5-06/110.80 - Special Weapons Team Incidents Requiring Ramey/Arrest/Search Warrants

Whenever a Special Weapons Team (SWT) is deployed in a barricaded suspect incident, a "Ramey" (Probable Cause Arrest Warrant), arrest, and/or search warrant, shall be obtained in the following situations:

- When any person is barricaded in his own residence and a clear, unequivocal, signed entry and search waiver from another competent adult member of the household cannot be obtained;
- When any person is barricaded in any third party residence and a clear, unequivocal, signed entry and search waiver cannot be obtained from a competent adult in possession or control of that dwelling; and/or
- When any person is barricaded in any structure, business, or location where possession or control of the location is unclear.

Absent exigent circumstances, a signed entry and search waiver, or a ramey, arrest, and/or search warrant, no entry into a barricaded suspect location shall be made by any Department member. However, no activity required to respond to an exigent circumstance shall be postponed or avoided pending the issuance of an appropriate warrant.

For purposes of this subsection, an "exigency" is an emergency situation requiring swift action to prevent any of the following conditions:

- Imminent danger to life;
- Serious damage to property;
- Imminent escape of a suspect; and
- The destruction of evidence.

If an entry is made pursuant to an exigency, under federal law it must be demonstrable that there was not sufficient time to obtain a warrant prior to the entry.

In the absence of a signed entry and search waiver, a warrant shall be obtained even if the emergency has concluded prior to the issuance of the warrant. This will ensure access to the location for follow-up investigation.

When applicable, an interpreter should be requested to assist in the preparation of the entry and search waiver. When circumstances require a ramey arrest, and/or search warrant, the warrant seeking process shall be actively pursued irrespective of the progress of the Special Weapons Team's handling of the incident. Procedures for obtaining warrants in SWT incidents are as follows:

- The Sheriff's station/unit in whose jurisdiction the incident is occurring shall be responsible for obtaining the appropriate warrant;
- The incident commander present at the operation shall designate an appropriate member of the concerned station/unit to obtain a ramey arrest, and/or search warrant, as expeditiously as possible through the appropriate legal channels;
- During normal court business hours, the warrant shall be obtained through the appropriate district

attorney and court;

- During hours while courts are not in session the telephonic warrant process shall be utilized (refer to Judicial Process Chapter); and
- Station/unit watch commanders shall be familiar with procedures required to obtain search/arrest warrants and maintain the appropriate forms, which are to be immediately accessible.