



The Responsible Warrant Execution Act
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Purpose

The purpose of this act shall be:

1. To end the practice of No-Knock; No-Announce; and Quick-Knock Warrants.
2. To protect the life and safety of civilians and peace officers in the execution of judicially ordered warrants.
3. To reinforce the Fourth Amendment right of civilians to be safe and secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.
4. To limit the types of offenses that a search warrant is available for.
5. To ensure the accurate and fair execution of criminal investigations.
6. To track the use of search warrants and ensure compliance with this act.

Definitions:

For the purposes of this act:

A **No-Knock Warrant** is a warrant that is served without peace officers first knocking on the door of the Target Building before entering the threshold of the building. These can be search or arrest warrants.

A **No-Announce Warrant** is a warrant that is served without peace officers first announcing their identity as peace officers and their purpose to search the Target Building. These can be search or arrest warrants.

A **Quick-Knock Warrant** is a warrant that is served with the peace officers both knocking and announcing but failing to wait a reasonable time for a resident to answer the door. These can be search or arrest warrants.

A **Non-Compliant Warrant** is a warrant that is not in compliance with the procedures portion of this Act. These can be search or arrest warrants.

A **Target Building** is the space represented by the address named on the warrant. This can be an entire building, such as a single-family home or a standalone business; it can also be a unit of a larger building, such as an apartment, condominium, or suite.

No-Knock Warrant Ban

1. No law enforcement officer shall seek, execute, or participate in the execution of a No-Knock Warrant, No-Announce Warrant, Quick-Knock Warrant, or other Non-Compliant Warrant.
2. No judicial officer shall issue a No-Knock Warrant, No-Announce Warrant, Quick-Knock Warrant, or other Non-Compliant Warrant.

Types of Offenses Search Warrants Are Unavailable Forⁱ

1. No law enforcement officer shall seek, execute, or participate in the execution of a search warrant upon a residential address where possession of narcotics or possession of narcotics with intent to distribute are the primary offenses alleged and no violent offense has been alleged.
2. No judicial officer shall issue a search warrant upon a residential address when possession of narcotics or possession of narcotics with intent to distribute are the primary offense alleged and no violent offense has been alleged.

Responsible Warrant Procedureⁱⁱ

All search or arrest warrants within [jurisdiction] shall be executed in compliance with the following procedure:

1. **Timing:** All warrants shall be served between 8AM and 8PM.ⁱⁱⁱ
2. **Knock:** Peace officers must knock loudly on the door of the Target Building.
3. **Announce:** Peace officers must announce themselves loudly, clearly, and repeatedly. This announcement must identify the agency executing the warrant and the intention of that agency to enter and search the Target Building.
4. **Wait:** Peace officers must wait 30 seconds from their initial knock, or a reasonable time, whichever is longer, before crossing the threshold of the Target Building.^{iv} During this time, they shall continuously announce their presence and intention until they are acknowledged by the resident.
5. **Post-Entry Announcements:** Peace officers must continue announcing themselves as they move through the Target Building until a resident is encountered or the building is deemed empty.^v
6. **Warrant Serving:** Prior to the execution of any search or seizure, a peace officer must read or give a copy of the warrant to the resident. If the resident is absent, or for any reason incapacitated, then the warrant must be left posted in a conspicuous place in the residence, but the search may continue.
7. **Body Camera:** All peace officers serving the warrant must record the search with their body cameras turned on and recording. If [jurisdiction] has more strict body camera laws than this, then this section shall not override those laws.^{vi}

Warrants from Other Jurisdictions

Warrants obtained in other jurisdictions and requested to be executed by [this jurisdiction] which do not comply with the procedure laid out in this act shall not be accepted by [this jurisdiction]. Both the paperwork of the warrant and the conduct of the involved peace officers must be in compliance with the rules of this Act for peace officers to enforce a warrant.^{vii}

Recordkeeping

To ensure compliance with this act and transparency in criminal investigations, law enforcement agencies in [this jurisdiction] must release a public report of the following summary data to [oversight body] monthly:

