

5.12.000 EXECUTING SEARCH WARRANTS / PLANNED EVENTS

5.12.005

PURPOSE AND SCOPE: 07/24

This policy is intended to guide members who are involved in the planning and execution of search warrants or other planned events.

5.12.010

DEFINITIONS: 07/24

Breach and hold: Surrounding the area to be searched and then opening doors and windows, forcibly if necessary, in order to communicate and seek voluntary compliance while trying to prevent the destruction of evidence.

Deliberate: Tactics comprised of a group of techniques that are characterized by continuous productive activity, but locations are not passed without being searched.

Dynamic: Tactics comprised of a group of techniques that are characterized by continuous productive activity. This may include passing locations without searching them in order to move to a crisis site. Usually associated with an increased rate of movement or tempo.

Forward Tactical Commander: The on-scene supervisor designated by the Tactical Commander (Usually a sergeant). The Forward Tactical Commander (FTC) is responsible for the safety of everyone on scene. The FTC executes the tactics, techniques, and procedures based on the guidance and intent from the Tactical Commander.

High risk search warrant/planned event: An operation with a high probability of harm to department or community members and the severity of any harm incurred would be high.

Incident Commander: The individual responsible for on-scene incident activities, including developing incident objectives and ordering and releasing resources. The Incident Commander has overall authority and responsibility for conducting incident operations.

Lead Detective/Deputy: The detective or deputy primarily responsible for the investigation.

Limited penetration: A tactical maneuver where forward access by an entry team is limited to a measured and partial entry into an incident location rather than fully entering the location. Suspects and other occupants can be detained at the point of the entry and/or be called out from other places within the location to the area controlled by the entry team.

Low risk search warrant/planned event: An operation with a low probability of harm to department or community members and the potential for serious harm is low. Examples of low risk planned events include, but are not limited to:

- a. Administrative search warrants,
- b. Search warrants for vehicles in a secure facility, and
- c. Search warrants for financial institutions.

Mobile Arrest Team (MAT) tactic: An organized team/vehicle movement utilized to effect the arrest or detention of occupants of a vehicle, either parked or moving. This tactic may be used in lieu of or in coordination with a search warrant, depending on the circumstances, when it is determined that a "takedown away" from the search warrant location may be safer and/or more tactically feasible. These tactics are restricted to members of Tac-30.

Medium risk search warrant/planned event: An operation with a moderate probability of harm to department or community members, or with increased potential of serious harm.

No knock search warrant: A search warrant that is executed with no notice to the occupants of the location to be searched.

Outside agency search warrant: A search warrant obtained by another law enforcement agency who then requests the assistance of the King County Sheriff's Office serving that warrant.

Planned event: Includes search warrants, arrest warrants or other planned operations.

Serious crimes: Crimes against a person, to include felony assaults, rape, robbery, arson, kidnapping, unlawful imprisonment, burglary, murder, homicide by abuse, sexual exploitation of a minor, and manslaughter.

Slow and deliberate: The systematic search of a location by clearing each room or area encountered prior to moving to the next. This tactic is characterized by a slow rate of movement or tempo.

Surround and call out: Surrounding and containing the area to be searched and attempting to communicate in an effort to get occupants to exit prior to breaching or entry.

Tactical Commander: A captain (or their designee), assigned to the Special Operations Unit, who is responsible for the approval of tactics used to serve a search warrant (or other planned event), and for the overall management of Special Operations resources at the scene of the tactical operation. The tactical commander can be anyone appointed by the incident commander when Special Operation Unit resources are not involved in the incident.

Unusual event: A significant unscheduled event, involving the potential injury and/or property damage which requires a law enforcement response.

Warrant Service Planner: The department member(s) responsible for developing the plan to serve a search warrant.

5.12.012

OPERATIONS AND RISK MANAGEMENT PLAN: 07/24

1. The purpose of the Operations and Risk Management Plan (form B-191) is to assist leaders with evaluation of operational risk and making deliberate decisions based on available information. It does not replace ICS Forms 202, 202A, 203, or 215(A).
2. The Operations Risk Management Plan (form B-191) should be used by leaders for any planned event where the detention and/or arrest of persons is likely, but not rising to the level of an Incident Command System Incident Action Plan (ICS IAP). This includes, but is not limited to, search warrant and arrest warrant service, special events, or any planned law enforcement action.
3. The risk analysis portion may be used independently from the operational portion of Operations and Risk Management Plan. However, the operation plan shall always include the risk analysis portion of the Operations and Risk Management Plan (B-191).

