

MAINE STATE LEGISLATURE

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Date 6/13/23 Minority

L D 1087
(Filing No H- 523)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to HP 682, L D 1087, "An Act to Remove Restrictions in the Provisions of Law Relating to No-knock Warrants"

Amend the bill by striking out all of section 3 and inserting the following

'Sec. 3. 15 MRSA §57, sub-§5, as enacted by PL 2021, c 267, §1, is amended to read

5. Requirements. The following requirements apply to a law enforcement officer executing a no-knock warrant that is authorized under the exception provisions in subsection 3

A ~~An~~ Each officer on the entry team shall wear an ~~official uniform~~ article of clothing that clearly identifies the officer as a law enforcement officer and, if ~~the~~ an officer's law enforcement agency provides body-worn cameras to law enforcement officers, a body-worn camera worn in accordance with the policies of the officer's law enforcement agency ~~An~~ Every officer shall follow the policy of the ~~officer's~~ law enforcement agency leading the execution of the warrant regarding the usage of body-worn cameras This subsection does not require a law enforcement agency that provides body-worn cameras to mandate recording the execution of a no-knock warrant

B ~~In cases in which an imminent risk of death or bodily harm exists, only officers trained in the use of~~ A ~~stun grenade, stun, distraction or other similar devices~~ device may ~~use such a device~~ be used by an officer during the execution of the warrant where there exists an imminent risk of death or bodily harm and only by an officer trained in the use of such a device, except that such a device may be used in exigent circumstances by an officer untrained in the use of the device '

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the minority report of the committee, clarifies language in the bill that provides that, when executing a warrant, an officer who is not trained in the use of a stun grenade, stun, distraction or other similar device may use such a device only in exigent circumstances