



# SACRAMENTO POLICE DEPARTMENT

## OFFICE OF INVESTIGATIONS



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### 526.01 PREPARING AND SERVING SEARCH WARRANTS 04-06-94

#### **PURPOSE**

To establish procedures for preparing and serving search warrants.

#### **POLICY**

That the privacy and security of persons and property not be the subject to entry, search, or seizure by a member of the Sacramento Police Department without legal duty or authority.

#### **PROCEDURES**

##### **A. INVESTIGATOR'S RESPONSIBILITIES:**

1. The investigator obtaining a search warrant shall conduct a thorough investigation to ensure that there is probable cause to believe the facts and circumstances are true and correct.
2. When the search warrant is based on information from an informant, a controlled buy, or another third party, the investigator shall check the accuracy of the information and obtain other important facts (i.e. occupants, weapons, children, dogs, etc.). The information shall be corroborated. Corroboration includes, but is not limited to:
  - a. Utility checks on suspect residence. Do names match suspect name provided by informant?
  - b. Registration on vehicles at residence or place to be searched. Are registered owners known criminal offenders?
  - c. Driver's license and record checks on suspect(s) named by informant.
  - d. Check description of premises to be searched to see if it matches.
  - e. Drive by, walk by residence or premises with informant to verify location.
  - f. Does informant's information corroborate information already known to investigator?
    - (1) Prior reports or complaints.
    - (2) Information from other officers or informants.
  - g. Surveillance of residence or place to be searched for inordinate traffic and/or arrival/departure of known criminal/offenders.
3. Prior to obtaining the search warrant, the investigating officer shall discuss the facts and circumstances of the investigation with their supervisor.

##### **B. SUPERVISOR'S RESPONSIBILITIES:**

1. Before the search warrant is submitted the investigator's supervisor, he/she shall review the facts, circumstances and corroboration. If the facts, circumstances, and corroboration do not sufficiently identify the person/place to be searched, or there is insufficient corroboration, further investigation shall be directed.
2. Before serving the search warrant, the investigating officer's supervisor shall review the investigation and corroboration, and personally compare the place to be searched with the description contained in the search warrant.
3. Plan the service of the search warrant so the correct location is entered and searched.
4. A complete address shall be verified by the supervisor requesting the search warrant.
  - a. If a rear door is entered in an apartment complex, some verification shall be made to tie it to the correct front door, or the search warrant shall not be requested.
  - b. The intended result does not justify the risk of subjecting possible innocent parties to the trauma of a forced entry made in error.
5. If the wrong location is entered, the supervisor shall immediately notify the section lieutenant.
  - a. A written report shall be submitted to the section lieutenant no later than the next working day.

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- b. The section lieutenant shall immediately notify the Office Chief, Office of Investigations (OOI), and forward a copy of the written report to the Office Chief upon receipt.
- C. Refer to the Department's Search Manual, RM 526.02, which further explains issues addressed in this order.