



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Search Warrant Service

Eff. Date 01/31/2023

Search warrants will only be sought where probable cause exists to believe that evidence, contraband, or a person for whom an arrest warrant exists is in the location named in the warrant. Command approval is required prior to seeking a search warrant for any building, dwelling, or other occupied premises. Command approval is not required to apply for a search warrant for property or vehicles that are already in Madison Police Department (MPD) custody/control, or for premises that are already occupied and controlled by MPD personnel.

All search warrants requiring any type of tactical/forcible entry will be planned and serviced as knock and announce warrants by MPD Special Weapons and Tactics (SWAT) personnel. The following process will be utilized:

1. The District/Team/Work Unit wanting to serve the search warrant obtains permission from their command staff to proceed with the search warrant planning process. The appropriate Assistant Chief will be notified.
2. District/unit commander or designee contacts an MPD SWAT commander or supervisor to request assistance with warrant planning and service. The MPD SWAT Search Warrant Request Summary form will be completed and provided to District and SWAT Command. A SWAT supervisor will be designated to coordinate the planning process.
3. The district/unit commander or designee will assist SWAT in the planning process as needed (providing intelligence/information, assisting with threat assessment, etc.).
4. SWAT personnel will plan and serve the warrant. District/unit personnel may be requested to assist with the tactical plan (stop cars, etc.) and will be responsible for the post-entry investigative aspect of the warrant. District command staff will coordinate post-warrant communication with the neighborhood/community as appropriate (based on investigative needs, impact on the area, visibility of the tactical operation, etc.).
5. MPD Personnel should not apply for no-knock search warrants that will be served by MPD SWAT.

The threat assessment/planning process will dictate the number of personnel, equipment, and tactics to be used during warrant service. All personnel directly involved in a search warrant operation will be in uniform or otherwise clearly identifiable as police. The operational plan and tactics utilized will be consistent with MPD SWAT training and procedures and with best practices. Operational planning for search warrant service will focus on mitigating risk to officers, suspects, and community members.

### Unknown Risk and High-Risk Warrants

SWAT assesses warrant service as either unknown risk or high-risk. Regardless of known or perceived risk factors, and whether or not the warrant is deemed to be high-risk or unknown risk, **MPD SWAT will utilize knock and announce practices on all warrant service.** The use of knock and announcement is based on guidance and best practices provided by the National Tactical Officers Association (NTOA) and is congruent with MPD's and SWAT's safety priorities.

### Knock and Announce

Officers must knock and announce prior to entering the dwelling. The team leader is responsible for performing the knock and announce function and for notifying dispatch or the Command Post of such, or designating another officer to do so.

When knocking and announcing, officers must provide notice to anyone inside the residence, including verbal and physical announcements/notifications, including use of a public address device (PA), police sirens, knocking on the door to the dwelling, and other means and mechanisms in order to announce their presence and purpose. The knock and announcement must be reasonably audible to persons inside the dwelling. It is only necessary to knock and announce once per dwelling.

After knocking and announcing, officers must wait a reasonable amount of time for the occupants to allow entry. If a reasonable amount of time passes and officers are not allowed in, entry may be forced. What constitutes a reasonable time is primarily dependent on the time of day the warrant is served and the size of the residence.

If occupants refuse to comply with officers, or if there is no response, a forcible breach of the residence may be authorized by the Command Post.

Should a forcible breach be authorized, MPD SWAT may employ a variety of tactical methods and equipment in order to serve the warrant while minimizing risk to uninvolved subjects, officers, and suspects.

### *High-Risk Warrant Service*

High-Risk Warrants typically involve a greater investment of police personnel and utilization of additional equipment and resources in order to address and/or mitigate the various risk factors.

The following factors should be considered when evaluating whether service of a particular warrant is high-risk:

- Presence of firearms at the location to be searched
- Presence of other weapons posing a risk to officers at the location to be searched
- History of firearm possession/use on the part of suspects or others who may be present at the location to be searched
- History of possession/use of other weapons on the part of suspects or others who may be present at the location to be searched
- History of violence on the part of suspects or others who may be present at the location to be searched (includes any history demonstrating a risk/threat to officers)
- History of resisting officers on the part of suspects or others who may be present at the location to be searched
- Presence of dangerous dogs at location to be searched
- Fortifications
- Look outs
- Other specific dwelling issues (size of dwelling, location, etc.)
- Video surveillance

### *Waiver of Knock and Announce Requirement*

Under certain circumstances, the requirement to knock and announce may be waived. During warrant service where information and/or observation indicate that the situation has transitioned into a hostage situation or active shooter, there is no requirement to knock and announce prior to making entry. It is also understood that in a fluid and dynamic tactical environment, there may be other circumstances that justify waiver of the knock and announce requirement; however, for most circumstances, a tactical disengagement and other efforts aimed at avoiding the compression of time is the appropriate response.

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