

1.1 A bill for an act
1.2 relating to public safety; adding requirements for no-knock search warrants;
1.3 amending Minnesota Statutes 2021 Supplement, section 626.14, subdivision 3, by
1.4 adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2021 Supplement, section 626.14, subdivision 3, is amended
1.7 to read:

1.8 Subd. 3. **Requirements for a no-knock search warrant.** (a) No peace officer shall
1.9 seek a no-knock search warrant unless the warrant application includes at a minimum:

1.10 (1) all documentation and materials the issuing court requires;

1.11 (2) the information specified in paragraph (b); and

1.12 (3) a sworn affidavit as provided in section 626.08.

1.13 (b) Each warrant application seeking a no-knock entry must include, in detailed terms,
1.14 the following:

1.15 (1) why peace officers are seeking the use of a no-knock entry and are unable to detain
1.16 the suspect or search the residence through the use of a knock and announce warrant;

1.17 (2) what investigative activities have taken place to support issuance of the no-knock
1.18 search warrant, or why no investigative activity is needed or able to be performed; ~~and~~

1.19 (3) how peace officers have verified the name and address of the suspect to avoid
1.20 detention of the wrong person or search of the wrong residence;

2.1 (4) how peace officers will execute the warrant with minimum impact on any children,
2.2 elderly or other vulnerable residents, or innocent residents;

2.3 (5) whether there are any known mental health concerns or cognitive or physical
2.4 disabilities regarding the suspect or other persons at the residence; and

2.5 ~~(3)~~ (6) whether the warrant can be effectively executed during daylight hours according
2.6 to subdivision 1.

2.7 (c) The chief law enforcement officer or designee and another superior officer must
2.8 review and approve each warrant application. The agency must document the approval of
2.9 both reviewing parties.

2.10 (d) A no-knock search warrant shall not be issued when the only crime alleged is
2.11 possession of a controlled substance unless there is probable cause to believe that the
2.12 controlled substance is for other than personal use.

2.13 (e) A no-knock search warrant shall not be issued except in exigent circumstances and
2.14 subject to the requirements of this section.

2.15 Sec. 2. Minnesota Statutes 2021 Supplement, section 626.14, is amended by adding a
2.16 subdivision to read:

2.17 Subd. 3a. **Execution of no-knock warrant.** Before a peace officer executes a no-knock
2.18 warrant, the officer must carefully check the name of the suspect and street address on the
2.19 warrant against the identification of the property at the physical address and sighting of the
2.20 suspect at that physical address as close as possible to the time immediately before the
2.21 search warrant is executed.