


Warrant Service

607.1 POLICY HEADER

Original Effective Date:	Revised Date:
September 1, 2021	January 4, 2023
<p>Authorization:</p>  <p>Jason Haberman Chief of Police</p>	

607.2 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

607.3 POLICY

It is the policy of the Mt. Lebanon Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

It is the policy of the Mt. Lebanon Police Department that certified officers execute arrest warrants.

607.4 OPERATIONS DIRECTOR

The case officer shall review all [risk assessment forms](#) with the involved supervisor to determine the risk level of the warrant service.

The supervisor will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

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607.5 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor for review and classification of risk (see the Operations Planning and Deconfliction Policy).

607.6 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the Duty Officer, after consultation with the involved supervisor. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

When an arrest is made with a warrant, the arresting officer should have confirmation of the actual existence of the warrant, the warrant in their physical possession at the time of the arrest or have the warrant so near at hand that it can be exhibited upon demand.

607.7 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.

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- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Information Policy).

607.8 HIGH-RISK WARRANT SERVICE

The Duty Officer or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

607.9 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

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As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

607.10 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

607.10.1 RECORDS

Mt. Lebanon Police Department will maintain records relating to legal process activities and on attempts to serve legal process. Records that should be maintained include:

- (a) Legal process records, including:
 - (a) The type of legal process and the nature and source of the document (e.g., arrest warrant, search warrant).
 - (b) The court docket number, warrant number or other identifying number and the names of the plaintiff/complainant or the defendant/respondent.
 - (c) The date of assignment to an officer for service and the name of the officer so assigned.
 - (d) The date the process was received by the Department and the date service is due or was actually served.
- (b) Execution or attempts at service records, including:
 - (a) The date and time of the execution or attempted service.
 - (b) The address of execution or attempted service.
 - (c) The name of the officers executing or attempting service and the method of service or reason for non-service.
 - (d) The name of the person on whom legal process was served.

The Investigative Services Unit supervisor will assign a member of the ISU to maintain the warrant file as the "warrant control officer."

607.11 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the Watch Commander. The Watch Commander should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The Watch Commander should ensure that members of the Mt. Lebanon Police Department are utilized appropriately. Any concerns regarding the requested use of Mt. Lebanon Police Department members should be brought to the attention of the Duty Officer

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or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance. Any additional charges resulting from the execution of the search warrant shall be initiated by the Mt. Lebanon Police Department.

If officers intend to serve a warrant outside Mt. Lebanon Police Department jurisdiction, the supervisor should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Mt. Lebanon Police Department when assisting outside agencies or serving a warrant outside Mt. Lebanon Police Department jurisdiction.

607.12 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

607.13 TRAINING

Officers should receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

Attachments

Risk Assessment Matrix (01).pdf



RISK ASSESSMENT MATRIX

Risk Assessment is based on facts and circumstances known to police regarding suspect(s). Check (X) a maximum of one block in each of the six categories (the block with the greatest score applicable to the subject/location). Tally the "score" to determine suggested service level. **NOTE:** The Matrix is to be used as a "tool" in the decision making process when considering CIRT Activation.

POINTS	FACTS	X	SCORE
Search Warrants			
0	Search Warrant is for evidence of crime against property		
2	Search Warrant is for drugs		
3	Search Warrant is for evidence of crime against person		
4	Search Warrant is for weapons		
Arrest Warrant			
1	Arrest Warrant is for property crimes		
2	Arrest Warrant is for crimes against person		
3	Arrest Warrant is for drug possession/distribution		
4	Arrest Warrant is for weapon violations		
Criminal History			
1	Subject of warrant has property crime history only		
2	Subject has history of crime against persons (simple assault, domestic, etc)		
3	Subject of warrant has history/arrest/involvement of drug/drug deliveries		
5	Subject of warrant has made statements regarding resisting apprehension/search		
7	Subject of warrant has violent criminal history (robbery, rape, aggravated assault, etc)		
9	Subject of warrant has used weapons (not firearms) during the commission of crimes		
10	Subject of warrant has used firearms during the commission of crimes		
Entry			
1	Service of warrant requires minimal forced entry		
5	Service of warrant requires use of ram, sledgehammer or other similar devices		
10	Location is fortified or the subject has "guard dogs" or counter surveillance or monitoring equipment in place		
Weapons			
5	Believed that firearms are readily available to suspect at location of warrant		
6	Intel indicates subject of warrant normally armed with a weapon (not firearm)		
8	Subject of warrant known to carry firearms on person or has been arrested for VUFA		
10	Subject of warrant is always armed.		
Note: If a fully automatic weapon has been identified as used in the commission of the crime or the subject has access to an automatic weapon and this information has been confirmed, CIRT will serve the warrant.			
Miscellaneous			
5	Subject of warrant has association affiliation (gang, extremist, etc)		
6	Subject of warrant has history of mental/psychological instability		
9	Subject of warrant has history of assaults or resisting arrest offenses against police		
Total Points			

SERVICE LEVEL	
Note: Prior to contacting CIRT Command, approval must be granted by the requesting department's Chief of Police or his designee.	
0 – 18 pts	Service/Execution may be handled by respective police agency
19 – 29 pts	Consultation with CIRT Command is a consideration for service.
30 + pts	Consultation with CIRT Command is required for service.
All Warrants shall have a "Risk Assessment" completed prior to service of the warrant unless exigent circumstances exist for immediate service. Copies of ALL completed "Risk Assessments" shall be given to and reviewed by the CIRT Commander or his designee within 24 hours of warrant service. Copies should include the warrant to be served, criminal history synopsis, location information, and any other pertinent information used in completing the "Risk Assessment".	