



Kern County Sheriff's Office
Investigations Division

TITLE: Search Warrants		NO: A-500	
APPROVED: Commander Raul Murillo			
EFFECTIVE: 05/15/2008	REVIEWED: 03/24/2023	REVISED: 12/18/2019	UPDATED: 03/24/2023

POLICY

Search Warrants are a valuable tool for investigators. Statutes and Case Laws have been established to govern the request, service and return of search warrants. It is the policy of the Investigations Division to comply with all legal mandates pertaining to search warrants and execute the warrants in the safest manner possible for the community and officers involved. To assist in meeting this policy, the following guidelines and directives have been established for the Detectives Section.

DIRECTIVE A

All search warrants will be reviewed and approved by an Investigations Division Sergeant prior to being submitted to a judge for approval.

In cases where entry into a residence or business will result in the physical seizure of persons and property, an Investigations Division Sergeant will be assigned to supervise the pre-planning and will be present during the execution of a search warrant.

- This does not apply to warrants executed via electronic means, which are not physically intrusive and do not require a forced entry.
 - For example, emailing a search warrant to a corporation to produce records.

DIRECTIVE B

Any resources outside this division will be requested through a Sergeant. The Commander will be consulted for major resource requests by the Sergeant.

PROCEDURE A

When used properly, an Operational Plan will help in assessing the known variables in an investigation and developing a plan to carry out law enforcement actions in a manner that minimizes risk to all involved. Operational Plans are discoverable in both criminal and civil court. It is important to provide thorough and detailed information in the Operational Plan to help establish the mindset of the investigators involved in the operation, as well as the steps taken to prevent/mitigate injuries and/or property damage.

DIRECTIVE C

An Operational Plan shall be fully completed prior to each planned operation involving all large-scale enforcement efforts or the service of any search warrants and/or arrest warrants. All involved personnel should have as much information as possible and be able to refer to the Operational Plan for answers. The Operational Plan shall clearly define the roles and responsibilities of involved personnel.

DIRECTIVE D

The lead detective is responsible for distributing the Operational Plan, and all associated documents, to all members involved in the operation. The lead detective is responsible for having the Operational Plan completed thoroughly with all associated documents attached (e.g. SWAT Matrix, Maps, Photos, etc).

DIRECTIVE E

A supervisor of the rank of sergeant or above shall review all Operational Plans. The Division Commander, or his/her designee, will also review and approve all Operational Plans. The assigned supervisor will be tasked with the coordination and direction of the Operational Plan.

The supervisor will sign each approved Operational Plan. The Detectives Section Lieutenant or Investigations Division Commander may approve Operational Plans via email in the event they are unable to physically sign the Operational Plan. When this occurs, an electronic signature may be added, and a digital copy will be sent back to the supervisor. In the event an electronic signature is not possible, the supervisor will save the email documenting the approval and attach it to the original Operational Plan.

The supervisor will retain all original signed and approved Operational Plans. These operational plans shall only be destroyed in accordance with the County's policy pertaining to records destructions.

DIRECTIVE F

All involved personnel will make every effort to attend operational briefings. During briefing, all involved personnel will review the Operational Plan, as well as any associated search warrants. If any members assigned a crucial role (e.g. entry team, rescue team, or arrest team) miss briefing, they shall be reassigned to another position or team that is not a key role. It is the supervisor's discretion as to whether any member who misses briefing will be removed from the operation entirely, as a precautionary measure.

DIRECTIVE G

A risk assessment will take place during the preparation of all Operational Plans. That risk assessment, at a minimum, will include the completion of the Kern County Sheriff's Office SWAT matrix (DPPM H-110 SWAT Critical Incidents Attachment #A). If, after completing the SWAT Matrix, the cumulative score is a 15 or more, the SWAT Commander shall be consulted.

The date and time of this consultation should be noted in the Operational Plan. Additionally, a notation should be made in the Operational Plan if there is any knowledge pertaining to children or non-suspects residing in the residence.

DIRECTIVE H

If the SWAT team or an element of the SWAT team is utilized as part of the operation, they shall prepare their own Operational Plan, complete with assignments and contingency plans.

OPERATIONS WITH ALLIED AGENCIES:

DIRECTIVE 1

All Investigations Division personnel involved in an allied agency's pre-planned operation will be included in that agency's Operational Plan. If the allied agency does not complete their own Operational Plan, Investigations Division personnel will create an Operational Plan using a Kern County Sheriff's Office approved Operational Plan. All Kern County Sheriff's Office personnel's specific rolls and responsibilities shall be specified within the Operational Plan.

The Detective Section Lieutenant, Investigations Division Commander, or their designee will approve all operational plans for allied agency operations.

If the SWAT team or an element of the SWAT team is utilized as part of the operation, they shall prepare their own Operational Plan, complete with assignments and contingency plans. The SWAT Commander shall be consulted and will approve the SWAT Operational Plan.