5.12.013

OPERATIONAL RISK LEVEL AND APPROVAL: 07/24

1. Low Risk:
 - a. Low probability of danger to officers or public either because of low chance of occurrence or low-level exposure to harm (danger).

- b. The operation must be approved by a Sergeant or above.
 - c. The field supervisor may consult with Special Operations, but it is not mandatory.
- 2. Medium Risk:
 - a. Moderate probability of danger to officers or public either because of increased chance of occurrence or increased level of exposure to harm (danger).
 - b. Form B-191 must be approved by a Captain or above via chain of command.
 - c. The field supervisor should consult with Special Operations.
- 3. High Risk:
 - a. High probability of danger to officers or public either because of high chance of occurrence or high-level exposure to harm (danger).
 - b. Form B-191 must be approved by a Major or above via chain of command.
 - i. High risk operations require notification of a Division Chief.
 - c. The field supervisor shall consult with Special Operations.
- 4. Consultation does not guarantee nor initiate the allocation of Special Operations resources. Any consultation shall be noted on page 1 of the Form B-191 resource consultation box.

5.12.015

**PROCEDURES AND TACTICS USED FOR SEARCH WARRANTS/PLANNED
EVENTS: 07/24**

- 1. An Operational Risk Management Plan (form B-191) shall be completed for all search warrants/planned events that are expected to involve the detention and/or arrest of persons, unless time does not permit completion due to exigent circumstances.
- 2. The tactics used shall be determined by the warrant service planner, forward tactical commander, tactical commander, and/or incident commander.
- 3. Tactics may vary on a case-by-case basis and should be continually adapted to address situational changes through on-going risk assessment during the warrant service operation. Possible tactics in addition to a standard entry and search, which may be utilized depending on the specific circumstances for each situation include, but are not limited to:
 - a. Surround and call out
 - b. Breach and hold
 - c. Limited penetration
 - d. Mobile Arrest Team (MAT)
- 4. The standard search tactic that shall be used for the search of a structure or building is "slow and deliberate" as defined in GOM 5.12.010, except when exigent circumstances are encountered on-scene which present an imminent threat to life. In these situations, alternative search tactics such as "dynamic and deliberate" may employed at the discretion of the Forward Tactical Commander. Pre-planned warrant services involving "dynamic and deliberate" search tactics may only be authorized and approved by the Special Operations Captain (or designee), a Division Chief, the Undersheriff or Sheriff.

5.12.020

LOW-RISK SEARCH WARRANTS/PLANNED EVENTS: 07/24

1. Low-risk search warrants/planned events (that are not expected to involve the detention and/or arrest of any persons) do not require an Operations and Risk Management Plan (Form B-191).
2. Low-risk search warrants may be served by deputies or detectives with prior written or verbal authorization from a Sergeant or above.

5.12.025

MEDIUM-RISK AND HIGH-RISK SEARCH WARRANTS/PLANNED EVENTS: 07/24

1. Medium-risk search warrants/planned events must be approved by Captain or above via chain of command.
2. High-risk search warrants/planned events must be approved by a Major or above via chain of command.
3. The Lead Detective/Deputy shall ensure (when applicable):
 - a. A search warrant is obtained.
 - b. All search warrant affidavits, search warrants, and associated forms are made available to the warrant service planner(s) and contain the **CORRECT**:
 - i. Street address
 - ii. Description of the building(s)
 - iii. Suspect description (if applicable)
 - c. The warrant service planner is shown the **CORRECT** location to be searched (if applicable).
 - d. A detective is present at the command post or warrant location during the service of the search warrant if necessary.
4. The warrant service planner shall (when applicable):
 - a. Coordinate the search warrant service with the Lead Detective/Deputy.
 - b. Ensure that the **CORRECT** location has been identified before executing the search warrant by visiting that location with the Lead Detective/Deputy. Additional site visits by planners must be coordinated with lead detective (or designee).
 - c. Ensure that a pre-tactical deployment surveillance is conducted (if feasible) in attempt to increase situational awareness and minimize risk factors.
 - d. Complete a plan for serving the warrant. Brief the lead field supervisor or investigative unit supervisor for approval (If Special Operations Resources are involved, brief a Special Operations Sergeant).
 - e. Conduct a search warrant briefing as directed by the incident commander or tactical commander.
 - f. Critique the tactical operation after completion.

