



## MARYLAND LEGISLATIVE LATINO CAUCUS

Lowe House Office Building, 6 Bladen Street, Room 200 · Annapolis, Maryland 21401  
Phone 410-841-3374 | 301-858-3374 · 800-492-7122 Ext. 3374 · Fax 410-841-3342 | 301-858-3342  
latino.caucus@house.state.md.us · www.mdlatinocaucus.org

DAVID FRASER-HIDALGO, CHAIR  
JOSELINE A. PEÑA-MELNYK, VICE-CHAIR  
GABRIEL ACEVERO, TREASURER  
JESSE T. PIPPY, SECRETARY  
MADELIN MARTINEZ, EXECUTIVE DIRECTOR

TO: Delegate Luke Clippinger, Chair  
Delegate David Moon, Vice Chair  
Judiciary Committee Members  
FROM: Maryland Legislative Latino Caucus  
DATE: February 13th, 2023  
RE: HB0038 No-Knock Warrants

### **The MLLC supports HB0038 No-Knock Warrants, 2023**

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of HB0038.

A no-knock search warrant authorizes the executing officer's entrance of premises to be searched without giving notice of his authority and purpose, usually upon reasonable suspicion that knocking and announcing would be dangerous or would result in the destruction of evidence.<sup>1</sup> No-knock warrants are gratuitous and excessive, because their execution involves a substantial risk of violence to both homeowners and law enforcement.<sup>2</sup> Between 2010 and 2016, at least ninety-four people died during the execution of a search from both the no-knock search warrant and knock-and announce warrant, thirteen of whom were police officers.<sup>3</sup> Meanwhile, the strict knock-and-announce requirement ensures the safety of both homeowners and law enforcement personnel, avoids property damage, provides homeowners with the opportunity to voluntarily comply with the law, allows the homeowner to redirect police who are at the wrong address, and protects the right to privacy.<sup>4</sup>

Experts have suggested that high-risk searches disproportionately target Black and Latino homes.<sup>5</sup> Of the 22 people fatally shot during no-knock raids since 2015, 13 were Black or Latino.<sup>6</sup> The issues surrounding no-knock warrants are even more prominent in the Latino/immigrant community considering 47% of immigrants in the United States<sup>7</sup>, 17% in Maryland<sup>8</sup>, have limited English proficiency. In 2017, a tactical unit with the New York City Police Department shot and killed 69-year old Mario Sanabria after surprising him during a no-knock raid, where Sanabria had grabbed a machete at the sound of people breaking into his

---

<sup>1</sup> Dolan, B. (2019). To Knock or Not to Knock? No-Knock Warrants and Confrontational Policing . *St. John's Law Review*, 93(1), 201–231. <https://scholarship.law.stjohns.edu/cgi/viewcontent.cgi?article=7117&context=lawreview>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Abelson, J., & Dungca, N. (2022, April 15). *No-Knock Raids Have Led to Fatal Encounters and Small Drug Seizures*. The Washington Post. <https://www.washingtonpost.com/investigations/interactive/2022/no-knock-warrants-judges/>.

<sup>6</sup> Ibid.

<sup>7</sup> *Immigrants in Maryland*. American Immigration Council. (2020, August 6).

<https://www.americanimmigrationcouncil.org/research/immigrants-in-maryland>.

<sup>8</sup> Budiman, A. (2022, December 1). *Key Findings About U.S. Immigrants*. Pew Research Center. <https://www.pewresearch.org/fact-tank/2020/08/20/key-findings-about-u-s-immigrants/>.

home and speaking no English, did not understand police commands.<sup>9</sup> The officers were searching for Sanabria's nephew.<sup>10</sup>

This bill repeals the authority for the issuance and execution of a no-knock search warrant and establishes procedures for the issuance and execution of a search warrant. These procedures include but are not limited to requiring that the search warrant may not authorize an officer executing the warrant to enter a premises to be searched without first announcing the officer's purpose and authority, allowing a minimum of 20 seconds for the occupants of a residence to respond and open the door before the police officer attempts to enter the residence, and requiring that the search warrant may be executed only between 8:00 a.m. and 7:00 p.m.

For these reasons, the Maryland Legislative Latino Caucus respectfully requests a favorable report on HB0038.

---

<sup>9</sup> Bellware, K. (2022, February 6). *Minneapolis suspends use of no-knock warrants as scrutiny of contentious police tactic mounts*. The Washington Post. <https://www.washingtonpost.com/nation/2022/02/05/no-knock-warrants-amir-locke/>.

<sup>10</sup> Ibid.