5-09/465.10 - Search Operations - Risk Assessment

Search operations are classified and handled according to risk assessment. The risk factors used to define each classification are explained as follows:

Highest Risk

Highest risk search operations are defined as having one or more of the following hazards associated with the location of the operation:

- Heavily barricaded location;
- Suspect armed with automatic weapons or explosives is believed to be at the location;
- Suspect wanted for armed assault on a peace officer believed to be at the location; and
- Hostage believed to be at location.

Highest risk search operations (absent exigent circumstances) require the following:

- A signed Ramey or search warrant at the time of service;
- An approved operations plan and pre-operations briefing;
- Service by full Special Weapons Team (SWT) or Special Enforcement Bureau's Tactical Entry Team (TET);
- Notification to concerned division chiefs, area commanders, and unit commander; and
- Incident commander shall hold the permanent rank of lieutenant or above.

High Risk

High risk search operations are defined as having the following hazard associated with the operation:

- Assault weapons, superior armament (high powered rifles, scoped rifles, etc.) or ballistic protection (body armor, building fortification, etc.),

Or three or more of the following hazards associated with the operation:

- Secured barred doors and windows;
- CCTV monitors or alarms;
- Guard dogs believed to be at the location;
- Handguns believed to be at location; and/or
- Suspect believed to be at location that:
    - Is a third strike candidate;
    - Has a violent criminal history; or
    - Has made threats against officers.

High risk search operations (absent exigent circumstances) require the following:

- A signed Ramey or search warrant at the time of service;
- An approved operations plan and pre-operation briefing;

- Consultation with the Special Enforcement Bureau and service by SWT/TET or unit-level personnel depending upon circumstances;
- Notification to concerned area commanders and unit commander; and
- Incident commander shall be of the permanent rank of sergeant or above (A lieutenant shall oversee all entries involving SEB personnel).

Any number of circumstances may indicate that a Special Weapons Team should be used to safely conduct a search operation. Detective and patrol supervisors are encouraged to contact the Special Enforcement Bureau whenever questions arise in evaluating service options and criteria. Special Weapons Teams (S.W.T.'s) and Tactical Entry Teams (T.E.T.'s) are not limited to use only in the above situations. Incident commanders hold the prerogative to request these resources whenever circumstances warrant their use.

T.E.T.'s are comprised of personnel from the Special Enforcement Bureau, and are available to provide tactical assistance to all Department personnel. These teams are assigned to conduct search warrant entry and the expeditious clearing of locations, with the involved investigators providing backup and perimeter containment.

In determining the need for a T.E.T., many factors should be considered; however, the paramount issue is, and will always be, the safety of those involved in the entry. Supervisors requesting the use of a T.E.T. should realize that the use of a T.E.T is not a use of force, but rather a tactical option available to Department personnel. Supervisors shall utilize the search warrant preparation checklist to assist them in making the determination whether or not to request a T.E.T.

The responsibility for requesting a T.E.T. rests upon the concerned incident commander.

The extent of scouting of a location, and the preparations made for entry will be contingent upon the facts at hand and based upon the approval of the incident commander. Except where special circumstances are present, the Special Enforcement Bureau's responsibility shall be limited to location entry and clearance. Thereafter, involved host unit personnel shall be responsible for the actual search for and retrieval of evidence, arrests, and report writing.

Contact S.E.B. for clarification if there is any doubt regarding the appropriate level of support necessary to safely execute an operation.

The responsibility for deciding whether or not unit-level personnel will execute the search operation rests with the concerned incident commander.

Moderate Risk

Moderate risk search operations are defined as having one or two of the hazards associated with high risk operations. Moderate risk search operations require the following:

- A signed ramey or search warrant at the time of service (except probation and parole searches), a signed Entry and Search Waiver, SH-R-410, (in the case of a consent search), or an audio/video taped verbal consent;
- Service by bureau or station-level personnel;
- Notification to concerned unit commander for operations involving two or more locations;

- Incident commander shall be of the permanent rank of sergeant or above; and
- Operations plan requirement may be waived by the incident commander.

Lower Risk

Lower risk operations are defined as follows:

- Having none of the risk factors associated with high risk operations; and;
- Generally restricted to crime scene investigations and business record searches.

Lower risk search operations require the following:

- “Lower risk” classification must be approved by the incident commander in the case of a search warrant;
- Operations plan requirement may be waived by incident commander;
- Pre-search and post-search video taping not required if no physical search is involved, such as the voluntary surrender of business records; and
- May be served by as few as two station or bureau-level deputies except in cases involving third party business records searches (e.g., telephone company records; internet service provider records). In those cases, only one deputy is necessary.

An incident commander is defined as an individual holding the permanent rank of sergeant or above. The incident commander shall be an individual holding the permanent rank of lieutenant or above whenever the following conditions exist:

- Any operation involving the use of SEB personnel;
- Out-of-county search operations conducted ten (10) miles beyond the county border (except those assessed as lower risk); and
- Whenever a search operation is expected to result in an evidence seizure valued at $10,000 or more.