



# RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES  
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2023 Session  
HB0038

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## No-Knock Warrants

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### Bill Summary

This bill repeals the authority to issue and execute a no-knock search warrant and alters procedures for the issuance and execution of a search warrant. The bill (1) establishes that a search warrant may not authorize an officer executing the warrant to enter a building, apartment, premises, or place to be searched without first announcing the officer's purpose and authority; (2) specifies that a search warrant may be executed only between 8:00 a.m. and 7:00 p.m.; and (3) requires an officer executing a search warrant to, prior to entering the building, apartment, premises, or place to be searched under the warrant's authority, give notice reasonably calculated to alert any occupants within the location of the officer's authority and purpose.

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### Racial Equity Impact Statement

Currently there is no data available regarding no-knock warrants that would allow an equity assessment of the bill's impact on racial and ethnic groups in Maryland. On September 1, 2023, the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) is statutorily mandated to deliver a report detailing information on no-knock warrant service collected from Maryland law enforcement agencies. The data by zip code that is expected to be included in that report may be helpful for a general trend assessment but specific demographic data – which is not required for inclusion in the report – would allow for a more detailed equity analysis of how a ban on no-knock warrants would affect various racial and ethnic groups in the State.

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### Analysis

#### *State Data on No-Knock Warrants*

Chapters 542 and 543 of 2009 required law enforcement agencies that maintain a SWAT team to report specified information regarding executed no-knock search warrants to GOCPYVS. The  
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Acts required general deployment information such as the purpose (search warrant, barricade, arrest warrant, etc.), date, time, and location of the deployment. These provisions expired on June 30, 2014, and no publicly available data on SWAT deployment from Maryland law enforcement agencies was collected until 2021.

Chapter 62 of 2021 enacted comprehensive police reform, including provisions limiting the grounds for issuing a no-knock warrant. In regard to data collection, the Act requires a law enforcement agency to report to GOCPYVS specified data relating to search warrants executed by the agency during the prior calendar year. A law enforcement agency must compile the specified data for each one-year period as a report in a specified format. By September 1 of each year, GOCPYVS must (1) submit a report of the analyses and summaries of the submitted information to the Governor, each law enforcement agency, and the General Assembly and (2) publish the report on its website. Chapter 62 does not require any data collection regarding the race or ethnicity of the arrestees, officers, or owners of any property confiscated. Law enforcement agencies must report the zip code where the warrant was executed.

### *Data and Legislation from Other Jurisdictions*

Concerns regarding no-knock warrants focus on various issues, including officer and civilian safety, mistaken identity, inaccurate information, and insufficient judicial scrutiny. In addition, there is a growing body of data detailing the disproportionate impact of the criminal justice system on people of color, including disparities in arrests and drug sentencing. Several high-profile events involving no-knock search warrants and the deaths of individuals who were present at the locations targeted by these warrants suggest that there are disparities in how these high-risk warrants are authorized, executed, and assessed.

The Minneapolis Civil Rights Department's Office of Police Conduct Review conducted a preliminary analysis of the Minneapolis Police Department's service of high-risk warrants between September 1, 2021, and January 31, 2022. The office found that 74% of no-knock warrants were served on Black or African American individuals, who comprised 18% of the city's population according to the 2020 census. The office's investigation was prompted by the fatal shooting of Amir Locke by Minneapolis police officers serving a search warrant in a downtown apartment building on February 2, 2022. Locke, a 22-year-old African American man, was not the subject of the search warrant.

Since 2021, three states – Maine, Nevada, and Utah – have instituted limits on the availability of no-knock search warrants to law enforcement by requiring that they only be used in exigent circumstances. Nevada additionally limits these types of warrants to felonies, while Utah excludes misdemeanors.

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## **Conclusion**

While Chapter 62 did not specifically require collection of racial or ethnic demographic data for no-knock search warrants, the zip code data may be instructive in identifying general trends in no-knock warrant activity in the State. Demographic data collection would be necessary to conduct a more complete equity analysis of no-knock search warrant targets statewide.

Based on anecdotal evidence from other states and local jurisdictions, the bill's prohibition on no-knock warrant searches could have a positive impact on Black or African American individuals in particular. However, as discussed above there is no way to measure the impact directly without demographic data associated with no-knock searches in previous years.