5. The lead field supervisor or investigative unit supervisor shall ensure (when applicable):
 - a. A search warrant is obtained.
 - b. Completion of the Operational Risk Management Plan (form B-191), and have it reviewed and approved by the appropriate rank / authority.
 - c. Consult with Special Operations if necessary based on the Operational Risk Management Plan (form B-191).
 - d. All search warrant affidavits, search warrants, and associated forms are made available to the warrant service planner(s) and contain the **CORRECT**:
 - i. Street address
 - ii. Description of the building(s)
 - iii. Suspect description (if applicable)
 - e. De-confliction and other agency notifications have taken place.
 - f. Coordination with the Communications Center.
 - g. Involved detectives participate in the search warrant briefing.
 - h. Be present for the warrant service.
 - i. A detective or detective unit sergeant is present at the command post or warrant location during the service of the search warrant if outside agency or Special Operation resources are being utilized.
 - j. Upon completion of the search warrant, reasonable steps have been taken to secure the area that was searched.
6. The Sergeant(s), or Forward Tactical Commander of the unit(s) serving the search warrant shall ensure (when applicable):
 - a. All search warrant affidavits, search warrants, and associated forms contain the **CORRECT**:
 - i. Street address; and
 - ii. Description of the building(s)
 - iii. Suspect description (if applicable).
 - b. The Lead Detective/Deputy has accompanied the warrant service planner to the address to visually confirm that the address and description shown on the warrant matches the **CORRECT** building before the pre-operation briefing.
 - c. That a pre-tactical deployment surveillance is conducted (if feasible) in attempt to increase situational awareness and minimize risk factors.
 - d. Review the Operational Risk Management Plan (form B-191).
 - e. Review the plan to serve the warrant with the warrant service planner and approve the plan, including tactics.
 - f. A pre-operation briefing is conducted.
 - g. Closure of an alternate communication talk group during the warrant service.
 - h. Ensure coordination, de-confliction, and notification of all adjacent agencies as necessary.

- i. Be present at all search warrant service operations.
7. The Captain or Major (based on the level of risk assessed in the ORMP) shall assign an incident commander with the rank of Sergeant or above.
- a. Low risk operations do not require an incident commander.
8. The Incident Commander shall (when applicable):
- a. Notify the Communications Center, the precinct of occurrence, and all other appropriate jurisdictions of the location and time of the search warrant service.
 - b. Appoint a tactical commander or any other assignment necessary to facilitate successful command supervision in accordance with ICS. Of note, the Special Operations Captain (or their designee) will assume the role of tactical commander if Special Operations resources are involved in the warrant service.
 - c. Attend the warrant briefing.
 - d. Be present for the warrant service and assume responsibility for the service of the search warrant.
 - e. Ensure that department approved vests, raid jackets, shirts, and hats are worn during all planned operations in accordance with GOM 4.00.010 unless the detective(s) is working undercover inside the building or group targeted for the operation.
 - f. Ensure uniformed deputies are present whenever possible.
 - g. Ensure all members of the planned operation are equipped with a functioning body worn camera.
 - h. Remain available until scene is secure.
 - i. Ensure that a supervisor remains on scene until the warrant service is complete.
 - j. Notify the chain of command when an unusual event occurs during the operation.
9. The Tactical Commander shall (when applicable):
- a. Be the final approving authority for the tactical plan.
 - b. Be present for the warrant service and remain until the scene is secure.
 - c. Be responsible for determining the tactics to complete any task assigned by the Incident Commander.
 - d. Ensure that at least two members of the Crisis Negotiation Team are present, if necessary and feasible.

5.12.030

SEARCH WARRANT HOURS OF SERVICE: 07/24

- 1. The service of medium and high-risk search warrants should take place from 0600-2200 hours (unless otherwise authorized by a CID Captain, the Special Operations Captain, a Division Chief, the Undersheriff, or the Sheriff).
- 2. Exceptions to this include active crime scenes that have already been secured, unoccupied vehicles and structures, or in exigent circumstances requiring immediate action.