1. Number of warrants served that did not follow procedures complying with this Act.^{viii}

2. Number of warrants served that did follow procedures complying with this Act.
3. Offenses on the warrants served.
4. Number of times that the evidence listed on the warrant was actually seized.
 - a. This data may be withheld in ongoing investigations.
5. Demographics of the residents of the Target Building upon which the warrant was served.
 - a. Race, age, and gender demographics will suffice.
6. Locations of the Target Buildings.
 - a. General neighborhoods will suffice.^{ix}
7. Number of injuries or fatalities suffered as a direct result of the warrant.
 - a. Number of civilian injuries.
 - b. Number of peace officer injuries.
 - c. Number of civilian deaths.
 - d. Number of peace officer deaths.
8. Confirmation of the existence of body camera footage of the execution of the warrant.^x

Underlying warrants that make up the summary data shall be made available through data request. These warrants may be redacted in accordance with the [controlling local, state, and federal data privacy act].

Enforcement

Any evidence collected in a procedure non-compliant with this act shall be excluded from any criminal prosecution.^{xi}

Any law enforcement agency which does not comply with the recordkeeping in this act shall be subject to investigation by [investigatory agency].^{xii}

Exceptions

There shall be no exceptions to the procedures in this act.^{xiii}

This act has no effect on the ability of peace officers to enter a building without a warrant if warrantless entry is permitted by law, such as in situations of: fire emergencies, medical emergencies, overhearing domestic violence, active hostage situations, hot pursuits, and other situations generally considered as not requiring a warrant.

ⁱ The goal of this section is to allow people who are not a threat to the community to be secure in their homes and persons without the threat of government intrusion. Adding in other non-violent crimes that may be attainable in your jurisdiction is encouraged. Narcotic possession is our top priority, but you may consider using intent to distribute.

ⁱⁱ Laying out the specifics of how an appropriate warrant is served allows for the closing of any loophole around a No-Knock ban. Either the law enforcement agency is in compliance with these decidedly compliant procedures, or they are not.

ⁱⁱⁱ Current Minnesota state law says 7AM-8PM, however, 7AM is too early. If the goal is not to wake anyone up, which would increase their confusion and therefore increase the chaos of the situation, then 7AM is too early. A best practice is to ensure the sun is risen before the warrant is served.

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- ^{iv} The purpose of the “or a reasonable time” provision is to allow for extensions of the 30 second rule in cases where a resident has acknowledged the peace officers but, for whatever reason, cannot answer the door immediately. This could be due to a disability, being undressed, or any other reasonable reason.
- ^v This could be especially important in larger buildings or businesses, such as a warehouse.
- ^{vi} While Minnesota and Minneapolis already have fairly strict body camera laws, this is intended to be legislation that can be implemented anywhere. If this section is redundant in your jurisdiction, then it can be deleted.
- ^{vii} This is to prevent neighboring law enforcement agencies from obtaining non-compliant warrants that are appropriate under the neighboring laws but not under [jurisdiction’s] laws, and may be enforceable in your jurisdiction.
- ^{viii} If [jurisdiction] has other rules governing search warrants, then [jurisdiction] may consider adding tracking of compliance with those regulations.
- ^{ix} We have some concerns about releasing age, gender, race, offense, *in combination with* specific address because that may allow for people to identify who is having a warrant served upon them. We believe that only identifying the neighborhood is sufficient. We believe age, gender, race, and offense are crucial to understanding how warrants impact the community. This provision, however, may need to be adjusted at state levels or in small towns, where identifying a general location may still allow for the identification of a specific resident.
- ^x Even if law enforcement agencies cannot be compelled to release footage, they should have to confirm that the footage does exist.
- ^{xi} This is intended to be a minimum consequence. A Jurisdiction is encouraged to impose more strict consequences as they see fit.
- ^{xii} Recordkeeping without enforcement has been proven to be ineffective, such as in the potential shuttering of the FBI’s tracking of police use of force due to police department non-compliance.
- ^{xiii} No-Knock warrants are almost always more dangerous than responsibly served warrants. There is no excuse for not following responsible procedures.

