



SEARCH WARRANTS



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INDEX CATEGORY:	04 - Preliminary Investigations		
CALEA:			

I. PURPOSE

This directive:

- A. outlines the Department policy for developing, obtaining, reviewing, serving, and returning search warrants.
- B. defines terms associated with the development and service of search warrants.
- C. outlines the requirements and restrictions for No-Knock Search Warrants.
- D. discontinues the use of the Search Warrant Data form (CPD-41.703).
- E. introduces the Electronic Search Warrant (ESW) application, which is utilized to document the creation, submission, review, approval, and retention of the following Department forms:
 - 1. Search Warrant Development form (CPD-41.355);
 - 2. Risk Assessment for Search Warrant Service form (CPD-41.356);
 - 3. Search Warrant Pre-Service Planning form (CPD-41.357); and
 - 4. Search Warrant Post-Service form (CPD-41.358).
- F. provides for accountability measures when Department members develop, obtain, and serve search warrants.

II. DEFINITIONS

- A. **Affiant Department Member** – a Department member who affirms that the information contained in the statement of probable cause in the Compliant for Search Warrant (CCMC-1-219) is true.
- B. **John Doe** – an individual will be classified as a John Doe for the purpose of obtaining a search warrant when the individual:
 - 1. provides specific information concerning a criminal activity to a specific Department member or team;
 - 2. wishes to remain anonymous throughout the course of obtaining the search warrant;
 - 3. has not received monetary or other compensation for cooperation; and
 - 4. is presented to the judge approving the search warrant.
- C. **"No-Knock" Search Warrant** – allows law enforcement to enter a property without immediate prior notification to the residents, such as by knocking or ringing a doorbell pursuant to 725 ILCS 55/108-8.

NOTE: Only a judge may authorize a "no-knock" search warrant when there is a reasonable suspicion that knocking and announcing would be dangerous to the life or safety of the officers serving the warrant or another person.

- D. **Registered Confidential Informants (RCI)** – an individual will be classified as a Registered Confidential Informant (RCI) for the purpose of obtaining a search warrant when the cooperating individual:
1. voluntarily provides intelligence and information concerning criminal activity to a specific Department member or team;
 2. is registered as an RCI through the Bureau of Counterterrorism, and
 3. is eligible to receive compensation (e.g., monetary, prosecutorial considerations) for providing verified and documented intelligence and information to a specific Department member or team consistent with this directive, Department policy, and Bureau of Counterterrorism procedures.
- E. **Risk Assessment for Search Warrant Service form (CPD-41.356)** – a form designed to assess risk for Department members serving the search warrant, persons inside the location of the search warrant, and community members who may be nearby. The assessment includes, but is not limited to, an assessment of the subject(s) of the search warrant (e.g., suspected offense, weapon possession or use), location of the search warrant, and whether known vulnerable persons may be present.
- F. **Search Warrant** – a court order, approved and signed by a judge, authorizing and directing a law enforcement officer to search a specified premises, vehicle, dwelling, item, or under certain circumstances, a person, for evidence or items related to the commission of a crime. A search warrant is based on a sworn statement of probable cause from the affiant Department member and it describes the person, place, or items to be searched or seized.
- REMINDER:** Custodial searches, consensual searches, or protective pat-downs do not require a search warrant.
- G. **Search Warrant Development form (CPD-41.355)** – a form used to document information regarding the development of the search warrant and the investigation undertaken to establish and verify an assertion of probable cause. This includes the investigation into both the person(s), place(s), and item(s) described in the search warrant.
- H. **Search Warrant Post-Service form (CPD-41.358)** – a form used to document identified data to track and review the Department's search warrant practices, including the results of search warrants. This form will also facilitate the publication of the annual search warrant data and a thorough supervisory review of Department members' actions during the search warrant process, including identification of policy compliance, training opportunities, and disciplinary procedures.
- I. **Search Warrant Pre-Service Planning form (CPD-41.357)** – a form used to verify information obtained and documented in the development of the search warrant and to document the approval or denial from the appropriate reviewing attorney and judge. This form will also document the identification and allocation of resources for the service of the search warrant to ensure that Department members serve the search warrant safely and minimize risk to Department members, members of the community, and the subject(s) of the search warrant.
- J. **Unregistered Confidential Informant** – An individual will be classified as an Unregistered Confidential Informant (UCI) for the purpose of obtaining a search warrant when the cooperating individual:
1. voluntarily provides specific intelligence and information concerning criminal activity to a specific Department member or team;
 2. has given repeated, documented, and verified information concerning criminal activity to a specific Department member or team;
 3. **has not received** monetary or other compensation for cooperation; and
 4. **is not registered** with the Bureau of Counterterrorism.

- K. **Vulnerable Person** – an individual who is at a greater potential risk to experience trauma as a result of being present during a search warrant being served, including children, elderly persons, persons with physical, developmental, or intellectual disabilities, persons with mental health conditions, and persons with limited English proficiency.
- L. **Wrong Raid** – for the purposes of the Department serving or reviewing search warrants, a wrong raid is:
1. a search warrant that is served at a location that is different than the location listed on the search warrant; or
 2. an incident where a Department member serving a search warrant encounters, identifies, or should reasonably have become aware of circumstances or facts that are inconsistent with the factual basis for the probable cause documented and used to obtain the search warrant.

III. POLICY

- A. All Department members will treat all persons with the courtesy and dignity which is inherently due every person and will act, speak, and conduct themselves in a courteous, respectful, and professional manner, consistent with the Department directive titled "Protection of Human Rights."
- B. All Department members will act in accordance with the Constitution of the United States of America, including the Fourth Amendment, and will comply with the law and Department policy. Department members will develop, obtain, and approve search warrants only on the basis of an investigation establishing probable cause.
- C. The Chicago Police Department acknowledges that search warrants can be a traumatic experience to all persons involved, especially vulnerable persons. All Department members participating in serving a search warrant will exercise caution and use tactics to minimize this potential trauma and will protect and respect the rights of all individuals who are involved.
1. Consistent with the Department directive titled "De-escalation, Response to Resistance, and Use of Force," Department members are required to use de-escalation techniques to prevent or reduce the need for force, unless doing so would place a person or a Department member in immediate risk of harm or de-escalation techniques would be clearly ineffective under the circumstances at the time.
 2. Department members are responsible for the safety and security of persons in their custody. Department members are reminded that a person will be searched and restrained in such a manner as to prevent escape and to provide for the safety of the public, the person in custody, and the Department members involved. Consistent with the above requirement, when determining the appropriateness of applying handcuffs or other physical restraints, Department members will:
 - a. consider the totality of the circumstances, including, but not limited to, the nature of the incident and the person's age, physical size, actions, and conduct, when known or objectively apparent to the member, and
 - b. continuously assess whether such restraints are necessary to provide for the safety of the person, the Department member, or others.
 3. If forcible entry is required during the service of a search warrant, Department members will use only the amount necessary to gain entry, making every effort to leave the premises in the same condition as originally found.
 4. When serving a search warrant, Department members will take reasonable actions to accommodate for the religious beliefs of those present at the location of the search warrant consistent with the Department directive titled "Religious Interactions."

- D. Department members will only serve search warrants between the hours of 6:00 am and 10:00 pm (0600 and 2200 hours) when the search warrant involves real property or locations where occupants might be present, unless there are specific, articulable, and documented circumstances that necessitate the search warrant be served outside of these hours.
- E. Department members are prohibited from using their personal funds for the purchase of controlled substances or other items of contraband to establish the basis for the development and investigation of a search warrant.
- F. All Department search warrants will require approval by a sworn Department member the **rank of deputy chief or above**, including all search warrants for real property or locations where occupants might be present, with the following exceptions:
1. All search warrants classified as **John Doe or No-Knock warrants** will require personal review and approval by the submitting Department member's **bureau chief or above**, and not a designee.
REMINDER: The bureau chiefs authorized to review and approve John Doe or No-Knock search warrants are the chiefs of the Bureau of Patrol, Bureau of Detectives, Bureau of Counterterrorism, and Bureau of Internal Affairs.
 2. All search warrants that do not involve real property or locations where occupants might be present, including digital, electronic, or solely evidentiary (e.g., buccal swab) search warrants are required to be approved by a sworn Department member the rank of lieutenant or above, consistent with the Department directive titled "Electronic and Evidentiary Search Warrants."
- G. Department members will refer to the Department directive titled "[Electronic and Evidentiary Search Warrants](#)" for the full procedures on the investigation, development, approval, and service of digital, electronic, or solely evidentiary (e.g., buccal swab) search warrants that do not involve real property or locations where occupants might be present. The approval and service of digital and electronic search warrants will be governed by any additional requirements established and directed by their respective bureau chiefs, the State's Attorney's Office, and the approving judge.
- H. All search warrants submitted by Department members *for review (residential, electronic, evidentiary, etc.)*, including those returned unserved or that did not result in approval (Department, CCSAO, or Judicial) or the seizure of property, will be documented in the Electronic Search Warrant (ESW) application.
1. The affiant Department member submitting the search warrant for review is responsible for creating the search warrant record in the ESW application.
 2. The appropriate-level supervisors are responsible for documenting approval of the search warrant in the Electronic Search Warrant (ESW) application.
- I. **"No-Knock" Search Warrants**
1. **The Department will not utilize search warrants classified as "No-Knock" search warrants unless:**
 - a. there is a reasonable suspicion that knocking and announcing would be dangerous to the life or safety of the officers serving the warrant or another person; **AND**
 - b. the search warrant is personally reviewed and approved by the submitting Department member's bureau chief or above, and not a designee; **AND**
 - c. a judge authorizes the "No-Knock" search warrant.
- NOTE:** Only a judge may authorize a "No-Knock" search warrant when there is a reasonable suspicion that knocking and announcing would be dangerous to the life or safety of the officers serving the warrant or another person.

