

Your Name: Helen Sturgis-Bright

Town: South Portland

Position: Ought to NOT to Pass

LD #: LD 1087 An Act to Remove Restrictions in the Provisions of Law Relating to No-knock Warrants

Dear Members of the Committee on Criminal Justice and Public Safety,

I am writing to express my opposition of LD 1087, which I believe **should not pass**. This proposed bill goes against the majority wishes of Mainers and poses a significant risk to both Maine law enforcement and the public.

In 2021, Unity Runners Maine collaborated with individuals from both the Republican, Libertarian, and Democratic parties to implement the current limitations on No-Knocks. Our joint efforts aimed to protect Maine residents and mitigate the disproportionate harm No-Knocks Warrants have on Black people, Indigenous people, and People of Color in the U.S.<sup>1</sup> **The suggestion of repealing critical elements of the existing law goes against the wishes and hard work of Mainers, and poses a greater threat to civilians, law enforcement, and especially marginalized communities.**

By manipulating the definition of a No-Knock warrant in the first proposed amendment of this bill, the state would be eliminating a 20 second waiting period. **This 20 second waiting period is to give civilians the opportunity to comply with law enforcement.** Eliminating this waiting period, not only takes away a right, but it also gives civilians **no time to correct any human error**, such as mistakenly entering the wrong house - as was tragically demonstrated in the case of Breonna Taylor. This repeal would only escalate the situation. Furthermore, repealing this provision disregards the fact that 78% of Mainers believe officers should knock loudly and majority believe in providing individuals behind the door with a 30-second window to allow them to enter.<sup>2</sup>

The current law allows for exceptions to the 20-second wait time in cases where there is an immediate threat to human life, such as kidnapping or human trafficking. **The current Maine Law exceptions adequately address all needs to forgo the 20-second wait time.** LD 1087's proposed changes suggest that evidence is more valuable than the safety of civilians and law enforcement officers, which we know are at a greater risk when there is no wait time. This proposal is also alarming because it suggests that an officer could obtain a No-Knock Warrant for evidence that is not an immediate threat to human life, and evidence that could be destroyed in under 20 seconds.

LD 1087's provision to repeal the full uniform requirement for officers to an article of clothing is not only subjective, but undermines the important protective value of having a uniform. Studies have shown that most fatal no-knock warrant incidents occur when officers are not in uniform.<sup>3</sup> Wearing uniforms not only protects officers but also citizens. One article of clothing is not enough for someone to fully comprehend

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<sup>1</sup> Dolan, Brian. "To Knock or Not to Knock? No-Knock Warrants and Confrontational Policing." *St. John's Law Review*, St. John University, 2019, [scholarship.law.stjohns.edu/lawreview/vol93/iss1/7/](https://scholarship.law.stjohns.edu/lawreview/vol93/iss1/7/).

<sup>2</sup> Ray, John. YouGov, 2021 Poll 2021

<sup>3</sup> Dolan, Brian. "To Knock or Not to Knock? No-Knock Warrants and Confrontational Policing." *St. John's Law Review*, St. John University, 2019, [scholarship.law.stjohns.edu/lawreview/vol93/iss1/7/](https://scholarship.law.stjohns.edu/lawreview/vol93/iss1/7/).

that those entering their residence, at any hour of the day, are law enforcement. As a native of Maine, I know many people who would defend themselves if they thought someone was an intruder. Without a full uniform, an officer's identity becomes unclear, leading to confusion and a higher risk of violence. **This repeal also disregards the opinion of 92% of Mainers officers should be identifiable when executing search warrants.**<sup>4</sup>

LD 1087 continues to recklessly endanger both law enforcement and vulnerable populations by proposing that untrained officers be allowed to use potentially harmful force or devices. Allowing untrained officers to use stun or distraction devices not only puts them in an impossible situation, but also puts pets, elderly, neighbors, and children who are in/near the home at risk. This is not a theoretical - these forces, like flashbangs, have been proven since the 1970s to cause irreversible harm, including the deaths of babies who are in the home.<sup>5</sup> Furthermore, 66% of Mainers believe use of stun devices should be limited during the execution of a search warrant.

I spent countless hours reading peer-reviewed research, sitting on calls with law enforcement, legislators, researchers, organizations, and those whose innocent families and communities were harmed due to No-Knock Warrants and 'dynamic entry' raids. Current Maine Law aimed to enhance safety for all Maine residents and promote equitable enforcement by establishing uniform standards, rather than leaving it to the discretion of individual departments.

Current Maine law puts critical, bipartisan agreed upon, limits on No-Knock Warrants and dynamic entry raids for Maine. **I urge you to oppose the passage of 1087, which undermines the critical bipartisan safety provisions of an existing law in Maine and goes against the overwhelming majority beliefs of Mainers.**

Thank you for your time and attention.

Sincerely,

Helen Sturgis-Bright

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<sup>4</sup> Ray, John. YouGov, 2021 Poll 2021

<sup>5</sup> Jon Richards, HB 56 Hopes to Regulate No-Knock Warrants, PEACH PUNDIT (Feb. 26, 2015), <http://www.peachpundit.com/2015/02/26/hb-56-hopes-to-regulate-no-knockwarrants/>; Alecia Phonesavanh, A SWAT Team Blew a Hole in my 2-Year-Old Son, SALON (Jun. 24, 2014) [https://www.salon.com/2014/06/24/a\\_swat\\_team\\_blew\\_a\\_hole\\_in\\_my\\_2\\_year\\_old\\_son/](https://www.salon.com/2014/06/24/a_swat_team_blew_a_hole_in_my_2_year_old_son/).