



National Police Accountability Project

A Project of the National Lawyers Guild

SUPPORT HF 3398 – An Act That Will Restrict No-Knock Warrants
Oral Testimony of National Lawyers Guild-National Police Accountability Project, Lauren Bonds, Legal Director
House Judiciary-Criminal Committee – Tuesday, February 22, 2022

Good Morning Chair Becker-Finn and Members of the Judiciary Finance and Civil Law Committee,

Thank you for the opportunity to speak with you today. My name is Lauren Bonds and I am the Legal Director of the National Lawyers Guild National Police Accountability Project (“NPAP”). NPAP is a nonprofit organization dedicated to holding law enforcement and corrections officers accountable to constitutional and professional standards. We are here today to strongly support the passage of HF 3398.

The murders of Breonna Taylor and Amir Locke have shone a light on the prevalence and brutality of no-knock warrants. Similarly, the viral video of the wrongful raid on Anjanette Young’s home exposed how traumatic no-knock raids can be even when they do not result in injury or death. HF 3398 would not completely eliminate no-knock warrants but it would impose procedural barriers and meaningful limitations on their use.

No-knock raids are an immensely dangerous policing tactic broadly authorized by Fourth Amendment jurisprudence. Police departments that execute no-knock raids create a high risk of death, injury, and emotional trauma for the occupants of the home as well as their own officers.

The existing legal standard for no-knock warrants is vague and provides officers with little direction on when they are permitted to dispense of the default “knock-and-announce” rule.¹ Even warning-less entries authorized by a judicial warrant can flout the Fourth Amendment as judges often do not closely scrutinize applications and sign off on no-knock warrants where they are not justified.²

¹ *Richards v. Wisconsin*, 520 U.S. 385 (1997).

² See Eg. L. Joe Dunman, *Warrant Nullification*, 124 WV L Rev __, 30-34 [2021] [forthcoming], available at <https://ssrn.com/abstract=3805913> [collecting reported instances nationwide where judges spent minimal or no time at all reading warrant applications before signing them]; Mary Nicol Bowman, *Full Disclosure: Cognitive Science, Informants, and Search Warrant Scrutiny*, 47



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HF 3398 will minimize or eliminate many of the harms attendant to no-knock raids by prohibiting raids for drug searches and creating a clear and convincing standard of proof for warrants to be issued. This standard will ensure judges closely review applications and the supporting evidence. In all, the provisions of this bill will critically reduce the use of no-knock raids and make them less dangerous when they are used.

We urge Minnesota to pass HF 3398. Thank you for the opportunity to provide comment on this important issue.

Akron L Rev 431, 442-43, 461-63 [2014] [citing studies that show judges typically spend “between two and three minutes per warrant application” and that the warrant application process primes judges to defer to the police narrative of the case, which can often be incomplete or misleading]; Richard Van Duizend, L. Paul Sutton & Charlotte A. Carter, *The Search Warrant Process: Preconceptions, Perceptions, and Practices* 26 [1984] [same].)