



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: January 23, 2023

RE: **HB 38 – Criminal Procedure - Search Warrants**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 38**. This bill prohibits law enforcement from seeking a no-knock warrant under any circumstances.

Legislation passed in recent years – Chapter 62, Acts of 2021 – modified provisions related to No-Knock Search Warrants and the execution of warrants more broadly. These new requirements include written preapproval by a police supervisor and the State's Attorney, specific information that must be included in an application, and a limitation of the hours of execution, absent exigent circumstances. While MCPA and MSA may not view these requirements as ideal, they provide for the use of a no-knock search warrant should law enforcement determine the circumstances of the case warrant the use.

Given the legislation that was recently passed in 2021, MCPA and MSA are strongly opposed to further action to limit the use of warrants and prohibit the use of no-knock search warrants. This type of search warrant is a valuable tool for law enforcement and MCPA and MSA cannot support the elimination of this option.

For these reasons, MCPA and MSA **OPPOSE HB 38** and urge an **UNFAVORABLE** Committee report.