

## FOR IMMEDIATE RELEASE

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## Senate Chair Tries to Sneak In No-Knock Legalization

ATLANTA GA – On Monday, just after [intense public pressure](#) made Rep Kevin Tanner decide not to peruse his HB56 bill, Senator Jesse Stone (R-Waynesboro) submitted [SB159](#), a comparable bill **to legalize no-knock search warrants in Georgia**. Stone's SB159 bill poses even more of a threat to Georgia citizens because it has no reporting requirement and bases search warrants on reasonable suspicion instead of probable cause.

The bill was read on Tuesday and referred to the Non-Civil Judiciary Committee, where **chairman Stone quickly scheduled a [hearing](#) for it at 3:00 on Wednesday**. Georgians' freedom might have been saved by the weather when the short notice hearing had to be cancelled after Gov. Deal closed all state offices at noon due to the threat of snow.

Despite much rhetoric, **no-knock search warrants are illegal under Georgia law**. [O.C.G.A. 17-5-27](#) requires officers to “**attempt in good faith to give verbal notice**” when executing a search warrant. That was standard practice even prior to the July, 1776 Declaration of Independence from British rule and later adoption of 4<sup>th</sup> Amendment Constitutional protections against unreasonable search and seizure.

SB159 eliminates the good faith verbal notice requirement and **lawfully allows no-knock search warrants for the first time in Georgia history**. It will protect law officers from being held accountable for any crimes they may commit during highly profitable, unwarranted raids that would become legal under the Georgia code. It is co-sponsored by Republican Senators Harper, Hill, Cowsert and Mullis.

Bill proponents claim that judicial interpretation has created case law allowing exceptions to Georgia code. However, there is no provision under the Georgia or U.S. Constitutions for a judicial branch to establish its own contradictory legislation. Judicial activists who do, violate their oath of office and would normally be subject to impeachment charges.

Another no knock legalization bill, [SB45](#), is also expected to be heard on the same day as SB159. It is co-sponsored by Democrat Senators Fort, Tate, Seay, Butler, Henson and Davenport. Ironically, all of the Senators have chosen to weaken the law for enforcement when it needed to be strengthened to protect citizens. Last Sept. 24<sup>th</sup>, Dublin resident David Hooks was **murdered** when undercover Laurens Co. deputies broke into his home to conduct a drug raid. The Hooks murder occurred 4 months after a 19 month old toddler was critically injured by a “flash bang “grenade in another unwarranted drug raid gone wrong in Habersham County. In 2007, 88 year old Kathryn Johnston was murdered in her home by an undercover Atlanta police unit. [These raids were all likely unlawful](#) but families of the victims would have little recourse today if SB159 had been law then.

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