

3.03-9

**DAYTON POLICE DEPARTMENT
GENERAL ORDER
FORCED ENTRY POLICY**



RICHARD S. BIEHL – DIRECTOR AND CHIEF OF POLICE

Rev. 01/21

POLICY STATEMENT

The responsibility of maintaining order and protecting life and property sometimes requires officers to force entry into structures, vehicles or other property. Any situation wherein an officer finds it necessary to force entry must be promptly and accurately reported and investigated by an on-duty supervisor. No policy can prepare officers for all possible eventualities or circumstances where forced entry will be required or justified.

The standard of behavior will be the reasonableness of the decision to force entry and the reasonableness of the means used to force entry, based on the information available to the officer(s) at the time. A thorough investigation of a forced entry provides police personnel and the City of Dayton protection from false allegations of unwarranted searches.

I. DEFINITION OF FORCED ENTRY

Forced entry is defined as anytime an officer uses force to gain entry to a dwelling, structure, vehicle or other property.

II. FORCED ENTRY PROCEDURE

- A. If officers are aware in advance, that force is going to be needed to gain entry to any property during the execution of a warrant for search or arrest, they must get approval to use such force from a supervisor.
- B. Officers should contact a supervisor prior to forcing entry whenever circumstances permit. If there is insufficient time to reach a supervisor prior to forcing entry, a supervisor must be called immediately after all risks to persons or evidence have been minimized.
 - When time permits and there are no safety issues, officers will seek a point of entry that minimizes the damage to the property.
- C. After force has been used to gain entry, the supervisor conducting the forced entry investigation will ensure that color photographs are taken of all damage to the structure, vehicle or other property caused during the entry.
- D. If forced entry was made due to exigent circumstances during a criminal investigation, to make an arrest, or during a traffic stop, an administrative investigation is needed.
- E. If forced entry is made while serving a search warrant, the supervisor will complete a BlueTeam Incident Report briefly describing the incident. An administrative investigation will be completed if there are allegations of misconduct.
- F. If the forced entry was done to render aid for a medical reason (i.e., during a confirmed medical emergency such as a person overdosing, deceased person, etc.), only a BlueTeam Incident Report is needed briefly explaining the circumstances.
- G. A copy of the DIBRS report, search warrant, photographs, and additional supporting documentation should be attached to the BlueTeam Incident Report and forward through the appropriate Division Commander's Office to be filed in Professional Standards.
- H. If an administrative investigation is required, please refer to General Order 2.04-10 Administrative Investigations.