

Monique Boutin

Wiscasset, 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

May 6th, 2023

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

My name is Monique Boutin, and I am a resident of Wiscasset, 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.

LD 1171 created an execution of search warrants that lessens unnecessary risks to the safety of civilians and officers in Maine. The new provisions proposed in LD 1087 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 one to answer the door, and individuals may mistake law enforcement for intruders, leading to potential harm to both officers and citizens. This becomes especially dangerous as, as of 2021, 46.8% of adults in Maine have at least one gun at home.<sup>1</sup>

The failure to observe the wait time increases the risk of officers being injured or citizens committing a criminal act. Tragic events, as the death of Breonna Taylor on March 13th, 2020, can occur if law enforcement does not observe the waiting period, leaving no margin for human error or response.

The wait time requirements currently in place through LD 1171 help to give civilians the dignity of the opportunity to respond positively to law enforcement-- instead of presuming guilt and initiating a dangerous and traumatic situation for officers and civilians, and potentially further crime. Recent data shows that Mainers also overwhelmingly support the measures put forward in LD 1171: 92% of Mainers believe officers should be identifiable by their uniform and badge when executing search warrants, while 78% of Mainers believe officers should knock loudly and give those behind the door a thirty-second window to let them in.<sup>2</sup>

The passage of LD 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.

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<sup>1</sup> Terry L. Schell, Samuel Peterson, Brian G. Vegetabile, Adam Scherling, Rosanna Smart, Andrew R. Morral, April 2020, *State Level Estimates of Household Firearm Ownership*, <https://www.rand.org/pubs/tools/TL354.html>, April 24, 2021.

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

Thank you for your time and attention.

Sincerely,

Monique Boutin