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Testimony on

L.D. 1087, “*An Act to Remove Restrictions in the Provisions of Law Relating to No-knock Warrants*”

**Presented by
Representative Scott Wynn Cyrway
District 63**

Criminal Justice and Public Safety Committee
Thursday, April 27, 2023

Good afternoon, Senator Beebe-Center, Representative Salisbury, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety:

I am State Representative Scott Wynn Cyrway, and I proudly represent District 63, which includes Albion, Freedom, Unity Township, and a portion of Winslow. It is an honor to appear before you for the purpose of introducing of L.D. 1087, “*An Act to Remove Restrictions in the Provisions of Law Relating to No-knock Warrants.*”

This legislation proposes to amend several provisions of the law with respect to no-knock warrants by:

1. removing the provision stating that any warrant is a no-knock warrant if it is executed without waiting 20 seconds after announcement of authority and purpose to make entry;
2. adding preventing the destruction of evidence to death and bodily harm in the exceptions to the requirements of no-knock warrants;
3. changing the clothing required to identify law enforcement while executing a no-knock warrant from a uniform to an article of clothing that clearly identifies an officer executing the warrant as a law enforcement officer;
4. requiring law enforcement officers executing a no-knock warrant to follow the policy of the lead law enforcement agency executing the warrant as opposed to an individual officer's law enforcement agency; and
5. allowing an untrained officer to use a stun grenade, stun, distraction, or other similar device during the execution of a no-knock warrant in pressing circumstances.

As a deputy sheriff, I can attest to the importance of L.D. 1087 as it speaks to maintaining my safety, as well as to the protection of other law enforcement officers. The current warrant system necessitates the announcement of law enforcement followed by a 20-second countdown before making entry. A lot can

happen in 20 seconds, especially if multiplied by the number of people in the building. Hiding evidence, releasing a dog(s), acquiring a weapon(s), or even fleeing reduces the prospect of possible conviction while increasing the risk of harm on those executing the warrant. Ultimately, a swift entry lessens the potential for violence and preserves the likelihood of securing sought after evidence.

Thank you for your consideration, and I leave you with this question. Who is in a better position to determine the parameters of a search warrant...a judge in possession of validating grounds for issuance, or politicians viewing the matter from 30,000 feet?