and in doing so endangers the lives of police officers in those rare occasions in which no-knock warrants are deemed necessary.

Just four years ago, as part of the sweeping reforms in the Maryland Police Accountability Act, the legislature put into place very stringent criteria for when police officers may execute no-knock warrants. Most notably, Md. Criminal Procedure Code Ann. § 1-203 makes clear that No-knock entry must be shown to be necessary to preserve life, not evidence.

The process this legislature mandated for issuance of a no-knock warrant is onerous, and fairly so. The applicant officer must establish “reasonable suspicion to believe that, without the authorization the life or safety of the executing officer or another person may be endangered.” That officer must then get written authorization from a supervisor. The applicant officer must also obtain written approval from the State’s Attorney. The current law does not allow for an Assistant State’s Attorney or even a Designated Deputy State’s Attorney to give approval. Finally, as with any warrant, the application would have to be signed off on by a judge. Those four levels of checks assure that no-knock warrants are only granted when absolutely necessary.

Further, under the current law passed in 2021, applicant officers must provide an explanation of why the affiant is unable to detain the suspect or search the premises using other, less invasive methods, acknowledgment that any police officers who will execute the search warrant have successfully completed the same training in breach and call-out entry procedures as SWAT team members, and a list of any additional occupants of the premises by age and gender, as well as an indication as to whether any individuals with cognitive or physical disabilities or pets reside at the premises, if known.

Finally, under the current law passed in 2021, absent exigent circumstances, a no-knock search warrant shall be executed between 8:00 a.m. and 7:00 p.m.

The current law, passed in 2021, had the desired effect. In 2023, across the whole State, for the entire year, only 59 no-knock warrants were executed. Under current practice, no-knock warrants are exceedingly rare. But on the occasion that such a warrant is necessary to effect safe entry by officers in this State, given the checks in place, no-knock warrants need to remain available.

For these reasons, the Maryland Fraternal Order of Police **OPPOSES** House Bill 255.

Angelo L. Consoli Jr.
2nd Vice President, FOP Maryland State Lodge
President, FOP 89, Prince George’s County