5.12.032

KCSO WARRANTS/PLANNED EVENTS OUTSIDE OF KCSO JURISDICTION: 4/23

1. When conducting search warrants/planned events within King County but outside of KCSO jurisdiction the jurisdiction's agency and communication center will be notified by the lead detective.
2. When conducting search warrants/planned events outside of King County, the jurisdiction's agency and communications center shall be notified, along with a KCSO Captain or above.

5.12.035

OUTSIDE AGENCY SEARCH WARRANTS/PLANNED EVENTS: 04/23

1. The person receiving the request for assistance shall:
 - a. Review the search warrant and affidavit.
 - b. Review the outside agency risk analysis and if that is not available, complete an Operational Risk Management Plan (form B-191).
 - c. Have the Operational Risk Management Plan (form B-191) reviewed and approved by a Division Chief via the chain of command.
 - d. If the warrant service is approved, follow policy classification assigned by the Division Chief.
 - e. The outside agency should provide a representative as part of the I.C.S. structure.
2. A Division Chief shall:
 - a. Approve or deny the request for outside agency assistance.
 - b. Assign an Incident Commander.

5.12.040

SEARCH WARRANT NOTICE REQUIREMENTS: 07/24

1. Members serving a warrant who intend to enter a structure without consent, and absent exigent circumstances, shall loudly and clearly announce their office, that they have a warrant, and that they are demanding entry or other clear instructions to the occupants.
 - a. The notices shall be repeated twice more prior to entry and should be repeated during the service of the warrant.
 - b. The notices shall be audio and video recorded using each member's operating body worn camera.
2. Where it is necessary to use force to gain entry to the premises, the force employed should be the minimum reasonably necessary to accomplish the entry safely.
3. The Incident Commander will ensure that the member(s) tasked with making the announcement are identified during the mission briefing.
4. When feasible, a loudspeaker will be utilized after the initial notice.
5. Members shall wait a reasonable amount of time for compliance prior to entry.

6. In determining what a reasonable amount of time is between notice and entry, members will consider available information and factors including but not limited to:
 - a. Nature and severity of the crime being investigated.
 - b. Time available.
 - c. Time of day
 - d. Intent of the suspect or occupants from known information about pattern of life and previous history of potential occupants.
 - e. Ability of suspect or occupants. If known, any mobility issues that may delay the occupant's ability to respond.
 - f. Size of the structure to be searched to include physical obstacles to law enforcement.
 - g. The ease of destruction of the evidence being sought.
 - h. Availability of police resources to gain compliance of occupants (if applicable).
7. Notice planned at less than 30 seconds requires Division Chief approval.
8. The notice requirement is considered satisfied if an occupant appears to respond to the announcement in a manner that is contrary to the instructions given.

5.12.045

“NO KNOCK” SEARCH WARRANTS PROHIBITED: 09/20

The use of “no knock” warrants is prohibited.

5.12.050

EXCEPTIONS TO SEARCH WARRANT NOTICE REQUIREMENT: 09/20

1. An exception to the notice requirement occurs when there is a compromise or exigency.
2. A compromise occurs when a person at the search warrant location sees KCSO members and acts contrary to instruction. Under this circumstance, members are still required to make announcement upon entry that:
 - a. Identifies them as members of law enforcement.
 - b. States that they have a warrant.
 - c. Gives clear commands to the occupants for opportunity to comply
3. Exigent entries are covered by GOM 5.00.025 and not under authority of a warrant and this section does not apply.

5.12.055

AFTER-ACTION REPORT REQUIREMENTS: 07/24

An after-action report should be completed for all medium or high-risk search warrants or planned events. The report will include, but not be limited to the following information:

1. The purpose of the operation.
2. Tactics and equipment used during the operation.

3. Demographic information for each person encountered during the operation, to include:
 - a. Race
 - b. Gender
 - c. Age
4. The presence of any animals, juveniles, elderly persons, or pregnant persons and whether any were injured during the operation.
5. Description of property, evidence or contraband seized.
6. Summary narrative of what occurred, to include any unusual or unforeseen circumstances.
7. Any lessons learned and/or identification of areas requiring additional training.

If an attempt was made to execute a planned event at the wrong address, all circumstances surrounding the planning and execution of the operation shall be thoroughly documented along with a Blue Team entry for review by the Administrative Review Team. The incident shall also be reported to the Office of Law Enforcement Oversight.