

Other Jurisdictions

Other Jurisdictions

1. <https://wfpl.org/proposed-amendments-could-alter-kentucky-bill-limiting-no-knock-warrants/> [Kentucky legislative alternatives, 2021]

2. **Rule 41, Federal Rules of Criminal Procedure**

(a) SCOPE AND DEFINITIONS.

(2) *Definitions.* The following definitions apply under this rule:

(B) “Daytime” means the hours between 6:00 a.m. and 10:00 p.m. according to local time.

(e) ISSUING THE WARRANT.

(2) *Contents of the Warrant.*

(A) *Warrant to Search for and Seize a Person or Property.* Except for a tracking-device warrant, the warrant must identify the person or property to be searched, identify any person or property to be seized, and designate the magistrate judge to whom it must be returned. The warrant must command the officer to:

- (i) execute the warrant within a specified time no longer than 14 days;
- (ii) execute the warrant during the daytime, unless the judge for good cause expressly authorizes execution at another time; and
- (iii) return the warrant to the magistrate judge designated in the warrant.

From Mr. Bowman:

3. On the state level, only one state has actually passed a statute banning no-knock warrants. However, I have included relevant information below concerning other states that have limited the use of no-knock warrants. Additionally, I included information on different cities that have recently proscribed these warrants. Finally, I did spend some time looking for data on how many no-knock warrants are typically issued in Arizona but was unable to find anything--I briefly summarize that search below.

Limitations on No-Knock Warrants

Currently, only three states completely prohibit no-knock warrants:

Other Jurisdictions

- Virginia enacted a [bill](#), in October 2020, that completely bans no-knock warrants. It also restricts the issuance of nighttime warrants by creating a "for good cause" standard to guide their issuance (which is the standard Arizona currently employs for nighttime warrants).
- No-knock warrants are not allowed in Oregon: there is no "unannounced entry" exception to the statutory knock-and-announce requirement. This is similar to how A.R.S. 13-3915 & 13-3916 operated before they were [amended](#) to include an unannounced entry exception in 2000.
- Similarly, no-knock warrants are not utilized in Florida, ever since a 1994 Florida Supreme Court [decision](#) proscribed their use. Like Oregon, Florida's knock-and-announce statutory requirement does not allow for an "unannounced entry" exception.
- Kentucky is close to passing a [bill](#) curtailing the use of both no-knock warrants and nighttime warrants. The Bill was unanimously passed by the KY Senate. However, because the KY House is currently considering several proposed [amendments](#) to the bill, its contours are uncertain.

Over the last year, a good number of cities and police departments have banned or limited the use of no-knock warrants. Here is a non-exhaustive list:

- Columbus, Ohio, City Council [restricted](#) the use of no-knock warrants following Breonna Taylor's death, specifically prohibiting their use for lower-degree felonies or marijuana-related crimes.
- Louisville, KY, City Council [banned](#) no-knock warrants shortly after Breonna Taylor's death.
- The Santa Fe, NM, City Council [banned](#) no-knock warrants, as of October 2020.
- The Memphis Police Department [announced](#), last summer, that it will no longer use no-knock warrants
- The Indianapolis Police Department [banned](#) the use of no-knock warrants, following Breonna Taylor's death.
- The San Antonio Police Department [prohibited](#) the use of no-knock warrants, in September 2020.

Other Jurisdictions

- The Long Beach Police Department (CA) [restricted](#) its officer's ability to obtain no-knock warrants, requiring an extra level of agency approval prior to their issuance.

These are the only recent changes that I have found, so far. However, this Courier Journal [article](#) (news source affiliated with USA Today), dated March 12, 2021, claims that there are 84 active proposals in 33 different states which would curtail or ban the use of no-knock warrants. Accordingly, the Court's interest in this topic is very timely.