


<b>PBP FORM 290</b>  <b>PITTSBURGH BUREAU OF POLICE</b> <i>"...honor, integrity, courage, respect, and compassion."</i>		<b>SUBJECT:</b> <b>"WARRANT SERVICE"</b>	<b>ORDER NUMBER:</b> <b>45-03</b>
		<b>PLEAC STANDARD:</b> <b>1.2.3, 1.2.6, 2.7.1, 2.72</b>	<b>PAGE 1 of 5</b>
<b>ISSUE DATE:</b> <b>11/06/2024</b>	<b>EFFECTIVE DATE:</b> <b>11/06/2024</b>	<b>REVIEW MONTH:</b> <b>NOVEMBER</b>	<b>RESCINDS:</b> <b>N/A</b>
		<b>REVIEW DATE:</b> <b>N/A</b>	

## **1.0 PURPOSE AND SCOPE**

- 1.1 This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this Bureau. 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.
- 1.2 This policy does not address or apply to the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

## **2.0 POLICY**

PLEAC 2022 - 2.7.2 (f) PLEAC 2023 - 2.7.2 (f) PLEAC 2024 - 2.7.2 (f)

- 2.1 It is the policy of the Pittsburgh Bureau of Police to balance the safety needs of the public, the safety of Bureau 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 Pittsburgh Bureau of Police that certified officers execute arrest warrants.
- 2.2 When feasible, a supervisor of the authoring officer(s) should be present at all warrant services.
- 2.3 A supervisor of the officer(s) authoring a search warrant shall be present at its service when entry is being made into an already non-secured residence.

## **3.0 THREAT ASSESSMENT MATRIX**

- 3.1 A Threat Assessment Matrix will be completed for all search/arrest warrants.
- 3.1.1 The Tactical Operations Sections (TOS) will be consulted if the completed Threat Assessment Matrix has a value of 30 or greater.
- 3.1.2 The TOS may be consulted if the Threat Assessment Matrix has a value of 29 or less.
- 3.1.3 If the value is 29 or less and/or the decision not to use SWAT is made, the completed Matrix is to be e-mailed to the TOS at [tos@pittsburghpa.gov](mailto:tos@pittsburghpa.gov) to be filed for tracking purposes.
- 3.4 The TOS will be responsible for coordinating the service of all high-risk warrants. *(See Section 7.0)*

## **4.0 SEARCH WARRANTS**

- 4.1 Officers should receive authorization from a supervisor before preparing a search warrant application.
- 4.2 Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed.

## **5.0 ARREST WARRANTS**

- 5.1 An officer should complete the risk assessment form and submit it to the appropriate supervisor and the TOS or their authorized designee for review and classification of risk.

5.2 If the warrant is classified as high risk, service will be coordinated by the TOS.

5.3 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.

## **6.0 WARRANT PREPARATION**

Best Practice PLEAC 2023 - 2.7.1 (a), 2.7.1 (b), 2.7.1 (c), 2.7.1 (d), 2.7.1 (e)

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

6.1.2 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.

6.1.3 A clear explanation of the affiant's training, experience and relevant education.

6.1.4 Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

6.1.5 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.

6.1.6 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.

6.1.7 A specific description of the location to be searched, including photographs of the location, if reasonably available.

6.1.8 A sufficient description of the items to be seized.

6.1.9 Full disclosure of any known exculpatory information relevant to the warrant application.

## **7.0 HIGH-RISK WARRANT SERVICE**

7.1 The TOS 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:

7.2 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.

7.4 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.

7.5 Reasonable efforts are made during the search to maintain or restore the condition of the location.

7.6 Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

7.7 Reasonable care provisions are made for children and dependent adults.

7.8 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.

7.9 A copy of the search warrant is left at the location.

7.10 The condition of the property is documented with video recording or photographs after the search.

## **8.0 MANNER OF ENTRY INTO PREMISES**

PLEAC 2024 - 1.2.6 (b), 1.2.3 (d), 1.2.6 (a)

8.1 If exigent circumstances arise at the scene prior to the officers knocking and announcing their presence or if doing so would create an imminent threat of physical violence to the officer or another person or exceptions to the knock and announce rule as set forth in 234 Pa. Code Rule 207 are present or arise which require the officer's immediate forcible entry then those articulable facts shall be documented in all required reports along with the officer's attendant actions.

8.2 In all other cases, officers shall knock and announce their presence before making entry into any structures not open to the public. The manner of entry will always be consistent with 234 Pa. Code Rule 207. After knocking and announcing, officers shall wait:

- A reasonable amount of time as per 234 Pa. Code Rule 207 and/or,
- A minimum of fifteen (15) seconds as per the *Home Rule Charter* Article 10 § 1001.

