

04-04 Warrant Service and Document Retention



LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

DETECTIVE DIVISION

FRAUD & CYBER CRIMES BUREAU

Bureau Order Number: 04-04

Subject: WARRANT SERVICE and DOCUMENT RETENTION PROCEDURES

Effective Date:	May 1, 2001	Last Date Revised	October 20, 2020
Date Reviewed:	October 20, 2020	Next Review Date:	October 20, 2021

PURPOSE

The purpose of this order is to establish baseline operational and document retention procedures for the service of search and/or arrest warrants by personnel assigned to the Fraud & Cyber Crimes Bureau. This order is not allinclusive. It shall be the responsibility of all investigators and supervisors involved in search operations to become familiar with MPP 5-09/465.00- Search Operations.

GENERAL GUIDELINES

The entire search warrant documentation including search warrant, the operations plan, the search warrant preparation check list etc., shall be provide to the Bureau Commander or his designee for approval at least 24 hours prior to the service of the search warrant, unless otherwise dictated by the Incident Commander.

On large scale multi-location search operations, it is recommended that the Bureau Commander received the documents within 72 hours prior to the operation taking place.

Personnel taking part in a search operations shall be guided by the above referred section.

RECORD RETENTION AND "STORAGE PROCEDURES"

At the conclusion of the search operations, the team sergeant shall be responsible for the original audio/video documentation, and shall ensure that the file number and date is written on the CD's. The investigator shall attach the Search Warrant Documentation Checklist (SH-AD-689) to the outside of a 9x12 manila envelope (Search Warrant Retention Package). The envelope shall contain

the following:

- Original entry and after search video/audio tape(s),
- Original search warrant checklist (RIB),
- Original operations plan,
- Original briefing roster,
- Copies of the first and supplemental reports,
- Copy of the search warrant and search warrant affidavit,
- Copies of receipts for property/money,
- Copies of computer checks (if applicable), □ Copies of the scribes notes, □ Sketch of location.

Search Warrants for phone records, bank records, etc, (mailed or faxed warrants) do not require a warrant package.

The search warrant retention package shall be reviewed and signed off by the team sergeant and lieutenant before being given to the Operations Sergeant for filing. All packages will be maintained for five years. The following shall also be adhered to:

- All signatures and initials that are pre-typed or stamped, require a written signature or initials.
- The shaded box on page 2 of checklist must be completed by I/C or I/O for "Records Only" warrants.
- I/O must initial when "Records Only" box is checked.
- Document inside an envelope should be in order listed on front cover.
- Cover sheet (SH-AD-689) must have written signature and date of reviewing supervisor.

It shall be the responsibility of the team sergeant and lieutenant to ensure all search packets are accounted for and turned into FCCB Operations in a timely manner. Because FCCB investigations are typically complex in nature and often require forensic examination of computer equipment, investigator should attempted to have all packets turned into their team sergeant in a timely manner. As a standard practice, investigators should have all packets turned into their team sergeant within 30 days of a search operation, The team lieutenant shall be notified of search packets that need an extension past 30 days.

The Operations Sergeant is responsible for the centralized storage and filing of all search operations packets upon receipts of the final package from the team sergeants,

ARREST WARRANTS

The service of an arrest warrant is generally more of a fluid situation than a search warrant and Department requirements for an arrest warrant service is not as specific. Therefore, the following guidelines shall be followed by personnel involved with the service of an arrest warrant:

Verif Warrant:

Prior to the service of an arrest warrant, the originating agency and the validity of the warrant shall be verified.

Notifications:

Personnel shall notify the local sheriff's station or police agency having jurisdiction over the area in which the warrant is to be served prior to the actual service of the warrant.

Back round Check:

A background check on the suspect shall be made, and the potential for violence evaluated with input from the team sergeant. At a minimum, the work-up shall include:

- RAPS or RAPS1, if CII number is known
- LARCIS
- SPSR
- CCHRS
- WPS
- SRF
- ROS
- JAI (optional, depending if juvenile history would be useful)

The list above is only a baseline requirement. Individual investigators may find it appropriate to query other systems as a part of their investigation. Should that option be pursued, copies of all queries shall be incorporated in the case folders

Assess the Potential for Violence:

If the potential for violence appears to be significant, consideration shall be given to requesting the warrant be served by the Special Enforcement Bureau, Per the Warrant Check List.

Incident Command:

Low Risk Warrant services, with prior approval from the team sergeant, shall be accomplished with a minimum of two sworn personnel; (unless faxed) one of whom shall be designated as the Investigating Officer (I/O), and another as the

Communications Officer (C/O). In the event the incident goes "hot" the I/O shall be the Incident Commander pending the arrival of a FCCB Bureau supervisor, or being relieved of incident command according to Department procedures. Low Risk Warrants are generally for phone or bank records. Personnel working in a task force operation shall clarify under whose authority the warrant is being served, and identify which agency and person is in charge of the activity. In the event of an unusual occurrence during the service of the arrest/search warrant, the lead agency for the warrant service shall be deemed in charge and will be responsible for decisions and management/control of the situation.

Notifications:

Personnel shall notify the local sheriff's station or police agency having jurisdiction over the area in

which the warrant is to be served prior to the actual service of the warrant.

When conducting a surveillance and the suspect's location has been established, the I/O involved in the investigation shall cause a notification to the local sheriff's station or police agency having jurisdiction in the area that an active investigation is taking place. If time permits, the sheriff's station or local police agency shall be notified prior to actually making the arrest. However, should the situation evolve so quickly that a prior notification is not reasonable, the locals shall be notified at the conclusion of the incident that the suspect is in-custody and an investigation is no longer being conducted in their area.

Personnel making the warrant service shall ensure that their team lieutenant is kept informed of their activities and the general area in which the investigation is being conducted.
