

Tess Jacquez
Portland
LD 1087

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Portland, ME

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,

My name is Tess Jacquez and I am representing myself. I am writing to express my opposition to LD 1087, which I believe should not pass. This legislation goes against the majority wishes of Mainers and poses a significant risk to both Maine law enforcement and the public.

In 2021, LD 1171 was passed with bipartisan support to restrict No-Knock warrants in the state and enhance safety for law enforcement and citizens. However, some lawmakers now seek to eliminate these agreed-upon provisions, which were widely supported by the majority of Mainers.

These new provisions play with the definition of a 20-second waiting period and the requirement of officers in full uniform. Without these necessary elements of the current law there is no time for anyone to answer the door, and individuals may mistake law enforcement for intruders, leading to potential harm to both officers and citizens. The failure to observe the wait time increases the risk of officers being injured or citizens committing a criminal act. Tragic events, such as the death of Breonna Taylor, can occur if law enforcement does not observe the waiting period, leaving no margin for human error or response.

Furthermore, removing provisions of the current law would allow someone who is untrained to have access to force like flashbangs, which can cause unnecessary injury and are often met with gunfire, is unacceptable and puts vulnerable groups, such as pets, the elderly, neighbors, and children, at risk. It's worth noting that 76% of Mainers believe that the use of stun devices should be limited.

The bipartisan team intentionally omitted the provision of "threat of destroying evidence" in no-knock warrants due to the subjective nature of this criterion, which does not justify the potential harm to law enforcement and civilians during execution. The current law includes exceptions for situations where there is an imminent threat to human life, such as kidnapping, human trafficking, and similar scenarios.

Mainers overwhelmingly and through bipartisan effort supported specific policies on No-Knock raids, as seen by the passage of LD 1171, that would affect them, but the new provisions undermines their right to regulate their own law enforcement by delegating authority to others.

The passage of 1087 must be strongly opposed since it undermines the essential bipartisan provisions of a previously passed law that guarantees the safety of Maine's citizens. I urge you to give weight to the opinions of Mainers and preserve the existing law.

Thank you for your time and attention.

Sincerely,

Tess Jacquez