



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

TO: The Honorable Luke Clippinger, Chair, Judiciary Committee

BILL: HB 255 – No-Knock Warrants

FROM: Hannibal Kemerer, Chief of Staff, Maryland Office of the Public Defender

POSITION: Favorable

DATE: February 25, 2025

The Maryland Office of the Public Defender urges the Judiciary Committee to issue a favorable report on House Bill 255, Delegate Acevero’s bill to establish that a search warrant may not authorize a law enforcement officer executing the warrant to enter a building, apartment, premises, or place to be searched without first announcing the officer’s purpose and authority.

The ostensible rationale for law enforcement to utilize no-knock warrants is to secure evidence that might otherwise be lost or destroyed. However, the use of these warrants often results in untimely deaths and unnecessary destruction of property.¹ One need not plumb the depths of history for examples illustrating no-knock warrants are misguided – and primarily deployed against minorities or people of limited means.² People caught off guard by law enforcement officers in the middle of the night can mistake them for intruders and try to defend themselves with catastrophic consequences.³ It is preferable, and safer, for law enforcement

¹ See # END ALL NO KNOCKS: How will these changes save lives? (noting “the human costs associated with search warrants, the practice of military-style warrant executions has led to trauma, injuries, and many deaths of innocent people, subjects, and officers alike. By creating a more rigorous application process, ensuring law enforcement intelligence is accurate, and prescribing the warrant execution requirements, we can prevent this widespread and unnecessary damage. Additionally, by increasing officer accountability measures, those who are wrongly harmed in warrant executions are more likely to see justice served in cases of botched warrant executions.”) available online at: <https://endallnoknocks.org/about/> (last visited Feb. 21, 2025).

² See Jacob Sullum, The FBI Decided Not to Knock Down a Suspect’s Front Door Because ‘It Was an Affluent Neighborhood,’ Reason (Apr. 8, 2022) (noting “people lucky enough to live in places like Kalorama Heights, where the median household income is about \$175,000 and nearly three-quarters of the residents are white, but unlucky enough to attract the FBI’s attention can expect better treatment than people who live in, say, Anacostia, where the median household income is about \$22,000 and 93 percent of the residents are black.”) available online at: <https://reason.com/2022/04/08/the-fbi-decided-not-to-knock-down-a-suspects-front-door-because-it-was-an-affluent-neighborhood/> (last visited Feb. 21, 2025).

³ See Christine Pelisek, Breonna Taylor Remembered by Loved Ones on What Would Have Been Her 28th Birthday, People (June 5, 2021) (noting “On March 13, 2020, Taylor was in her apartment with her boyfriend, Kenneth Walker, when shortly after midnight, Louisville Metro Police officers executing a ‘no-knock’ warrant charged through her front door. Taylor was shot six times. One of the bullets that struck her was fatal and killed her within

serving search warrants to announce their presence, the existence of a warrant issued by a neutral arbiter, and intention to enter the premises within a reasonable time (e.g. 20 seconds, as prescribed in current law).

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an favorable report on House Bill 255.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Hannibal Kemerer, Chief of Staff, 6 St. Paul Street, Baltimore, MD 21202.

two minutes. Police were executing a search warrant for an investigation into a suspected drug dealer, who police alleged had once retrieved a package at Taylor's home. But the suspected drug dealer didn't live in her building — and had, in fact, just been arrested at a different location. No drugs were found in Taylor's apartment.”) available online at: <https://people.com/crime/breonna-taylor-remembered-28th-birthday/> (last visited Feb. 21, 2025).