



State of Maryland
Department of State Police
Government Affairs Unit
Annapolis Office (410) 260-6100

POSITION ON PROPOSED LEGISLATION

DATE: February 24, 2026

BILL NUMBER: House Bill 835 **Position: Oppose**

BILL TITLE: Criminal Procedures - No-Knock Search Warrants

REVIEW AND ANALYSIS:

This legislation seeks to repeal the authority of the court to issue no-knock search warrants. The bill repeals the authority of the police officer, with state's attorney approval, to apply for a no-knock warrant. A law enforcement officer attempting to serve a search warrant is required to announce the officer's purpose and authority. This legislation also seeks to limit the hours during which a court authorized warrant may be executed and mandating that an officer, before entering certain areas to be searched. In addition, mandating a 20 second wait after providing notice to inform any occupants of their authority and purpose.

Under current law, a law enforcement officer may apply for a no-knock search warrant if the application meets a certain criterion and the application is reviewed and approved by a supervisor and the local state's attorney. The provision of law regarding the legality of no-knock warrants is based on case law *Richards v. Wisconsin* and was upheld by the United States Supreme Court. The Court did not, however, give unilateral authority for waiving the knock and announce requirement. The Court ruled that the state supreme court's blanket exception to the knock-and-announce requirement, that police officers were never required to knock and announce their presence when executing a search warrant in a felony drug investigation, was unconstitutional. The ruling was affirmed in *United States v. Ramirez*.

The Department makes use of the "No Knock" warrant in very specific circumstances and the warrants are only executed by a highly trained team within the Department. The circumstances that the Department uses to determine if a warrant will be served as a "No Knock":

- Criminal history of the primary suspect(s);
- Felony nature of the crime being investigated;
- Is there an arrest warrant for the primary suspect (is it for a crime of violence);
- Ability to destroy evidence;
- Fortification of the structure;
- Terrain to be traversed to get to the structure;
- Is a surreptitious approach possible;
- Are there other articulable reasons why it is necessary to remain unknown to the suspect until the time of the service; and
- Is it safer for the suspects as well as the officers involved to contact them (Knock and Announce) prior to them realizing we are present.

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All requests for “No Knock” warrants are screened by a member of the Special Operations Division (SOD). Either a team leader or Unit Commander conducts the screening based on the above available information. Once a decision has been made, the SOD Command staff is notified prior to a final decision being made. In all cases, the warrant team is briefed by the local investigators to ensure the most current and useful information is known. For example, investigators on surveillance, contact the lead investigator and advise they observed the subject leaving the premises or has already been detained, they will downgrade the “No Knock” to a “Knock and Announce”.

The Department acknowledges the risk taken on all search warrants. The use of a “No Knock” warrant is designed and executed to minimize the risk to both the officers serving the warrant and the residents who are subject to the warrant. The elimination of all “No Knock” warrants would potentially have a detrimental effect on both groups.

In 2022, the Department proposed amending the then existing law to require a second review by the local State’s Attorney’ Office of the county where the warrant is to be served prior to its execution. The legislature agreed and enacted this requirement.

House Bill 835 restricts the execution of all warrants and limits service between the hours of 8:00 a.m. and 7:00 p.m. This restricts the ability to serve the warrant as well as enables the person subject to the warrant to either avoid the location during those hours or destroy/ conceal evidence outside of the prescribed hours.

For these reasons, the Department of State Police urges the Committee to give House Bill 835 an unfavorable report.