

Written Proponent Testimony HB2133  
House Committee on Corrections and Juvenile Justice

Prepared by Matthew Clark for the Libertarian Party of Kansas, authorized by Chair Rob Hodgkinson

Officer safety will be a major discussion point around this bill. Search warrants executed on a dwelling without knocking and continuously announcing the presence of Law Enforcement adds danger to Law Enforcement Officers in Kansas. Executing a search warrant without common law enforcement uniforms also adds to the danger.

Kansans are a well armed population and this legislature, for the most part, respects those rights. Every one of you on this committee that owns a firearm or any other defensive weapon of choice has prepared for the home invasion scenario. How will I protect my family and myself when the door or window gets kicked in in the middle of the night. If you do not hear someone yelling "POLICE POLICE" over and over you are going to take steps necessary to protect your dwelling. I would, you would and most of Kansas would.

Imagine this scenario. Officers have a no knock search warrant for suspected drug distribution from an undercover informant working to avoid serious jail time. They brief the execution of the search warrant. They approach the front door. They break away the screen door. They breach the front door with a battering ram. They enter the door, turn to left looking down a hall and see someone with shotgun pointed at them. They fire, the shotgun is fired simultaneously. An officer is down. The person behind the shotgun is down. Other officers return a volley of fire down the hallway. There is bedroom door at the end hall, it is now filled with bullet holes.

Imagine this scenario. You wake up to a noise at 5am. You sit up, you turn off the fan and ask your spouse "did you hear that?" You hear the crack of the door breaking away from the frame. You hear footsteps. You retrieve the shotgun from under the bed and step into hallway. You see a gun, a person in your house, you fire. Shots are fired at you simultaneously. You hear a scream, you hit someone. You scream, you are hit. You are laying on the hallway floor bleeding. More bullets whiz by. What the hell just happened? My daughter's bedroom is behind me. Is she ok?

This is a no knock search warrant.

No knock search warrants have no place in Kansas. It defies the proper relationship between a FREE people and their government. Governments in Kansas are not at war with the citizens or at least they should not be. These raids drastically increase the chances of a violent encounter. They increase the chances of an officer being wounded or killed, increase the chances of innocent bystanders being wounded or killed and increases the chance a suspect is killed instead of facing a jury of their peers for their suspected crime.

Look at just a few of these recent high profile examples.

On November 19<sup>th</sup>, 2021 in Gifford, Florida, Andrew Coffee IV was acquitted by a jury of all murder and attempted murder charges after opening fire to the sight what he thought was a rifle pointing through his shattered bedroom window. Coffee's 21 year old pregnant girlfriend, Alteria Woods, was killed in the ensuing gunfire. Officers shot at, 1 innocent woman dead.

On January 28<sup>th</sup>, 2019 in Houston, Texas, Dennis Tuttle and Rhogena Nicholas and their dog were killed in a no knock riad. By all accounts, these were not people who would just open fire on the police. This was a raid with no knocking prior to breaching the dwelling and was conducted with barely visible police markings that led to innocent life being lost and five officers shot. Five officers shot; two innocent people dead.

On March 13<sup>th</sup>, 2020 In Louisville, Kentucky, Kenneth Walker was startled late in the night by pounding and breaking of his door. Officers failed to identify themselves before entering the apartment. Walker responded to the intruder with gunshots, one officer was hit by gunfire. Officers returned fire, striking and killing his innocent girlfriend Breonna Taylor. One officer shot, one innocent woman dead.

I urge you to pass HB2133 before Kansas adds its own high profile example.

A handwritten signature in black ink that reads "Matthew Clark". The signature is written in a cursive, flowing style.

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