2. Prior to serving a "No-Knock" search warrant, the search team supervisor will ensure:
 - a. that a Special Weapons and Tactics (SWAT) supervisor is notified that a "No-Knock" search warrant has been issued pursuant to 725 ILCS 55/108-8 and request the SWAT Team service of the "No-Knock" search warrant.

NOTE: A SWAT team supervisor can be contacted at all times via the 24-hour SWAT desk, PAX 4344.

- b. that if an announcement and immediate prior notification to the residents was given prior to entry during the service of a search warrant approved as a "No-Knock" search warrant, the announcement and immediate prior notification will be documented on the Search Warrant Post-Service form (CPD-41.358).
- c. **Only the SWAT Team will serve "No-Knock" search warrants** when the Department enters a property without immediate prior notification to the residents, such as by knocking or ringing a doorbell pursuant to 725 ILCS 55/108-8.

IV. ACCOUNTABILITY

- A. **Ensure Compliance** — All Department members are obligated to ensure their compliance and the compliance of other Department members with Department regulations, policies, and the law, including during the development and service of search warrants. Consistent with the Department directive titled "[Complaint and Disciplinary System](#)," Department members will be held accountable for conduct that violates law, this directive, or other Department policy.

REMINDER: Department members are reminded that discipline, up to and including separation from the Department, may be administered for any misconduct or violation of policy.

- B. Consistent with the Department directive titled "[Complaint and Disciplinary System](#)," Department members will immediately notify a supervisor if they become aware of any wrong raid or any alleged, suspected, or apparent violations of the Rules and Regulations of the Chicago Police Department, directives, or orders by any sworn or civilian Department members while developing, reviewing, or serving a search warrant, including but not limited to submitting false reports while developing, reviewing, or serving a search warrant.
- C. When observing, being notified of, or becoming aware of alleged, suspected, or apparent violations of the Rules and Regulations of the Chicago Police Department, directives, or orders by any sworn or civilian Department member, Department supervisors will generate a Log Number in accordance with the Department directive titled "[Complaint Initiation and Log Number Investigation Assignment](#)," including identifying the accused members and the alleged, suspected, or apparent violations.
- D. **Retaliation Prohibited** — Consistent with the Department directive titled "[Prohibition of Retaliation](#)," Department members are prohibited from engaging in any form of retaliation, interference, intimidation, or coercion against Department members or members of the public for:
 1. reporting misconduct, including but not limited to the development or service of a search warrant in violation of this directive; or
 2. cooperating with any complaint or misconduct investigation.
- E. The Department will conduct a critical incident after-action review for search warrants identified as wrong raids or in other circumstances identified by the Superintendent, consistent with the Department directive titled "Search Warrant Post-Service Documentation and Review."

V. PERSONNEL REQUIREMENTS

- A. A sworn Department member of the **rank of lieutenant or above** will:
 1. be present on-scene and in overall command while serving the search warrant;

2. remain on-scene for the full duration of the search warrant being served, including the conclusion of all searches; and
 3. review all pre-service and post-service reporting requirements.
- B. A sworn member of the **rank of sergeant or above** will perform the functions of the search team supervisor and will:
1. oversee all pre-service planning requirements, including the documentation of the planning session for all search warrants involving real property or locations where occupants might be present utilizing the Search Warrant Pre-Service Planning form (CPD-41.357);
 2. be present and remain on the scene for the full duration of the search warrant being served; and
 3. oversee all post-service reporting requirements.
- C. A sworn member assigned to the search team will be designated by the search team supervisor to perform the functions of the evidence officer for every search warrant served.
- D. At least one sworn female and one sworn male Department member will be present and available for any search warrant assignment during the service of the search warrant, including for occupant security, pat-downs, and searches, consistent with the Department directives titled "[Processing Persons Under Department Control](#)" and "[Interactions with Transgender, Intersex, and Gender Nonconforming \(TIGN\) Individuals](#)."
- E. A Designated Crisis Intervention Team (CIT) Officer will be present during the service of all search warrants involving real property or a location where occupants might be present to ensure support is available as outlined in the Department directives titled "[Crisis Intervention Team \(CIT\) Program](#)" and "[Recognizing and Responding to Individuals In Crisis](#)."

VI. UNIFORM AND EQUIPMENT REQUIREMENTS

- A. At least one marked Department vehicle will be on the scene of the search warrant involving real property or a location where occupants might be present.
- EXCEPTION:** In unusual circumstances, the search team supervisor may request the authorization for an exception to the marked Department vehicle requirement from their exempt-rank unit commanding officer. The search team supervisor will be prepared to justify such a request for an exception (e.g., approach path is carefully guarded, necessitating covert approach to the premises; search team members must delay serving the search warrant until the arrival of a particular subject of the search warrant). The request and approval of the exception will be documented in the Search Warrant Pre-Service Planning form (CPD-41.357).
- B. All Department members on the scene of the service of a search warrant involving real property or a location where occupants might be present will wear a body-worn camera (BWC) and activate the BWC to event mode to record the service of the search warrant in accordance with the Department directive titled "[Body Worn Cameras](#)."
- C. For each search warrant being served, a minimum of two entry team officers will be attired in a Class A, B, or C field uniform of the day.
- D. All Department members serving a search warrant will be readily identifiable as Chicago Police Officers. Examples of when Department members are readily identifiable as Chicago Police Officers include, but are not limited to:
1. being attired in a Class A, B, or C uniform; or
 2. wearing of the specialized personal garments (i.e., Specialized Cap and Warrant Team Vest), in accordance with the provisions of this directive when not attired in a Class A, B, or C uniform.

- a. Specific units, designated by the appropriate bureau chief or exempt-rank Department member, will be authorized to wear specialized personal garments while serving search warrants or other Department-related duties.
- b. Department members authorized to wear specialized personal garments and not attired in Class A, B, or C uniform will wear the required specialized personal garments immediately prior to and while serving a search warrant.

EXCEPTION: In unusual circumstances, the search team supervisor may request the authorization for an exception to uniform requirements from their exempt-rank unit commanding officer. The search team supervisor will be prepared to justify such a request for an exception (e.g., approach path is carefully guarded, necessitating covert entry onto the premises; search team members must remain inconspicuous at the location and delay serving the search warrant until the arrival of a particular subject of the search warrant) and the request and approval of the exception will be documented in the Search Warrant Pre-Service Planning form (CPD-41.357).

E. Department members assigned to the Office of the Superintendent, the Bureau of Detectives, and the Bureau of Counterterrorism may be exempt from the uniform requirements with prior approval from the appropriate exempt-rank Department member. The approval of the exception will be documented in the Search Warrant Pre-Service Planning form (CPD-41.357).

F. Specialized Personal Garments

1. Descriptions of and authorizations for specialized personal garments are contained in the Department directive titled "[Departmental Specialized Personal Garments](#)." All districts and designated units are supplied an inventory of specialized personal garments (i.e., Specialized Cap and Warrant Team Vest) to be made available for serving search warrants.
2. Designated units will maintain a supply of specialized personal garments (i.e., Specialized Cap and Warrant Team Vest), for temporary distribution while serving search warrants.
 - a. Designated units within the Bureau of Detectives and Bureau of Counterterrorism include:
 - (1) each area headquarters; and
 - (2) units designated by the Chief, Bureau of Detectives, and Chief, Bureau of Counterterrorism.

NOTE: Specialized personal garments will only be issued directly to personnel assigned to units designated by the Chief, Bureau of Counterterrorism, in accordance with the Department directive titled "[Departmental Specialized Personal Garments](#)."

- b. Designated units within the Bureau of Patrol include:
 - (1) each district; and
 - (2) units designated by the Chief, Bureau of Patrol.
- c. Additional units will be designated by the appropriate bureau chief or exempt-rank Department member.
3. Designated unit supervisors are responsible for securing, distributing, and maintaining the unit supply of specialized personal garments for temporary distribution.
4. Search team members requiring temporary issuance of specialized personal garments will:
 - a. sign out the item on the Personal Equipment Log (CPD-21.919) at the unit issuing the item; and

- b. return the item to the issuing unit upon serving the search warrant.
5. The Equipment and Supply Section will maintain a supply of specialized personal garments for distribution to designated units that have personnel authorized to wear specialized personal garments.

VII. OUTSIDE AGENCY AND BOUNDARY CONSIDERATIONS

- A. A request for the Chicago Police Department to assist in a search warrant served by an outside local, state, or federal agency (e.g., multi-jurisdictional operations, multiple target locations) within the corporate limits of the City of Chicago will require the approval of the affected bureau chief or above.
 1. Assisting Chicago Police Department members serving a local search warrant for an outside agency:
 - a. will act in a perimeter and security capacity; and
 - b. will not participate in the entry process unless approved by the appropriate bureau chief.

NOTE: The Chief, Bureau of Counterterrorism, will coordinate with all other bureaus to ensure the availability of any necessary resources (e.g., SWAT, Canine Teams, Bomb Squad).

2. Upon approval, the approving bureau chief will ensure the appropriate Department personnel are assigned, including ensuring a sworn Department member of the rank of lieutenant or above is on-scene for the full duration of the search warrant being served. The sworn Department member of the rank of lieutenant or above will ensure:
 - a. all notifications are made prior to and at the conclusion of serving the search warrant;
 - b. that the Department search warrant service procedures are adhered to consistent with the Department directive titled "Search Warrant Service";
 - c. that a General Offense Case Report is completed in place of an ESW Application record, using the following classifications:
 - (1) IUCR Code 5080 for Other Non-Criminal Persons if there is a person involved, or
 - (2) IUCR Code 5081 for Other Non-Criminal Property if there is property involved.
 - d. the completed case report documents the Department members' actions during the service of the search warrant in the narrative portion of the case report, including but not limited to the documentation of the:
 - (1) name and agency of the requestor;
 - (2) name of the approving bureau chief or above;
 - (3) the members of the search team, including their unit of assignment and the personnel assignment for the service of the search warrant;
 - (4) Department member actions during the service of a search warrant consistent with the procedures outlined in the Department directive titled "Search Warrant Service";
 - (5) any pertinent pre-service and post-service warrant information; and
 - (6) search warrant service and target location entry, including the inventory of Department photographs of the target location documenting the result of Department actions (e.g., use of entry tools or distraction devices, Department member injury).

- B. Whenever a Department member wishes to obtain a search warrant to be served outside of Cook County **and** the search warrant is related to a criminal offense that occurred outside the jurisdiction of Cook County, the member will follow the procedures required by the Office of the State's Attorney of the affected jurisdiction in regards to preparing and serving the search warrant, processing of evidence, and prosecution.

NOTE: Department members obtaining a search warrant according to the procedures outlined above **are still required** to follow the provisions regarding Department supervisory review and approval and the procedures for documenting and serving search warrants.

- C. The Office of the Cook County State's Attorney will be contacted, according to the procedures outlined in the Department directive titled "Search Warrant Development, Review, and Approval," when Department members seek to obtain a search warrant for criminal activity that occurred within the City of Chicago, and a search warrant is sought for a location, either:

1. outside the corporate limits of the City of Chicago; or
2. outside the geographical boundaries of Cook County.

- D. Whenever possible, Department members who intend to serve a search warrant outside the City of Chicago should coordinate with the local jurisdiction to seek the assistance of local law enforcement personnel.

- E. Department members serving a search warrant outside the corporate limits of the City of Chicago will notify:

1. the designated unit supervisor/district station supervisor of the search team;
2. Crime Prevention and Information Center (CPIC); and
3. the local jurisdiction of the search warrant.

- F. Before serving the search warrant, members assigned to the Bureau of Patrol serving a search warrant outside of their district or area of assignment will seek approval from their area deputy chief, through their chain of command, and from the commander and area deputy chief of the district of service. The search team supervisor will ensure the following notification are made prior to serving the search warrant:

1. The Office of Emergency Management and Communications (OEMC) dispatcher;
2. The district station supervisor of the district of occurrence;
3. The designated unit supervisor/district station supervisor of the search team; and
4. Crime Prevention and Information Center (CPIC).

- G. Department members serving a search warrant outside of their district or area of assignment, including outside the corporate limits of the City of Chicago, will document the names of all approving supervisors, as well as all notifications, in the Search Warrant Post-Service form (CPD-41.358) including:

1. the approving area deputy chief within the affiant Department member's chain of command for search warrants served by Department members assigned to the Bureau of Patrol.
2. the approving commander and area deputy chief of the district of service for search warrants serviced by Department members assigned to the Bureau of Patrol.

VIII. DATA MAINTENANCE, RETENTION, AND TRANSPARENCY

- A. The Department will:

1. collect and maintain the data and records necessary via the ESW application to accurately review search warrants developed and served by Department members.

2. facilitate transparency and accountability regarding search warrants by electronically publishing annual search warrant data, including any identified patterns or emerging trends related to search warrants developed and served by Department members.
- B. The Commander, Strategic Initiatives Division, in coordination with the Office of Public Safety Administration, will ensure:
1. the ESW application is managed and maintained to reliably record and track all Department data reported and derived from search warrant incidents documented in the ESW application; and
 2. the Department data on search warrants contained in the ESW application are maintained and retained consistent with existing data retention procedures.
- C. The Audit Section, Professional Standards and Compliance Division, will be responsible for conducting relevant and requested audits of the Department's search warrants that will assess the extent that the Department is developing and serving search warrants and Department members are meeting the requirements of this directive, including the supervisory review and accountability measures.

(Items indicated by italic/double underline were added or revised)

Authenticated by MWK

David O. Brown
Superintendent of Police

22-XXX

ADDENDA:



SEARCH WARRANT DEVELOPMENT, REVIEW, AND APPROVAL



ISSUE DATE:	31 January 2023	EFFECTIVE DATE:	
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I. PURPOSE

The directive:

- A. outlines the responsibilities and accountability for search warrant investigations and development.
- B. outlines procedures for preparing Complaints for Search Warrants (CCMC-1-219) and Search Warrants (CCMC-1-220).
- C. details the requirements for the review of Complaints for Search Warrants (CCMC-1-219) and Search Warrants (CCMC-1-220) by the submitting member's chain of command and the approval by the designated Department supervisor before these documents are presented to the appropriate attorney for review and submitted to a judge for approval.

II. SEARCH WARRANT INFORMANTS

- A. Department members seeking a search warrant based on an informant (e.g., John Doe, Registered Confidential Informant, or Unregistered Confidential Informant) will conduct an independent investigation, consistent with the search warrant development procedures outlined in Item III of this directive, to corroborate the information provided, verify the credibility of the informant, and confirm the reliability the specific information that has been provided.

- B. Department members utilizing an individual classified as a **John Doe** for the purpose of obtaining a search warrant will present this individual to the judge approving the Search Warrant (CCMC-1-220).

NOTE: The Department will not utilize search warrants classified as John Doe search warrants **unless** the search warrant is personally reviewed and approved by the submitting Department member's bureau chief and not a designee.

- C. Department members utilizing a Registered Confidential Informant (RCI) or Unregistered Confidential Informant (UCI) for the purposes of obtaining search warrants will maintain an RCI or UCI File.

1. To provide protection to Department members and the RCI or UCI, a standardized procedure has been established to document the use of an RCI or UCI in order to protect the anonymity of the informant. Department members utilizing a an RCI or UCI will maintain an RCI or UCI file that:

- a. documents the identity and reliability of the informant;
- b. establishes the credibility of the informant in support of search warrant activities; and
- c. collects and retains pertinent information of the informant to maintain the integrity of the system.

2. Any RCI or UCI File will include a copy of all:

- a. associated reports from each instance the informant provides information that leads to an arrest or recovery of evidence;

- b. Illinois State Police Crime Lab Reports from each instance a lab report is received for evidence that was recovered based on information received from the informant; and
 - c. search warrants obtained based on information received from the informant.
3. Upon submission of the search warrant documents for review, Department members will make the UCI File available for review to the member's chain of command for the review and approval of the search warrant.

NOTE: Before approving the Complaint for Search Warrant (CCMC-1-219) and the Search Warrant (CCMC-1-220), the approving supervisor will ensure that the Department member's UCI File is reviewed and contains all pertinent information listed in Item II-C-2.

4. The Chief, Bureau of Counterterrorism, will ensure Registered Confidential Informants (RCI) are registered and the Bureau of Counterterrorism Registered Confidential Informant File System is maintained and secured in accordance with established policy and procedures set forth by Bureau of Counterterrorism directives.

NOTE: Bureau-of-Counterterrorism-related decentralized unit personnel operating under the Bureau of Patrol are the only non-Bureau-of-Counterterrorism members authorized to utilize the Bureau of Counterterrorism Registered Confidential Informant System.

D. **Assessing the Reliability and Credibility of Informants.** When determining the credibility of the informant and reliability the specific information, Department members seeking, reviewing, or approving search warrants will consider:

1. past documented investigations by the Department that utilized the informant or information provided by the informant.
2. past or present untruthfulness of the informant in providing information for a Department investigation.
3. if the informant has used the status as a Department informant for personal gain, outside of the RCI process.
4. if the informant has unlawfully identified as a Department member or law enforcement officer.
5. other acts which significantly impair the informant's ability to continue to cooperate (e.g., theft of evidence money, failure to attend scheduled meetings, failure to provide timely responses to Department requests, being under the influence of drugs or alcohol while providing information to the Department member).

III. SEARCH WARRANT DEVELOPMENT

- A. Information used in the development of any search warrant will be verified and corroborated by an independent investigation as outlined in procedures below prior to submission and approval of the search warrant.
- B. Prior to preparing a Complaint for Search Warrant (CCMC-1-219) and Search Warrant (CCMC-1-220), it is the affiant Department member's responsibility to take all the proper investigative steps to provide for the integrity of the search warrant and ensure that the information is properly verified and corroborated. This preparation will include a review of the Rules and Regulations of the Chicago Police Department, state and constitutional law, and the appropriate research, investigation, and operational planning. A thoroughly conducted and documented investigation is critical to establishing the validity of facts related to both the subject of the search warrant and the search warrant location.
- C. The affiant Department member preparing a Complaint for Search Warrant (CCMC-1-219) and Search Warrant (CCMC-1-220) will:
1. ensure all the information is truthful, accurate, and current to the best of the member's ability.

2. conduct a thorough debriefing of any cooperating informant to establish individual credibility and verify the information provided.
3. verify as much information as possible regarding the person who is the subject of the search warrant including, but not limited to:
 - a. name, alias, nickname, birth date, and physical description of the person who is the subject of the search warrant;
 - b. home address, relationship to the search warrant location, and other locations; and
 - c. in-custody status or location, such as Cook County Jail, Cook County Electronic Monitoring, and Illinois Department of Corrections (IDOC).
4. verify as much information as possible regarding the search warrant location including, but not limited to:
 - a. physical location, description, complete address, apartment number, and distinguishing features;
 - b. additional occupants of the location, paying special attention to potentially vulnerable persons;
 - c. potential security features, including fortified locations, availability of weapons, and the presence of animals; and
 - d. when the person who is the subject of the search warrant is most likely to be at the location.
5. use the Department's investigative tools and information systems to verify the validity of the person who is the subject of the search warrant and the search warrant location.

D. When circumstances are present that necessitate a search warrant being served outside the service hours, as a "No-Knock Warrant," or with any other exception to the requirements outlined in the Department directive titled "Search Warrants," the affiant Department member will document the specific circumstances on the Search Warrant Development form (CPD-41.355), which requires documented approval from the appropriate exempt-rank supervisor.

E. **Risk Assessment**

1. Prior to submitting a search warrant for review that involves real property or where persons might be present, the affiant Department member will conduct a risk assessment by completing the Risk Assessment for Search Warrant Service form (CPD-41.356), which will determine a risk score.
2. Once the risk assessment is complete, the affiant Department member will submit the Risk Assessment for Search Warrant Service form (CPD-41.356) to their immediate supervisor for review. The affiant's immediate supervisor will:
 - a. review the Risk Assessment for Search Warrant Service form (CPD-41.356) and document approval prior to the preparation of the Complaint for Search Warrant (CCMC-1-219) and Search Warrant (CCMC-1-220).
 - b. if the risk assessment score identified through the Risk Assessment for Search Warrant Service form is seventeen points or above, consult with a Special Weapons and Tactics (SWAT) team supervisor via the 24-hour SWAT desk (PAX 4344) on whether SWAT will assist in serving the search warrant consistent with the Department directives titled "Search Warrant Service" and "Special Weapons and Tactics (SWAT) Incidents."

NOTE: Nothing precludes the search team supervisor from consulting with a SWAT team supervisor prior to the submission of any search warrant.

- F. The affiant Department member will document investigative steps taken in the development of the search warrant by completing the Search Warrant Development form (CPD-41.355) and Risk Assessment for Search Warrant Service form (CPD-41.356) prior to completing the Complaint for Search Warrant (CCMC-1-219) and Search Warrant (CCMC-1-220).

IV. SEARCH WARRANT COMPLAINT PREPARATION

A Department member preparing a Complaint for Search Warrant (CCMC-1-219) and Search Warrant (CCMC-1-220) will:

- A. prepare one original Complaint for Search Warrant (CCMC-1-219) and one original Search Warrant (CCMC-1-220); and
- B. ensure that both the Complaint for Search Warrant (CCMC-1-219) and the Search Warrant (CCMC-1-220) accurately and specifically describe the person who is the subject of the search warrant, the location to be searched, and articles to be seized.

V. SEARCH WARRANT REVIEW AND APPROVAL

A. All Department search warrants will require approval by a sworn Department member **the rank of deputy chief or above**, including all search warrants for real property or locations where occupants might be present, with the following exceptions:

1. All search warrants classified as **John Doe or No-Knock warrants** will require personal review and approval by the submitting Department member's **bureau chief or above**, and not a designee.

REMINDER: The bureau chiefs authorized to review and approve John Doe or No-Knock search warrants are the chiefs of the Bureau of Patrol, Bureau of Detectives, Bureau of Counterterrorism, and Bureau of Internal Affairs.

2. All search warrants that do not involve real property or locations where occupants might be present, including digital, electronic, or solely evidentiary (e.g., buccal swab) search warrants are required to be approved by a sworn Department member the rank of lieutenant or above.

NOTE: Department members will refer to the Department directive titled "Electronic and Evidentiary Search Warrants" for the procedures on the investigation, development, approval, and service of digital, electronic, or solely evidentiary (e.g., buccal swab) search warrants that do not involve real property or locations where occupants could be present.

B. The affiant Department member will present the Search Warrant Development form (CPD-41.355), Risk Assessment for Search Warrant Service form (CPD-41.356), Complaint for Search Warrant (CCMC-1-219), and Search Warrant (CCMC-1-220) to the member's immediate supervisor for review.

C. The Search Warrant Development form (CPD-41.355), Risk Assessment for Search Warrant Service form (CPD-41.356), Complaint for Search Warrant (CCMC-1-219), and Search Warrant (CCMC-1-220) will be reviewed by the submitting member's exempt-level commanding officer, through their immediate chain of command, before being submitted to the appropriate sworn Department member the rank of deputy chief or above for approval.

D. When reviewing any search warrant, Department supervisors will ensure the search warrant meets the statutory and constitutional requirements, achieves a legitimate law enforcement objective, and the information contained in the warrant has been verified and corroborated by an independent investigation by the Department member prior to approval.

E. A sworn Department supervisor designated to review a search warrant will:

1. examine the submitted documentation in light of statutory and constitutional requirements.

2. if the complaint is based upon information received from a John Doe, Unregistered Confidential Informant (UCI), or Registered Confidential Informant (RCI), ensure the guidelines established in Item II of this directive are followed, including that for search warrants utilizing an:
 - a. RCI or UCI, the search warrant is substantiated by claims of prior use of the particular individual.
 - b. UCI, the UCI File is reviewed prior to approval.
3. if the complaint is for a No-Knock search warrant, ensure the guidelines established in the Department directive titled "Search Warrants" are followed.
4. determine that:
 - a. the facts alleged in the complaint validates an assertion of probable cause.
 - b. information used in the development of the search warrant is verified and corroborated by an independent investigation and documented in the Search Warrant Development form (CPD-41.355).
 - c. all facts stated in the complaint were properly obtained in accordance with Department regulations, policies, and the law.
 - d. an investigation has been thoroughly conducted in the development of the search warrant to provide for the integrity of the search warrant and ensure that the information is properly verified and corroborated. If additional investigation is determined to be necessary, the Search Warrant, Complaint for Search Warrant, and Search Warrant Development form will be returned to the Department member for appropriate action.
 - e. the information concerning the place, places, person, or persons to be searched is specifically and accurately described in both the Complaint for Search Warrant (CCMC-1-219) and the Search Warrant (CCMC-1-220).
 - f. the articles to be seized are described with particularity.
 - g. the technical aspects of both the Complaint for Search Warrant (CCMC-1-219) and the Search Warrant (CCMC-1-220) are correct (e.g., dates, times, spelling of names).
 - h. probable cause for the issuance of the search warrant is stated in the complaint. Probable cause exists when an officer has knowledge of facts and circumstances based on reasonably trustworthy information that are sufficient to warrant a reasonable officer to believe that a crime has occurred and that evidence of the crime can be found at the premises to be searched.
5. if circumstances are present that necessitate a search warrant being served outside the service hours, as a "No-Knock Warrant," or with any other exception to the requirements outlined in the Department directive titled "Search Warrants," ensure the specific circumstances are documented on the Search Warrant Development form (CPD-41.355).
6. interview the Department member requesting the search warrant for clarification and verification of the investigative information, if necessary.
7. review the forms and ensure they are presented to the designated approving supervisor for review and approval as outlined in Item V-A.

F. The approving sworn Department supervisor as outlined in Item V-A of this directive will:

1. review the search warrant consistent with the guidelines outlined in Items V-D and E of this directive.

2. ensure the Chicago High Intensity Drug Trafficking Area (HIDTA) is notified and the search warrant information is submitted on a Chicago HIDTA Deconfliction Submission for event deconfliction following the established procedures.
3. document the approval of the Search Warrant Development form (CPD-41.355) and the Risk Assessment for Search Warrant Service form (CPD-41.356) in the ESW application.
4. indicate approval of both the Complaint for Search Warrant (CCMC-1-219) and the Search Warrant (CCMC-1-220) by initialing with star number, documenting the date and time of approval, and recording the HIDTA deconfliction number in the lower-left margin of the face side of each original document and return the documents to the submitting Department member.

VI. COOK COUNTY STATES ATTORNEY'S OFFICE REVIEW

- A. After approval by the appropriate Department supervisor, the member seeking to obtain a search warrant will provide the search warrant for review to a Cook County Assistant State's Attorney assigned to the Felony Review Unit or City of Chicago Attorney, as appropriate, using one of the following review procedures:
 1. For search warrants alleging criminal acts in violation of the Municipal Code of Chicago that carry a penalty of incarceration upon conviction, the member seeking a search warrant will follow the procedures outlined in the Department directive titled "Municipal Ordinance Search Warrant Approval Method."
 2. For all other search warrants, the member seeking a search warrant will contact the Cook County State's Attorney Office, Felony Review Unit, by telephone at (773)-674- 3020, and inform the on-call dispatcher that the Department member has a search warrant for review.
 - a. Misdemeanor search warrants are issued only in certain circumstances. If a misdemeanor search warrant is sought, the member seeking a search warrant will ensure that the same format and procedures as a felony search warrant are followed, including contacting the Cook County State's Attorney Office, Felony Review Unit.
 - b. Department members may contact the Cook County State's Attorney Office, Felony Review Unit, for additional search warrant guidance.
- B. The Department member seeking a search warrant will scan and email the approved Complaint for Search Warrant (CCMC-1-219) and the Search Warrant (CCMC-1-220) to the CCSAO Felony Review Unit at SAOFelonyReview@cookcounty.onmicrosoft.com. A Cook County Assistant State's Attorney will review the search warrant and contact the Department member.
- C. The Department member seeking a search warrant will be prepared to provide the following information:
 1. When the crime occurred (i.e., date, time);
 2. The last time the evidence being sought in the warrant was observed at the location;
 3. The relevance of the evidence;
 4. If there is a target of the search warrant investigation, all relevant and available information, including name, photograph, and target identification including the below:
 - a. How identification was obtained;
 - b. When identification occurred;
 - c. Is the target participating in the Electronic Monitoring Program;
 - d. Is the target currently incarcerated;

- e. Has the target used the location of the search warrant address previously (e.g., in Department reporting applications);
 - f. Any social media posts related to the:
 - (1) items being sought; and
 - (2) location to be searched.
5. Details of the location to be searched as outlined below:
- a. Address;
 - b. Detailed description of the location to be searched in the search warrant;
 - c. Details of how the search warrant location was identified;
 - d. Relationship of the target to the search warrant location and any known occupants;
 - e. Are there vulnerable people (e.g., children) residing and/or present at the search warrant location;
 - f. If the search warrant location is a multi-unit building, then:
 - (1) the layout of the units in the building; and
 - (2) the identification process of the specific unit.
 - g. Photographic evidence or visual identification of the search warrant location:
 - (1) obtained by the Cook County Assessor's Office Website or other electronic applications;
 - (2) identified by the John Doe, UCI, or RCI.
 - h. Public records linking the target to the search warrant location (e.g., Secretary of State, Public Aid Department, IDHS, proof of residency).
6. If seeking a search warrant for incidents involving a John Doe, RCI, or UCI:
- a. All search warrants involving informants will establish:
 - (1) The nature of the relationship between John Doe, RCI, or UCI and the target;
 - (2) How long the John Doe, RCI, or UCI has known the target;
 - (3) The identification of the target by the John Doe, RCI, or UCI and how;
 - (4) Is the John Doe, RCI, or UCI able to recognize narcotics or weapons;
 - (5) The motivation of the John Doe, RCI, or UCI (e.g., payment, pending criminal case, in custody).
 - b. the Criminal History of the John Doe, RCI, or UCI.
- D. If a search warrant is classified as a "No-Knock" search warrant:
- 1. the preparing Department member will alert the Cook County State's Attorney Office, Felony Review Unit, on-call dispatcher and Assistant State's Attorney of the request for a "No-Knock" search warrant; and
 - 2. approval will be given only in special circumstances after review by the affected bureau chief, in consultation with the State's Attorney's Office (SAO)—First Assistant, and Chief of Staff.
- E. The Department member seeking a search warrant will include the following in the search warrant submission:

1. Photographic evidence of the search warrant location with the point of entry clearly marked.
2. Any unusual observations that are relevant to the search warrant or officer safety.
3. The search warrant location must be confirmed, in person, by the Department member seeking the search warrant.

VII. JUDICIAL REVIEW

After review by a Cook County Assistant State's Attorney assigned to the Felony Review Unit (FRU) or City of Chicago Attorney, as appropriate, the member seeking to obtain a search warrant will:

- A. present the Complaint for Search Warrant (CCMC-1-219) and Search Warrant (CCMC-1-220) to a judge for signature;
 1. A John Doe informant will appear before the reviewing judge and that judge will deem if the John Doe is reliable.
 2. An RCI or UCI does not appear before the judge. The previous credibility of the RCI or UCI and how it was established must be set out in the search warrant (e.g., previous cooperation with the member seeking to obtain a search warrant).
- B. ensure the date and time of the judge's approval has been recorded by the court on both original documents; and
- C. print the name of the approving judge and the reviewing attorney in the lower-right margin on both of the originals and prepare one copy of the Complaint for Search Warrant (CCMC-1-219) and two copies of the Search Warrant (CCMC-1-220).

(Items indicated by italic/double underline were added or revised.)

Authenticated by MWK

22-XXX

David O. Brown
Superintendent of Police



SEARCH WARRANT SERVICE



ISSUE DATE:	31 January 2023	EFFECTIVE DATE:	
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INDEX CATEGORY:	04 - Preliminary Investigations		
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I. PURPOSE

This directive:

- A. outlines the procedures for serving search warrants.
- B. continues the use of the City Claims Notification form ([CPD-11.719](#)).

II. SEARCH WARRANT PRE-SERVICE PLANNING SESSION

- A. Prior to serving a search warrant, the search team supervisor will conduct a pre-service planning session with the search team members assigned to participate in serving the warrant, which will include ensuring that participating Department members are thoroughly familiar with:
 - 1. the purpose and scope of the search;
 - 2. the location of the search, including but not limited to the type of location, the points of entry or exit, and the floor plan, if available;
 - 3. potential occupants of the location, paying special attention to potentially vulnerable persons;
 - 4. each Department member's identity and assigned duties;
 - 5. the function and operation of the equipment to be used;
 - 6. known and potential hazards likely to affect serving the search warrant; and
 - 7. any other findings documented in the Search Warrant Development form (CPD-41.355) and Risk Assessment for Search Warrant Service form (CPD-41.356).
- B. As part of the pre-service planning session, the search team supervisor will:
 - 1. when appropriate, request assistance from specialized resources as identified in the pre-service planning session, including Department-authorized interpreters consistent with the Department directive titled "[Limited English Proficiency](#)," whenever a person with limited English proficiency is known to be at the search warrant service location.
 - 2. determine if any exceptions to the requirements outlined in the Department directive titled "Search Warrants" are going to be utilized with prior approval from the designated exempt-rank supervisor. The specific circumstances, the authorized exceptions to the requirements, and the name of the approving exempt-rank supervisor will be documented on the Search Warrant Development form (CPD-41.355).
 - 3. notify a Special Weapons and Tactics (SWAT) team supervisor, via the 24-hour SWAT desk, PAX 4344, if the risk assessment score identified through the Risk Assessment for Search Warrant Service form is:
 - a. between 17 and 24 points. The search team supervisor will consult with a SWAT team supervisor and document whether SWAT will assist in serving the search warrant consistent with the Department directive titled "Special Weapons and Tactics (SWAT) Incidents."

- b. greater than 24 points. The search team supervisor will notify a SWAT team supervisor to request SWAT assistance in serving the search warrant consistent with the Department directive titled "Special Weapons and Tactics (SWAT) Incidents."
- (1) Consistent with the Department directive titled "Special Weapons and Tactics (SWAT) Incidents," the SWAT team will be available to assist in serving search warrants city-wide that have been deemed high risk after review by a SWAT team supervisor, the SWAT Assistant Commanding Officer, SWAT Commanding Officer, or their designees.
 - (2) For high-risk search warrants (risk assessment score of greater than twenty-four) and search warrants designated as "No-Knock," SWAT will coordinate with the Chicago Fire Department (CFD) to stage CFD emergency medical personnel near the location of the search warrant so that CFD is readily available in the event of a medical emergency.
4. request the presence of a canine team to assist in locating narcotics and/or explosives, when that is the focus of the warrant.
- NOTE:** Search team supervisors not utilizing a canine team for these situations will justify why a canine team was not used (e.g., canine team not available, search involved a safety deposit box) in the Search Warrant Pre-Service Planning form (CPD-41.357).
5. designate a search-team member that has received Department training in the use of digital cameras or other Department-issued devices capable of photographing (e.g., Department-issued cellular phone) to photograph the search warrant location consistent with the photographing procedures outlined in this directive.
- NOTE:** Any unit that does not have access to a Department-issued photographing device or a Department member trained in its use will request the services of an evidence technician.
6. ensure that a Search Warrant Development form (CPD-41.355) and Risk Assessment for Search Warrant Service form (CPD-41.356) are created in the ESW Application.
7. review the Search Warrant Development form and Risk Assessment for Search Warrant Service form, ensuring that all items have been considered during the pre-planning session.
- C. The search team supervisor will ensure that the pre-planning session is documented in the Search Warrant Pre-Service Planning form (CPD-41.357), including:
1. documenting vulnerable persons that may potentially be on scene and any requests for specialized resources (e.g., additional CIT resources and/or interpreters);
 2. using the "Attachment" feature of the Search Warrant Pre-Service Planning form (CPD-41.357) to attach copies of the appropriate documents that are related to the search warrant including the:
 - a. Complaint for Search Warrant (CCMC-1-219), and
 - b. Search Warrant (CCMC-1-220).
 3. documenting the results of the pre-service planning session, including but not limited to:
 - a. the members of the search team, including their unit of assignment and the personnel assignments for the service of the search warrant.
 - b. any exception to the requirements as outlined in the Department directive titled "Search Warrants." The exception, its justification, and approving authority will also be documented on the Search Warrant Development form (CPD-41.355).
 - c. other precautions identified during the pre-service planning session.

- D. After the completion of the Search Warrant Pre-Service Planning form (CPD-41.357), the search team supervisor will submit the Search Warrant Development form, Risk Assessment for Search Warrant Service form, and Search Warrant Pre-Service Planning form via the ESW Application to the designated unit supervisor the rank of lieutenant or above for approval.
- E. The designated unit supervisor the rank of lieutenant or above reviewing the Search Warrant Pre-Service Planning form (CPD-41.357) prior to serving a search warrant will:
1. interview the search team supervisor, and:
 - a. determine whether the items have been reviewed;
 - b. verify that all search team members will be readily identifiable as Chicago Police Officers by being attired in a Class A, B, or C uniform or have the appropriate specialized personal garments (i.e., Specialized Cap, Warrant Team Vest);
 - c. ensure the information from a Department search warrant is submitted to Chicago HIDTA for event deconfliction in accordance with the Department directive titled "Chicago HIDTA Deconfliction Submissions"; and
 - d. review the proposed plan and indicate approval electronically via the ESW Application with the exception of a No-Knock search warrant.
- NOTE:** If the warrant is classified as a No-Knock search warrant, the search team supervisor will forward the warrant to their bureau chief via their chain of command for review of the proposed plan and indication of approval electronically via the ESW Application.
2. ensure the appropriate specialized personal garments are made available from the unit supply to members of the search team that are not attired in Class A, B, or C uniform.

III. SEARCH WARRANT SERVICE

- A. Before entering the location described in the search warrant, the search team supervisor will ensure that:
1. each participating member is wearing body armor;
 2. consistent with the personnel and uniform requirements outlined in the Department directive titled "Search Warrants":
 - a. each participating member is assigned a functioning body worn camera and is following policies and procedures in accordance with the Department directive titled "Body-Worn Cameras," including the activation to record law-enforcement-related activities;
 - b. a sworn member of the rank of lieutenant or above is present on-scene for the full duration of the search warrant being served;
 - c. at least one Designated CIT Officer, as defined in the Department directive titled "Crisis Intervention Team (CIT) Program," is present on-scene for the full duration of the search warrant being served;
 - d. at least one sworn female and one sworn male Department member are present and available for any search warrant assignment during the service of the search warrant, including for occupant security, pat-downs, and searches;
 - e. each search team member is readily identifiable as a Chicago Police Officer by being attired in Class A, B, or C uniform or having the appropriate specialized personal garments (i.e., Specialized Cap, Warrant Team Vest);
 - f. a minimum of two entry-team officers are attired in the prescribed Class A, B, or C field uniform of the day; and

NOTE: The firearm-pointing incident notification does not include Department members assigned as a Special Weapons and Tactics (SWAT) Team member who point a firearm at a person during the course of a designated SWAT incident.

6. if evidence of a clandestine laboratory exists, ensure the procedures outlined in the Department directive titled "Processing Narcotics Cases" are followed.
 7. if present, request that the canine team is used for narcotics or explosives detection before the search team conducts the search.
- C. If children are present at the scene when serving the search warrant, Department members will maintain a sensitive approach and use due care to safeguard the emotional and physical well-being to minimize trauma following a search warrant being served.
1. The search team supervisor will:
 - a. notify all Department members on scene and the Office Emergency Management Communications (OEMC) of the presence of children via Department-issued radio, as soon as safe and feasible.
 - b. ensure the presence of children during the service of a search warrant is documented in the Search Warrant Post-Service form (CPD-41.358).
 2. Department members will recognize that the pointing of firearms during a search warrant can be a traumatic experience to children. Members are reminded that they will adhere to the reasonableness standard as outlined in the Department directive titled "Firearm Pointing Incidents," and they will avoid intentionally pointing firearms at children unless reasonable under the totality of circumstances.
 3. If safe and feasible, Department members will avoid handcuffing children. When determining the appropriateness of applying handcuffs or other physical restraints to children, Department members will consider:
 - a. the totality of the circumstances, including, but not limited to, the nature of the incident and the child's age, physical size, actions, and conduct, when known or objectively apparent to the member; and
 - b. whether such restraints are necessary to provide for the safety of the child, the Department member, or others.
 4. When securing persons on scene, Department members will consider ways to minimize the impact on children present (e.g., when safe and feasible, handcuff caretakers or other adults out of the view of children).
 5. If an arrest is made while children are present, Department members will ensure measures are taken to provide for the dependent child's care consistent with the Department directive titled "Abused, Neglected, Dependent or Abandoned Children Coming Under Department Control."
- D. Upon securing the premises and determining the situation is under control, the search team supervisor will:
1. explain the service of the search warrant to the owner, resident, or other person responsible for the premises.
 2. ensure a member of the search team promptly presents a copy of the Search Warrant (CCMC-1-220) to the person named in the warrant or, in that persons absence, the person in charge of the premises. If no one is present at the site of the search, a copy of the Search Warrant (CCMC-1-220) will be left at the place from which articles are seized. If no articles are seized, a copy of the Search Warrant (CCMC-1-220) will be left in a conspicuous location on the premises.

3. ensure the following notifications are made and documented on the Search Warrant Post-Service form (CPD-41.358):
 - a. the OEMC dispatcher of the search warrant location and the search team;
 - b. the watch operations lieutenant of the district of occurrence;
 - c. the designated unit supervisor/watch operations lieutenant of the search team;
 - d. the police agency having immediate jurisdiction that a search warrant has been served, if outside the City of Chicago;
 - e. DCFS, if children are present and the search warrant reveals an unsecured firearm, easily accessible narcotics, or the inside residence is deemed injurious; and
 - f. the Office of Communications for all search warrants for real property or locations where occupants might be present.

- E. If a Department member becomes aware of any alleged, suspected, or apparent violations of the Rules and Regulations of the Chicago Police Department, directives, or orders by any sworn or civilian Department members while serving the search warrant, including a wrong raid, that member will immediately notify the search team supervisor. The search team supervisor will ensure a Log Number is generated in accordance with the Department directive titled "[Complaint Initiation and Log Number Investigation Assignment](#)."

- F. If a Department member becomes aware the search warrant was a wrong raid, that member will immediately notify the search team supervisor. The search team supervisor will:
 1. determine if the service of the search warrant should be discontinued and the Department members should remove themselves from the premises.
 2. ensure a City Claims Notification form (CPD-11.719) is completed in accordance with the Department directive titled "[City Claims Notification Program](#)";
 3. ensure a notification is made to the following:
 - a. the watch operations lieutenant of the district of occurrence;
 - b. the designated unit supervisor/watch operations lieutenant of the search team;
 - c. the Office of Communications; and
 - d. the Office of Community Policing, Crime Victim Services Section.

- G. The member designated to photograph the search warrant location will:
 1. ensure the correct date and time are attached to all digital images.
 2. photograph the following:
 - a. the interior of the premises after it is secured and before it is searched;
 - b. articles seized while serving the search warrant;

NOTE: When feasible, articles will be photographed in the locations they were discovered prior to recovery.
 - c. the premises after the search is completed; and
 - d. the point of entry at the time the scene is safe and secure and when the search warrant team departs from the premises.

NOTE: The affiant local, state, or federal agency will be responsible for photographing the target location and results of the service of the search warrant. Department members assisting in the service of a search warrant for an outside agency will not be responsible for photographic documentation, unless approved and coordinated by the bureau chief or above that approved the Department participation in the service of the search warrant. However, Department members may photograph the target location to document Department actions (e.g., use of entry tools or distraction devices, Department member injury) upon the approval of an on-scene Department supervisor.

- H. All evidence collection will be the responsibility of the evidence officer.
1. While on the scene of the warrant, only the evidence officer or search warrant supervisor will handle recovered currency during a search.
 2. Bulk amounts of United States currency subject to inventory will be sealed at the scene in a Currency Inventory Bag (CPD-41.720) and processed in accordance with the Department directive titled "Inventorying Money."
 - a. For the purposes of this directive, a bulk amount of United States currency is defined as an amount that is not readily determined on the scene.
 - b. Currency inventory bags will not be used for money suspected of having evidentiary value (e.g., commingled "1505" funds, proceeds of a robbery).

NOTE: The affiant local, state, or federal agency will be responsible for the documentation of evidence and seizure of items from the target location. Department members assisting in the service of a search warrant for an outside agency will not be responsible for the collection of evidence, unless approved and coordinated by the bureau chief or above that approved the Department participation in the service of the search warrant.

3. The evidence officer will:
 - a. record all articles recovered from the search on an Evidence Recovery Log (CPD-41.124);
 - b. sign the form in the box marked "Recovered by: Name and Star No.";
 - c. submit the form to the search team supervisor;
 - d. inventory all items recovered and seized in accordance with the Department directive titled "Processing Property Under Department Control"; and
 - e. ensure procedures are initiated in accordance with the Department directives titled "Seizure and Forfeiture of Vehicles, Vessels, and Aircraft" and "Internal Revenue Service Notification Procedures" relative to property or monies subject to a forfeiture hearing.

NOTE: The search team supervisor will ensure the recovery of any items, articles, or evidence during the service of a search warrant is documented in the Search Warrant Post-Service form (CPD-41.358).

- I. Before the search team departs from the location where the search warrant was served, the search team supervisor will:
 1. review the Evidence Recovery Log (CPD-41.124) and sign it in the box marked "Witnessed by: Name and Star No." The search team supervisor will:

- a. if the location is occupied, request the on-scene person to sign the form in the box marked "Acknowledged By." If refused, check the appropriate box;
- b. leave the Pink Copy-Location of Warrant copy of the log form at the location of the search; and
- c. inventory the White Copy-Inventoried copy of the log form as part of the evidence in the case.

NOTE: The affiant local, state, or federal agency will be responsible for the documentation of evidence and seizure of items from the target location. Department members assisting in the service of a search warrant for an outside agency will not be responsible for the collection of evidence, unless approved and coordinated by the bureau chief or above that approved the Department participation in the service of the search warrant.

2. ensure the *location and any damaged* point of entry is secured to reasonably restrict unlawful entry into the location.

(Items indicated by *italic/double underline* were added or revised.)

Authenticated by MWK

David O. Brown
Superintendent of Police

22-XXX



SEARCH WARRANT POST-SERVICE DOCUMENTATION AND REVIEW



ISSUE DATE:	31 January 2023	EFFECTIVE DATE:	
RESCINDS:	10 August 2015 Version		
INDEX CATEGORY:	04 - Preliminary Investigations		
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I. PURPOSE

This directive:

- A. outlines the requirements for the search warrant post-service documentation and review.
- B. introduces the Search Warrant Review Board and delineates its responsibilities for the review of wrong raids and other search warrant incidents as directed by the Superintendent.

II. POST-SERVICE DOCUMENTATION

A. Following a search warrant being served, the Department member who obtained the search warrant will:

- 1. submit the appropriate case report or Supplementary Report (CPD-11.411-A or CPD- 11.411-B for personnel assigned to the Bureau of Detectives), regardless of whether the search resulted in the seizure of property or contraband. This report will document that a search warrant was obtained and served.

NOTE: Information, evidence, or testimony used to obtain the search warrant that is documented in the Complaint for Search Warrant (CCMC-1-219) need not be restated in this report.

- 2. generate a Search Warrant Post-Service form (CPD-41.358) and include outcome information for the served search warrant, including but not limited to:
 - a. the search team's actions pursuant to the Knock and Announce Rule;
 - b. warrant results;
 - c. special tactical devices utilized, including the use of noise-flash diversionary devices;
 - d. injuries to any persons;
 - e. identified damage or other property concerns;
 - f. evidence recovered;
 - g. persons arrested;
 - h. location information; and
 - i. persons present, including vulnerable persons (e.g., children).
- 3. submit the Search Warrant Post-Service form (CPD-41.358) to the search team supervisor in the ESW Application for review.

NOTE: The Search Warrant Post-Service form (CPD-41.358) must be approved in the ESW Application before a related inventory can be submitted for approval.

4. complete the judicial and Cook County States Attorney's Office search warrant return procedures outlined in Items IV and V of this directive.

B. The search team supervisor will:

1. review the submitted Search Warrant Post-Service form (CPD-41.358) in the ESW Application, and ensure it contains the information outlined in Item II-A-2.
2. whenever cannabis, controlled substances, or other items of contraband are found in unusual locations, after review by the designated unit supervisor, forward a copy of the Search Warrant Post-Service form (CPD-41.358) to the Deputy Chief, Training and Support Group.
3. ensure the designated member inventories all digital images as an attachment to the inventory utilizing the eTrack inventory system.
 - a. The designated member will inventory a photocopy of the original Search Warrant (CCMC-1-220) and include all digital images as an attachment to this inventory.
 - b. After the digital images are entered into the eTrack system and approved by a supervisor, the designated member will delete the images from the digital camera storage.
4. attest to his or her compliance with the responsibilities outlined in this directive.
5. upon a satisfactory review, forward the Search Warrant Post-Service form (CPD-41.358) to the on-scene supervisor of the rank of lieutenant or above via the ESW Application for approval.

III. POST SEARCH WARRANT REVIEW

A. After a search warrant has been served, the on-scene supervisor of the rank of lieutenant or above will:

1. personally conduct a post-service evaluation session with all members who participated in developing and serving the search warrant to identify any tactical, equipment, or training concerns.

NOTE: The search team supervisor will ensure documentation of the post-service evaluation session in the "Reviewing Supervisor" section of the Search Warrant Post-Service form.

2. review the Search Warrant Post-Service form (CPD-41.358) for sufficiency and completeness and indicate approval, as appropriate. If the Search Warrant Post-Service form is incomplete, insufficient, or contains inconsistencies within the record, the reviewing supervisor will return the Search Warrant Post-Service form to the appropriate member.
3. ensure the appropriate notifications are made to the Civilian Office of Police Accountability (COPA), including but not limited to when:
 - a. the served search warrant is identified as a wrong raid,
 - b. a noise-flash diversionary device was used when the search warrant was served,
 - c. actions of the search team may have violated the law or Department policy, or
 - d. other misconduct is observed or another allegation of misconduct is received from another Department member or community member.
4. based upon on-scene observations and a review of the Search Warrant Post-Service form (CPD-41.358), if appropriate:
 - a. provide timely, constructive feedback to the member(s) who served the search warrant.

- b. make recommendations for action by the involved member(s) (e.g., individualized training, performance coaching, review of Department directives).
 - c. document in the “Reviewing Supervisor” section of the Search Warrant Post-Service form (CPD-41.358) what actions are recommended and/or were completed, including identifying specific training, when appropriate.
5. attest to his or her compliance with the responsibilities outlined in this directive.
 6. if appropriate, attest to the sufficiency and completeness of the report and inform the approving supervisor that it has been reviewed and is ready for his or her review and approval.
- B. The Department supervisor who approved the original search warrant, or a designated supervisor at least one rank higher than the on-scene supervisor of the rank of lieutenant or above, will complete the “Approving Supervisor” section of the Search Warrant Post-Service form (CPD-41.358). The approving supervisor will:
1. review the Search Warrant Post-Service form (CPD-41.358) for sufficiency and completeness. If the Search Warrant Post-Service form is incomplete, insufficient, or contains inconsistencies within the record, the approving supervisor will return the Search Warrant Post-Service form to the appropriate member.
 2. ensure the Civilian Office of Police Accountability (COPA) is notified as appropriate.
 3. conduct a supervisory evaluation to determine whether the search warrant service was in compliance with Department policy and directives.
 4. if appropriate:
 - a. provide timely, constructive feedback to the member(s) who served the search warrant.
 - b. make recommendations for action by the involved member(s) or the reviewing supervisor (e.g., individualized training, performance coaching, review of Department directives).
 - c. document in the “Approving Supervisor” section of the Search Warrant Post-Service form (CPD-41.358) what actions are recommended or were completed, including identifying specific training, when appropriate.
 5. when appropriate, attest to the sufficiency and completeness of the Search Warrant Post-Service form (CPD-41.358) and approve the report.

IV. SEARCH WARRANT RETURN—JUDICIAL RETURN

- A. After a search warrant has been served and:
1. an arrest is made, the original Complaint for Search Warrant (CCMC-1-219), Search Warrant (CCMC-1- 220), and a completed Search Warrant Return and Inventory Form (CCCR 0218) will be attached to the court complaint and listed below the arrestee's name and charges on the next unshaded line of the Court Complaint Transmittal Listing (CPD-11.551).
 2. no arrest is made, the original Complaint for Search Warrant (CCMC-1-219), Search Warrant (CCMC-1- 220), and a completed Search Warrant Return and Inventory Form (CCCR 0218) will be returned to the court room of the judge issuing the search warrant through the use of a Court Complaint Transmittal Listing (CPD-11.551) within twenty days of service. The returned warrant will be identified on the transmittal by entering the address where the warrant was served and the search warrant number (e.g., 2500 East Madison Street, Search Warrant Number SW12345). When no arrest is made and items are seized and inventoried, a copy of the eTrack inventory records will also be submitted to the issuing court.

B. After a search warrant has been served, in both instances when an arrest is made or when no arrest is made, a secondary Court Complaint Transmittal (CPD-11.551), including a copy of the Complaint for Search Warrant (CCMC-1-219), Search Warrant (CCMC-1220), and Search Warrant Return and Inventory Form (CCCR 0218), will be prepared and forwarded to the court of the judge issuing the search warrant within twenty days of service. The "Miscellaneous" line of the Court Complaint Transmittal will identify:

1. the address where the warrant was served; and
2. if the search warrant was a wrong raid incident.

NOTE: When an arrest is made, a copy of the required court documents for arrestee will also be submitted to the court of the judge issuing the search warrant.

C. When a search warrant has not been served within 96 hours of issuance, the search warrant will be signed by the returning Department member and returned to the clerk of the courts within twenty days.

1. The signed Search Warrant (CCMC-1-220) and a completed Search Warrant Not Executed Form (CCCR 0129) will be returned to the court using a Court Complaint Transmittal Listing (CPD-11.551) and identified by entering both the address of the location and the States Attorney's Warrant Number in the space provided for the defendant's name on the transmittal.
2. An ESW application record will be created by the affiant Department member to document the existence of the approved search warrant.

V. SEARCH WARRANT RETURN—COOK COUNTY STATES ATTORNEY'S OFFICE (CCSAO) RETURN

A. Within 24 hours of a search warrant being **reviewed** by the CCSAO, the Department member requesting the review will receive an email notification to complete the required CCSAO Search Warrant Return Information forms.

NOTE: The CCSAO forms necessary to complete the return will be attached to the email.

B. If the search warrant is **reviewed by the CCSAO but not signed by a judge**, the Department member requesting the review will email a copy of the CCSAO Submission Form to the CCSAO at sao.swreturn@cookcountyil.gov and indicate on the form if the search warrant was not presented to a judge or if the search warrant was presented to the judge, but the judge declined to issue the warrant.

C. If the search warrant is **signed and issued by a judge, but the search warrant was not served**, the Department member obtaining the search warrant will email the following to the CCSAO at sao.swreturn@cookcountyil.gov:

1. a copy of the signed and issued search warrant;
2. the Search Warrant Not Executed Form (CCCR 0129); and
3. the CCSAO Submission Form.

D. If the search warrant is **signed and issued by a judge and served by the Department**, the Department member obtaining the search warrant will email the following to the CCSAO at sao.swreturn@cookcountyil.gov:

1. a copy of the signed and issued search warrant;
2. the Search Warrant Return and Inventory Form (CCCR 0218); and
3. the CCSAO Submission Form.

E. If the Department member has not emailed the above-listed documents to the CCSAO within:

1. **10 days** after the search warrant was reviewed, an email will be sent by the CCSAO to the member requesting the missing information.
 2. **30 days** after the search warrant was reviewed, an email will be sent by the CCSAO to the member and the member's supervisor requesting the return of the missing information.
 3. **45 days** after the search warrant was reviewed, an email will be sent by the CCSAO to the member and the member's supervisor notifying them the member is ineligible to be an affiant for a search warrant reviewed by the CCSAO until the member has complied with the search warrant return requirements for a previously reviewed warrant.
- F. As a reminder, failure to provide all the necessary documents for return to the CCSAO may result in the following:
1. The member being contacted directly to hand carry the requested items to the CCSAO.
 2. The prosecution of any charges could be adversely affected.
 3. The member being ineligible to act as an affiant for any future search warrants reviewed by the CCSAO until that member complies with the return requirements for a previously reviewed warrant.

VI. PROPERTY DISPOSITION

The recovering officer will request the prosecuting attorney obtain a court order, when necessary, to:

- A. authorize the retention of the seized property by the Department for the purposes of investigation or scientific analysis;
- B. have the seized property impounded by the court and turned over to the court clerk pending final disposition;
- C. return the seized property to its legal owner; or
- D. dispose of the seized property.

VII. SEARCH WARRANT FILES

- A. Search warrant files will:
 1. contain the information, reports, and documents from the independent investigation to verify and corroborate the information used in developing the search warrant.
 2. be secured and stored in the unit that obtained the search warrant and maintained in accordance with the existing records-retention schedule.
- B. Upon the service or the return of a search warrant, the unit member who obtained the warrant will:
 1. enter the RD number and the Property Inventory number(s), if applicable, on the copy of the Search Warrant (CCMC-1-220) that will be retained in the unit file; and
 2. forward a copy of the following approved documents to the exempt-rank unit commanding officer:
 - a. Search Warrant (CCMC-1-220),
 - b. Complaint for Search Warrant (CCMC-1-219),
 - c. Search Warrant Development form (CPD-41.355),
 - d. Risk Assessment for Search Warrant Service form (CPD-41.356),
 - e. Search Warrant Pre-Service Planning form (CPD-41.357), and
 - f. Search Warrant Post-Service form (CPD-41.358).

- C. The designated unit supervisor the rank of lieutenant or above will ensure the appropriate information is entered on the Search Warrant Log (CPD-11.426) prior to filing.
- D. The exempt-rank unit commanding officer will:
 - 1. review the submitted forms and forward them to the designated unit supervisor to be included in the search warrant files maintained in the unit.
 - 2. ensure a copy of the unit search warrant file is provided to the appropriate reviewing Department unit or investigating agency for any wrong raid or any alleged, suspected, or apparent violations of the Rules and Regulations of the Chicago Police Department, directives, or orders by any sworn or civilian Department members while developing, reviewing, or serving a search warrant.

VIII. AFTER-ACTION REVIEW

- A. The Search Warrant Review Board (SWRB) will conduct a critical incident after-action review for search warrants identified as wrong raids or in other circumstances identified by the Superintendent.
- B. Search Warrant Review Board (SWRB)
 - 1. The Search Warrant Review Board (SWRB) is comprised of the following members:
 - a. Superintendent, or an authorized designee, who will serve as the chairperson.
 - b. First Deputy Superintendent, or an authorized designee the rank of Deputy Chief or above.
 - c. Executive Director, Office of Constitutional Policing and Reform, or an authorized designee the rank of Deputy Chief or above.
 - d. Chief, Bureau of Internal Affairs, or an authorized designee the rank of Deputy Chief.
 - e. Chief, Bureau of Patrol, or an authorized designee the rank of Deputy Chief.
 - f. Chief, Bureau of Counterterrorism, or an authorized designee the rank of Deputy Chief.
 - g. Deputy Chief, Training & Support Group, or an authorized designee the rank of Commander.
 - h. General Counsel to the Superintendent, or an authorized designee of supervisory rank.
 - i. Department Risk Manager, or an authorized designee.
 - j. Other members designated by the Superintendent at the rank of Deputy Chief or above.

NOTE: The Commander, Tactical Review and Evaluation Division (TRED), or an authorized designee of supervisory rank, will serve as the secretary to the SWRB as a non-voting member.

- 2. The Department will seek to avoid any potential conflicts of interest during a meeting of the SWRB. Therefore, if a Department member listed in Item VIII-B-1 approved any part of a search warrant that becomes subject to review by the SWRB, that approving member will NOT participate in a SWRB review of that search warrant.
- 3. The SWRB will convene only when a quorum is present, which will include, at a minimum, the following members or their authorized designee:
 - a. the Superintendent, or in the Superintendent's absence, the First Deputy Superintendent who will assume the role of chairperson;

- b. the Chief, Bureau of Internal Affairs;
 - c. the Bureau Chief of the unit that served the search warrant, unless a conflict of interest consistent with Item VIII-B-2 exists;
 - d. the General Counsel to the Superintendent; and
 - e. one other SWRB member.
4. The SWRB is responsible for reviewing:
- a. all search warrants identified as wrong raids, and
 - b. other search warrants or circumstances identified by the Superintendent.
5. The SWRB review of search warrant incidents will:
- a. be conducted promptly, but within fourteen days of receiving notification of an incident requiring review.
 - b. contain an incident briefing of the facts and review of the incident by the Commander, Tactical Review and Evaluation Division, or designee of supervisory rank, and any other appropriate Department members designated by the Superintendent.
- NOTE:** The TRED review of the search warrants for the incident briefing to the SWRB will include, but is not limited to, a review of the search warrant documentation, including the unit Search Warrant File and relevant recorded evidence (e.g., body worn camera recordings).
- c. evaluate if the actions of Department members were thorough, tactically sound, and consistent with Department training as it relates to the development, planning, service, and documentation of the search warrant.
 - d. if applicable, identify specific modifications to existing policy, training, tactics, or equipment that could minimize the risk of wrong raids occurring in the future and the risk of harm to Department members and the public.
6. Within thirty days after the review of an incident, the SWRB will issue recommendations, if appropriate, to the Superintendent, or his or her designee, regarding any need for additional training or modifications to policies, tactics, equipment, or Department practices. The SWRB recommendations will be presented to the Superintendent, or his or her designee, for a personal, secondary review and determination of any required actions, including any:
- a. modifications to Department policies, tactics, equipment, or training.
 - b. communication to Department supervisors, including the reviewing or approving command staff members, the on-scene supervisors, or the search team supervisor.
7. Upon review and approval by the Superintendent, or his or her designee, the SWRB will assign each approved recommendation to the appropriate command staff member for prompt implementation.
- C. Upon the conclusion of a SWRB review of a search warrant, the Commander, Tactical Review and Evaluation Division, will ensure:
- 1. recommended training for involved members is coordinated with the Training and Support Group.
 - 2. the appropriate procedures are followed, consistent with the Department directive titled "Complaint and Disciplinary System," when an obvious policy violation requiring discipline is observed during a search warrant review, and a Log Number has not been obtained at the unit or district level.

3. the review of the SWRB is documented by the Tactical Review and Evaluation Division within thirty days of the incident review.
 4. a report detailing the status of any recommendations of the SWRB is submitted to the Superintendent or an authorized designee.
- D. The Commander, Tactical Review and Evaluation Division, will ensure:
1. additional evidence obtained after the conclusion of a SWRB review of a search warrant is reviewed to identify training opportunities, clerical errors, and potential Department improvements, and
 2. the Executive Director, Office of Constitutional Policing and Reform, is notified, in writing, of the review.
- E. Unit commanding officers receiving a unit-level or Department-wide recommendation from the SWRB will ensure:
1. the recommendation is appropriately implemented consistent with existing procedures.
 2. an initial response to the recommendation is submitted to the Tactical Review and Evaluation Division within fourteen days of receiving the recommendation.
 3. the Tactical Review and Evaluation Division is notified of the status of the recommendation, including when it is implemented.
- F. The Tactical Review and Evaluation Division will conduct an annual evaluation of all the reviews conducted by the SWRB.

IX. SUPPORT SERVICES

- A. The Office of Community Policing, Crime Victim Services Section, will provide any available Department assistance or services when notified of a wrong raid, including when a search warrant is served at a location that is different than the location listed on the search warrant.
- B. Department member will also refer to the Department directive titled "[Search Warrant Community Resources and Referrals Pilot Program](#)" for providing additional support services to residents after the Chicago Police Department serves a residential search warrant.

(Items indicated by italic/double underline were added or revised.)

Authenticated by MWK

22-XXX

David O. Brown
Superintendent of Police