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Testimony to the House Committee on Judiciary in Support of HB2299
February 15, 2021

Chairman Paton and Members of the Committee:

The Johnson County Sheriff's Office supports passage of **HB2299 - Allowing a search warrant to be executed within 10 days from the date of issuance**. Safely executing a search warrant is a priority with the sheriff's office. There is a degree of planning that is necessary when serving a warrant to make sure that safety considerations for the public and for the deputies/officers serving the warrant can be in place. The 96-hour service requirement can make this a difficult task.

Our neighboring states have the following requirements for time of service for a search warrant:

Colorado – 14 days¹
Missouri – 10 days²
Nebraska – 10 days³
Oklahoma – 10 days⁴

It is clear 96 hours is the anomaly rather than the norm. This longer period will allow us to ensure the location is safe for search and that persons not a focus of an investigation (such as children) are not on site when the warrant is executed.

We ask the committee to report **HB2299** favorably for passage.

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¹ Colorado Statutes §16-3-305. Search warrants - direction - execution and return

² Missouri Statutes Title XXXVII Criminal Procedure, 542.276 Who may apply for search warrant — contents of application, affidavit — ...

³ Nebraska Statutes 29-815 Search warrant; executed and returned; inventory required.

⁴ Oklahoma Statutes §22-1231. Search warrant void after ten days.