If the officer is not admitted after such reasonable period, the officer may forcibly enter the premises and may use as much physical force to effect entry therein as is necessary to execute the search, unless exigent circumstances require the officer's immediate forcible entry.

8.3 When executing any warrant at a premises, a law enforcement officer shall be in uniform or otherwise be wearing clothing that makes the law enforcement officer clearly and immediately identifiable as a law enforcement officer.

8.4 All members shall adhere to General Order 69-03 "*Body Worn Camera and Mobile Video/Audio Recording and Digital Evidence Storage Systems*" § 8.1.5.1 during warrant services.

## **9.0 DETENTIONS DURING WARRANT SERVICE**

9.1 Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on the circumstances and facts present, it may be appropriate to control the 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).

9.2 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.

9.3 Officers should accommodate the medical, safety, privacy, and personal needs of detained people when and to the extent reasonable.

## **10.0 ACTIONS AFTER WARRANT SERVICE**

10.1 The officers and supervisor shall ensure a copy of the warrant and affidavit are left at the location. Also, if applicable, a list is made of all items seized, and a copy/receipt is provided to the person in charge of the premises if present, or otherwise, these items are left in a conspicuous place.

10.2 The officers and 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. Officers and supervisors shall ensure all required reports related to the execution of a warrant is completed in a timely manner.

## **11.0 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS**

11.1 The appropriate Commander will ensure that cooperative efforts with other agencies in the service of warrants

conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- 11.1.1 Identity of team members
- 11.1.2 Roles and responsibilities
- 11.1.3 Familiarity with equipment
- 11.1.4 Rules of engagement
- 11.1.5 Asset forfeiture procedures
- 11.2 Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the appropriate Commander. The appropriate 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 appropriate Commander should ensure that members of the Pittsburgh Bureau of Police are utilized appropriately.
- 11.3 Any concerns regarding the requested use of Pittsburgh Bureau of Police members should be brought to the attention of the Chief of Police or the authorized designee.
- 11.4 The actual service of the warrant will remain the responsibility of the agency requesting assistance.
- 11.5 If the appropriate Commander is unavailable, the Zone Commander or the most senior shift supervisor should assume this role.
- 11.6 If officers intend to serve a warrant outside the Pittsburgh Bureau of Police jurisdiction, the appropriate Commander or their senior leadership designee 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.
- 11.7 Officers will remain subject to the policies of the Pittsburgh Bureau of Police when assisting outside agencies or serving a warrant outside the Pittsburgh Bureau of Police jurisdiction.

## **12.0 MEDIA ACCESS**

- 12.1 No advance information regarding warrant service operations shall be released without the approval of the Chief of Police or their designee.

## **13.0 DOCUMENTATION**

- 13.1 Documentation related to the service of a warrant shall be maintained in accordance with the established records retention schedule.

## **14.0 RECORDS**

PLEAC 2024 - 2.7.1 (a), 2.7.1 (b), 2.7.1 (c), 2.7.1 (d), 2.7.1 (e), 2.7.1 (f), 2.7.1 (g), 2.7.1 (h), 2.7.1 (i), 2.7.2 (a), 2.7.2 (b), 2.7.2 (c), 2.7.2 (d), 2.7.2 (e)

- 14.1 The Bureau shall maintain records relating to legal process activities and on attempts to serve legal process. Records that should be maintained include:
  - 14.1.1 Legal process records, including:
    - 14.1.2 The type of legal process (criminal or civil) and the nature and source of the document (e.g., arrest warrant, involuntary commitment, Protection from Abuse (PFA) Order).
    - 14.1.3 The court docket number, warrant number, or other identifying number, and the names of the plaintiff/complainant or the defendant/respondent.
    - 14.1.4 The date of assignment to an officer for service and the name of the officer so assigned.

14.1.5 The date the Bureau received the process and the date service is due or was actually served and execution or attempts at service records, including:

14.1.5.1 The date and time of the execution or attempted service.

14.1.5.2. The address of execution or attempted service.

14.1.5.3 The name of the officers executing or attempting service and the method of service or reason for non-service.

14.1.5.4 The name of the person on whom the legal process was served.

## **15.0 TRAINING**

15.1 The Director of the Training Academy should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service, and reporting.

Approved by:

A handwritten signature in blue ink, appearing to read "C. Ragland", with a date stamp "#3679" written below it.

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Christopher D. Ragland  
Acting Chief of Police