*Methodologies, Assumptions, and Uncertainties*

The information provided in this note is drawn from quantitative data analysis of available statistical datasets on crime and criminal justice collected by entities at the national and state level. Additionally, the information includes scholarly literature on racial and ethnic disparities in the U.S. criminal justice system.

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**Information Sources:** Governor's Office of Crime Prevention, Youth, and Victim Services; Minneapolis Civil Rights Department's Office of Police Conduct Review; Department of Legislative Services

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## Appendix – Maryland Demographics

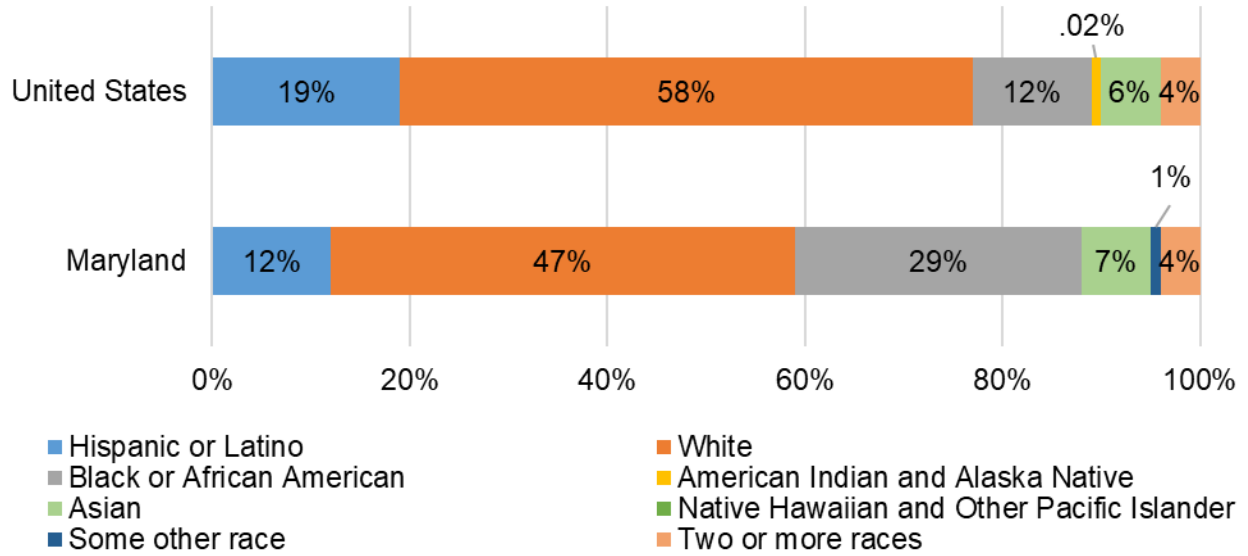
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### *Race and Ethnicity of the Maryland Population*

Maryland's 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. In addition to an increase in population, Maryland's racial demographics have become more diverse. Maryland is now a state in which racial minorities make up a majority of its total population. Notable changes relevant to this shift are the increase in groups who identify as "other" and "multiracial" (*i.e.*, two or more racial identities), which total 5% of the State's population. Additionally, the change in demographics is due to the decrease in the number of individuals who only report "white" as their racial group. Despite this decrease, non-Hispanic whites remain the largest single race demographic group in the State of Maryland comprising 47% of the State's population.

Compared to the U.S. population overall, Maryland's population of individuals who identify as a single race is more diverse. Maryland is ranked as the fourth most diverse state by the U.S. Census Bureau's [Diversity Index](#). As shown in **Exhibit 1**, in Maryland, 47% identify as white alone compared to 58% of the national population. Similarly, 51% of the population identify as non-white or multi-racial compared to 38% of the national population. In both the State and national population, the largest shares of the non-white population are individuals who are Black or African American, with 29% of the State population identifying only as Black or African American and another 2.5% identifying as Black in combination with some other race. Maryland's Asian population is 7%, which is slightly higher than the Asian share of the national population of 6%. The State's overall population by ethnicity, however, is slightly less diverse than the U.S. population; 12% of the State's population identified as Hispanic or Latino compared to 19% of the U.S. population.

**Exhibit 1**  
**U.S. and Maryland Population by Race and Ethnicity**  
**2020**



Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), Table ID P2, HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE.