



Office of Law Enforcement Oversight (OLEO)

September 25, 2024

TO: Patti Cole-Tindall, Sheriff, King County Sheriff's Office (Sheriff's Office)

CC: Jesse Anderson, Undersheriff, Sheriff's Office  
Jonathan Hoffman, Professional Standards Manager, Sheriff's Office  
Karan Gill, Deputy Chief of Staff, King County Executive Office

FR: Tamer Abouzeid, Director, Office of Law Enforcement Oversight (OLEO)

RE: Executing Search Warrants/Planned Events, General Orders Manual (GOM) 5.12.000

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This memo follows up on Sheriff's Office's revisions to the policy on Executing Search Warrants and Planned Events, issues one newly revised recommendation, and summarizes the status of recommendations that OLEO sent to the Sheriff in June of 2023 (see memo attached).

**Review Process: Timeline To Date for Review of GOM 5.12.000**

February 2023	The Sheriff's Office sent OLEO proposed revisions to GOM 5.12.000.
March 2023	OLEO responded, sending the Sheriff's Office a summary of initial policy recommendations.
April 2023	The Sheriff's Office published GOM 5.12.000 without addressing any of OLEO's initial recommendations.
June 2023	OLEO drafted a formal memo of policy recommendations (attached to email) and sent the recommendations to the Sheriff's Office.
July 2023	The Sheriff's Office requested a meeting to discuss OLEO's recommendations but did not confirm a meeting until December.
December 2023	OLEO met with the Sheriff's Office to discuss policy recommendations.
June 2024	The Sheriff's Office shared additional proposed revisions to GOM 5.12.000, incorporating most of OLEO's policy recommendations.
July 2024	OLEO responded to the draft policy during the concurrence process with clarifying questions and a concern on proposed wording regarding after-action reports.
July 2024	The Sheriff's Office published the new GOM 5.12.000, which incorporated OLEO's suggested wording change on after-action reports.

**Outstanding Issues**

OLEO acknowledges and appreciates that the Sheriff's Office implemented the majority of OLEO's recommendations shared in June 2023 in the version of GOM 5.12.000 published in July of 2024. Throughout the review process, OLEO and the Sheriff's Office discussed aspects of the proposed policy and explored alternate policy language that is mutually acceptable. For example, where our June 2023 memo proposed a revision to the definition of "slow and deliberate," after discussions with the Sheriff's Office, we amended that recommendation in a way to accomplish our original intent while taking into

account points raised by the Sheriff's Office. All negotiated changes are outlined in the summary status table below.

However, as of the date of this memorandum, the following OLEO recommendations are outstanding and have not been incorporated into the recent revisions of GOM 5.12.000:

RECOMMENDATION 2.

**Require the presence of Crisis Negotiators at service of all medium- and high-risk warrants and planned events if a tactical team is deployed.**

RECOMMENDATION 5.

**Add a section on data collection and reporting of warrant service.**

RECOMMENDATIONS 8.1 AND 8.3

**Revise Form B-191, the Operations and Risk Management Plan, to simplify and streamline, allowing for greater transparency and accountability.**

8.1 The form should be restructured to allow for more uniform quantitative data capture using yes/no, Likert scale, or matrix scoring style questions.

8.3 Include additional fields in Form B-191 to capture additional data.

In discussing Recommendation 8.1, the Sheriff's Office rightfully expressed concern on establishing matrix-style questions that would dictate decision-making. This is an understandable concern and OLEO would like to clarify that we do not recommend moving towards a matrix-style model that dictates tactical decisions; rather, the recommendation is intended to allow for data capture that is easier to analyze. On Recommendation 8.3, the Sheriff's Office has not provided OLEO proposed revisions to Form B-191 but has indicated plans to make additional revisions.

**Revised Recommendation**

In addition to the outstanding recommendations above, OLEO is making one additional revised recommendation related to after-action reports:

REVISED RECOMMENDATION 4.1

**Amend the list of vulnerable populations to align with those listed throughout the GOM.**

This recommendation revises OLEO's previous Recommendation 4.1 based on Sheriff's Office feedback to consider expanding the list of vulnerable populations which should be documented in an after-action report. OLEO recommends updating the list in GOM 5.12.055 (4) to match the list from GOM 6.00.000: "medical condition; pregnancy; age [such as elderly persons]; signs of mental, behavioral, or physical impairments or disabilities; perceptual or cognitive impairments related to drug or alcohol use; suicidal ideations; language barriers; or the presence of children." In addition, the list in 5.12.055 (4) should include reporting on the presence of, and any injury to, animals.

**Summary Table of Recommendation Status as of July 2024**

<b>Recommendation</b>		<b>Revision in GOM 5.12.000 published July 2024</b>	<b>Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)</b>	<b>Status in July 2024 revisions</b>
<p>1. Revise GOM 5.12.015 on Procedures and Tactics to Serve Search Warrants to promote the use of pre-tactical deployment surveillance, breach and hold, surround and call-out, limited penetration, and take-down away tactics.</p>	<p>1.1 Revise “Slow and Deliberate” definition.</p>	<p>“The standard search tactic that shall be used for the search of a structure or building is ‘slow and deliberate’ as defined in GOM 5.12.010, except when exigent circumstances are encountered on-scene which present an imminent threat to life. In these situations, alternative search tactics such as ‘dynamic and deliberate’ may employed at the discretion of the Forward Tactical Commander. Pre-planned warrant services involving ‘dynamic and deliberate’ search tactics may only be authorized and approved by the Special Operations Captain (or designee), a Division Chief, the Undersheriff or Sheriff.” (5.12.015 (4))</p>	<p>The intent of the recommendation may be accomplished without revising the definition, but instead adding language such as: “Tactics for search warrants and planned events shall typically be those that reduce the risk of harm for the community and officers and are least invasive including: surround and call-out, take down away, limited penetration/breach and hold, and slow and deliberate searches. Search warrant tactics shall typically be slow and deliberate. Dynamic and deliberate tactics shall only be used as part of lifesaving efforts or for the service of a warrant in furtherance of the investigation of a serious crime. Exceptions may be granted on a case-by-case basis by the Special Operations Captain (or designee), Division Chiefs, the Undersheriff, or Sheriff.”</p>	<p>Accepted into GOM</p>

Recommendation		Revision in GOM 5.12.000 published July 2024	Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)	Status in July 2024 revisions
	1.2 Reinstate language from the previous version of the policy on specific tactics such as breach and hold, surround and call-out, limited penetration, and take-down away where appropriate.	"Breach and hold...  Limited penetration...  Mobile Arrest Team (MAT) tactic...  Surround and call out..." (5.12.010)	None	Accepted into GOM
	1.3 Add language to ensure pre-tactical deployment surveillance occurs whenever feasible.	"Ensure that pre-tactical deployment surveillance is conducted (if feasible) in attempt to increase situational awareness and minimize risk factors." (5.12.025 (4)c)	None	Accepted into GOM
2. Require the presence of Crisis Negotiators at service of all medium- and high-risk warrants and planned events if a tactical team is deployed.	-	"Ensure that at least two members of the Crisis Negotiation Team are present, if necessary and feasible." (5.12.025 (9)d)	None	Not accepted into GOM

Recommendation		Revision in GOM 5.12.000 published July 2024	Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)	Status in July 2024 revisions
<p>3. Restore language in GOM 5.12.040 on Notice Requirements and add language to use the minimum force necessary to gain entry and record announcement.</p>	<p>3.1 Restore notice requirements language.</p>	<p>“3. The Incident Commander will ensure that the member(s) tasked with making the announcement are identified during the mission briefing.</p> <p>4. When feasible, a loudspeaker will be utilized after the initial notice.</p> <p>5. Members shall wait a reasonable amount of time for compliance prior to entry.” (5.12.040 (3), (4), (5))</p>	<p>None</p>	<p>Accepted into GOM</p>
	<p>3.2 Separate “time of day” and “time available” from factors to consider in determining the wait time between notice and entry.</p>	<p>“b. Time available (<del>including time of day</del>).</p> <p>c. Time of day” (5.12.040 (6)b, c)</p>	<p>None</p>	<p>Accepted into GOM</p>

Recommendation		Revision in GOM 5.12.000 published July 2024	Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)	Status in July 2024 revisions
	3.3 Add the International Association of Chiefs of Police model policy language.	<p>“The notices shall be audio and video recorded using each member’s operation body worn camera.” (5.12.040 (1)b)</p> <p>“Where it is necessary to use force to gain entry to the premises, the force employed should be the minimum reasonably necessary to accomplish the entry safely. (5.12.040 (2))</p>	None	Accepted into GOM
4. Add a section on after-action report and to address “wrong raids”.	4.1 An after-action report should be completed for all planned events.	“An after-action report should be completed for all medium or high-risk search warrants/planned events. (5.12.055)	<p>Initial revisions the Sheriff’s Office shared with OLEO (6/28/24) included the following: “An after-action report should be completed for all search warrants/planned events which involved the detention and/or arrest of any persons.”</p> <p>OLEO suggested a change to ensure an after-action report be required for at least all medium- or high-risk events including those which may not include a detention or arrest. The Sheriff’s Office included this revision in the finalized policy.</p>	Accepted into GOM

Recommendation		Revision in GOM 5.12.000 published July 2024	Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)	Status in July 2024 revisions
	4.2 Add policy language to address the issue of “wrong raids” or the execution of a search warrant at the wrong address.	“If an attempt was made to execute a planned event at the wrong address, all circumstances surrounding the planning and execution of the operation shall be thoroughly documented along with a Blue Team entry for review by the Administrative Review Team. The incident shall also be reported to the Office of Law Enforcement Oversight.” (5.12.055)	Sheriff’s Office comment on the issue of compensation suggests handling damage compensation through existing department and county processes.	Accepted into GOM
5. Add a section on data collection and reporting of warrant service.	-	None	None	Not accepted into GOM

Recommendation		Revision in GOM 5.12.000 published July 2024	Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)	Status in July 2024 revisions
<p>6. Add or amend some definitions to clearly communicate the application of GOM 5.12.000 to planned events and clarify certain roles and terms used within the text of the policy.</p>	<p>6.1 Amend “deliberate,” “dynamic,” and “slow and deliberate” definitions.</p>	<p>“The standard search tactic that shall be used for the search of a structure or building is ‘slow and deliberate’ as defined in GOM 5.12.010, except when exigent circumstances are encountered on-scene which present an imminent threat to life. In these situations, alternative search tactics such as ‘dynamic and deliberate’ may employed at the discretion of the Forward Tactical Commander. Pre-planned warrant services involving ‘dynamic and deliberate’ search tactics may only be authorized and approved by the Special Operations Captain (or designee), a Division Chief, the Undersheriff or Sheriff.” (5.12.015 (4))</p>	<p>“Tactics for search warrants and planned events shall typically be those that reduce the risk of harm for the community and officers and are least invasive including: surround and call-out, take down away, limited penetration/ breach and hold, and slow and deliberate searches. Search warrant tactics shall typically be slow and deliberate. Dynamic and deliberate tactics shall only be used as part of lifesaving efforts or for the service of a warrant in furtherance of the investigation of a serious crime. Exceptions may be granted on a case-by-case basis by the Special Operations Captain (or designee), Division Chiefs, the Undersheriff, or Sheriff.”</p>	<p>Accepted into GOM</p>
	<p>6.2 Define “planned event.”</p>	<p>“Planned event: Includes search warrants, arrest warrants or other planned operations.” (5.12.010)</p>	<p>None</p>	<p>Accepted into GOM</p>



Recommendation		Revision in GOM 5.12.000 published July 2024	Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)	Status in July 2024 revisions
	6.3. Define “incident commander.”	“Incident Commander: The individual responsible for on-scene incident activities, including developing incident objectives and ordering and releasing resources. The Incident Commander has overall authority and responsibility for conducting incident operations.” (5.12.010)	None	Accepted into GOM
	6.4. Define “unusual event.”	“Unusual event: A significant unscheduled event, involving the potential injury and/or property damage which requires a law enforcement response.” (5.12.010)	None	Accepted into GOM
7. Ensure all aspects of the policy are revised to include planned events.	-	References added where applicable.	None	Accepted into GOM
8. Revise Form B-191, the Operations and Risk Management Plan, to simplify and streamline, allowing for greater transparency and accountability.	8.1 The form should be restructured to allow for more uniform quantitative data capture using yes/no, Likert scale, or matrix scoring style questions.	None	None	Not accepted into GOM

Recommendation		Revision in GOM 5.12.000 published July 2024	Negotiated adjustment (this includes any further discussion between June 2023 and July 2024)	Status in July 2024 revisions
	8.2 Complete Form B-191 for all search warrants, including low-risk (defined in GOM 5.12.020) and outside agency operations (defined in GOM 5.12.015).	“An Operational Risk Management Plan (form B-191) shall be completed for all search warrants/planned events that are expected to involve the detention and/or arrest of persons, unless time does not permit completion due to exigent circumstances.” (5.12.015 (1))	None	Partially accepted into GOM
	8.3 Include additional fields in Form B-191 to capture additional data.	None	None	Not accepted into GOM/ In progress
9. Restore language in GOM 5.12.025(8) on department-approved uniforms and add additional language on the use of body cameras as responsibilities of the Incident Commander.	9.1 Members participating in planned events should always be easily identifiable as law enforcement officers.	“Ensure that department approved vests, raid jackets, shirts, and hats are worn during all planned operations in accordance with GOM 4.00.010 unless the detective(s) is working undercover inside the building or group targeted for the operation.” (5.12.025 (8)e)	None	Accepted into GOM
	9.2 Incident commanders should verify that all members of an operation are equipped with a functional body worn camera.	“Ensure all members of the planned operation are equipped with a functioning body worn camera.” (5.12.025 (8)g)	None	Accepted into GOM

# Attachment



Office of Law Enforcement Oversight (OLEO)

June 16, 2023

TO: Patti Cole-Tindall, Sheriff, King County Sheriff's Office (Sheriff's Office)

CC: Jesse Anderson, Undersheriff, Sheriff's Office  
Jonathan Hoffman, Professional Standards Manager, Sheriff's Office  
Karan Gill, Deputy Chief of Staff, King County Executive Office

FR: Tamer Abouzeid, Director, Office of Law Enforcement Oversight (OLEO)

RE: Executing Search Warrants/Planned Events, General Orders Manual (GOM) 5.12.000

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In February, OLEO sent preliminary recommendations to the Sheriff's Office regarding proposed revisions to the Executing Search Warrants/Planned Events policy. The policy was published and implemented on April 18, 2023, and did not reflect any of OLEO's recommended changes. **This memo provides additional background on OLEO's positions and outlines recommendations to improve transparency and accountability of planned operations, promote best practices in service of community and officer safety, and clarify the policy language within GOM 5.12.000.**<sup>i</sup>

## **BACKGROUND**

In preparation for making recommendations, OLEO reviewed the previous version of the policy; documentation from the Sheriff's Office internal review of planned events and warrant service operations; OLEO's prior systemic reviews of officer-involved shootings related to planned events; best practice research from the American Civil Liberties Union (ACLU), International Association of Chiefs of Police, and Council on Criminal Justice; relevant policies from peer agencies; and Washington search and seizure law.<sup>ii</sup>

The Search Warrants/Planned Events policy governs law enforcement operations that pose a heightened safety risk to officers and the community.<sup>iii</sup> While there is a lack of robust local or national data available on search warrant operations, research by the New York Times found that forced-entry police raids occurring between 2010 and 2016 resulted in the death of 13 law enforcement officers and 81 civilians across the U.S. and a national survey by the ACLU demonstrates that Special Weapons and Tactics (SWAT) search warrant deployments disproportionately affect Black and Hispanic residents.<sup>iv</sup>

This issue has touched King County. For example, in 2018, a Shoreline resident was killed during the execution of a high-risk search warrant.<sup>v</sup> At 4:30 am, members of TAC-30, the Sheriff's Office's tactical team (its version of a SWAT team), conducted what is known as a "dynamic entry" operation. Deputies knocked and announced police presence and 7 seconds later were given the order to break down the door—characterized as a "quick-knock" warrant because there were less than 15 seconds between

notice and entry. Less than 30 seconds after officers forced entry, Joseph Peppan was shot multiple times after reportedly retrieving a firearm from his nightstand. In the aftermath of this incident, the Sheriff's Office conducted a review of its internal policy and practice, including contracting with an external expert, Jeffrey Noble, to review and share recommendations for high-risk warrant service.<sup>vi</sup> The Sheriff instituted some policy changes such as almost entirely prohibiting warrant service before 6:00 am or after 10:00 pm. However, the Sheriff's Office's recent policy revision walks back several of the recommendations from the 2020 Noble memo. OLEO has a particular interest in ensuring this Search Warrants/Planned Events policy reflects the latest research and best practices while preserving legal protections against unreasonable search and seizure. The following recommendations reiterate outstanding recommendations made in the 2020 Noble memo and propose additional policy revisions based on OLEO's own research and expertise.

## **RECOMMENDATIONS**

### RECOMMENDATION 1.

**Revise GOM 5.12.015 on Procedures and Tactics to Serve Search Warrants to promote the use of pre-tactical deployment surveillance, breach and hold, surround and call-out, limited penetration, and take-down away tactics.**

There is national consensus that no-knock and quick-knock warrants and other dynamic entry tactics often pose too great a risk to justify their use and undermine constitutional protections under the Fourth Amendment.<sup>vii</sup> While the Sheriff's Office has adopted clear policy prohibiting no-knock warrants, OLEO recommends additional changes to policy to affirmatively promote alternative tactics that reduce the risk of harm for officers and the community.

- 1.1. Revise "Slow and Deliberate" definition. The definition of "slow and deliberate" is currently written as a "systemic search of a location by clearing each room or area encountered prior to moving to the next." By limiting the definition to searches and clearing rooms, it excludes tactics which do not include immediate entry and search of a location such as a surround and call-out where officers maintain distance and cover and issue commands for the subject of a warrant to come outside and surrender themselves.<sup>viii</sup> Such tactics help protect officer safety, reduce the use of physical force, and prevent unnecessary property damage.
- 1.2. Reinstate language from the previous version of the policy on specific tactics such as breach and hold, surround and call-out, limited penetration, and take-down away where appropriate. OLEO's position is that specifically outlining these tactics within the policy is important to communicate and prioritize their use.
- 1.3. Add language to ensure pre-tactical deployment surveillance occurs whenever feasible. The practice of pre-tactical deployment surveillance provides opportunity to anticipate risk factors and prepare operational plans.<sup>ix</sup> This recommendation was also issued in the 2020 Noble memo.

### RECOMMENDATION 2.

**Require the presence of Crisis Negotiators at service of all medium- and high-risk warrants and planned events if a tactical team is deployed.**

The new version of the policy adds "if necessary and feasible" to GOM 5.12.025 (9d), allowing discretion for sending Crisis Negotiators to planned operations. OLEO recommends this be revised to instead read: "Ensure that at least two members of the Crisis Negotiation Team are present anytime the Tactical Team is deployed." The presence of Crisis Negotiators at tactical deployments is consistent with national best

practice and the 2020 Noble memo and opens greater opportunity for alternatives to force and de-escalation.<sup>x</sup>

## RECOMMENDATION 3.

### **Restore language in GOM 5.12.040 on Notice Requirements and add language to use the minimum force necessary to gain entry and record announcement.**

- 3.1. Restore notice requirements language. The following language was in the prior version of the policy and OLEO recommends adding it back. These practices promote effective notice prior to entry as legally required and are consistent with nationally-recognized best practice:<sup>xi</sup>
  - “When practical, a loudspeaker will be utilized after the initial notice.”
  - “The Incident Commander will ensure that the member(s) who will be making the announcement are identified during the mission brief.”
  - “Members shall wait a reasonable amount of time for compliance prior to entry.”
- 3.2. Separate “time of day” and “time available” from factors to consider in determining the wait time between notice and entry. These are two distinct concepts and time of day is a separate factor courts consider in determining reasonableness of notice.<sup>xii</sup>
- 3.3. Add the following language adapted from the International Association of Chiefs of Police model policy.<sup>xiii</sup>
  - “Where it is necessary to use force to gain entry to the premises, the force employed should be the minimum reasonably necessary to accomplish the entry.” Adding this language is important to set the expectation in policy that the force applied for entry must also meet scrutiny of reasonable and necessary standards.
  - “Announcement should be recorded or keyed in by a radio transmission to communications.” OLEO recommends this addition to clearly document the manner in which notice was given, and to establish the time allowed between giving notice and making entry—a factor which has been at issue in a previous critical incident review within the Sheriff’s Office.<sup>xiv</sup>

## RECOMMENDATION 4.

### **Add a section on after-action reports and to address “wrong raids”.**

- 4.1. An after-action report should be completed for all planned events. Standard operating procedures require after-action reports for all TAC-30 deployments, but the current policy does not extend to all planned events. OLEO recommends revising the policy to require after-action documentation for all planned events to include, at minimum, the following:
  - The purpose of the operation.
  - All tactics and equipment used in execution of the operation.
  - The race, sex, and age of each individual encountered during operation.
  - The presence of and any injuries sustained by animals, children, elderly persons, or pregnant people.
  - A list of any controlled substances, weapons, contraband, or evidence of crime that is found on the premises.
  - Narrative of any unusual or unforeseen circumstances or other important data.
  - A critique of areas to improve the operation or need for additional training.
- 4.2. To address the issue of “wrong raids” or the execution of a search warrant at the wrong address,<sup>xv</sup> OLEO recommends the inclusion of the following language:<sup>xvi</sup>

- “If an attempt was made to execute a warrant at the wrong address an after-action report should be completed, documentation will be entered into BlueTeam/IAPro<sup>xvii</sup> for review by the Internal Investigations Unit, and the incident will be reported to the Office of Law Enforcement Oversight.”
- “If members execute a search warrant and do not identify contraband or arrest an individual at the premises, the Sheriff’s Office should compensate the owner and/or occupants of the home for any damage done. To facilitate that restoration, members shall video record the condition of the premise prior to and after the search. Failure to record conditions of the premises alone shall not be grounds to deny compensation.”

## RECOMMENDATION 5.

### **Add a section on data collection and reporting of warrant service.**

OLEO recommends that the Sheriff’s Office collect and publicly report data on warrant service operations including summary statistics of race, gender, and geographic data of warrant subjects as well as risk analysis, tactics employed, and outcomes of warrant operations. This type of data tracking is an important step to critically examine trends in warrant operations and can improve transparency with the public. For example, see: Maryland SWAT Team Deployments Dashboard.<sup>xviii</sup>

## RECOMMENDATION 6.

### **Add or amend some definitions to clearly communicate the application of GOM 5.12.000 to planned events and to clarify certain roles and terms used within the text of the policy.**

Currently, the definition section is incomplete and imprecise.

- 6.1. Amend “deliberate,” “dynamic,” and “slow and deliberate” definitions. Currently, definitions for these tactics contain similar language and only reference searches. As discussed in Recommendation 1, the way these terms are defined confuses their application to tactics of non-search planned events. OLEO recommends these definitions be refined to make them distinct from each other and applicable to all planned events.
- 6.2. Define “planned event.” OLEO agrees with the Sheriff’s Office intent of broadening GOM 5.12.000 to planned events, but a definition for “planned event” should be added and be consistent with other policy chapters or operating procedures using the term. For example, GOM 4.00.010 (b) refers to a planned event as “warrant service or arrest operations,” and the Special Investigations Standard Operating Procedure refers to several types of pre-planned operations.<sup>xix</sup> OLEO recommends that any definition adopted ensure that all these operation types are covered as “planned events.” This recommendation is consistent with those made by OLEO in the systemic review report of the 2019 officer-involved shooting of Anthony Chilcott and a December 2020 memo regarding revisions to GOM 4.00.000.<sup>xx</sup>
- 6.3. Define “Incident Commander.” This is the only role discussed within the policy chapter not currently addressed in the definitions section. For reference, GOM 11.02.600 defines Incident Commander as “the person who is in charge of and responsible for the incident or event.”
- 6.4. Define “unusual event.” This term is used in GOM 5.12.025 (8i), but is never defined.

## RECOMMENDATION 7.

### **Ensure all aspects of the policy are revised to include planned events.**

As revised, several sections of the new policy add “planned events” to the section heading but, in some sections, the actual policy refers only to search warrants.

## RECOMMENDATION 8.

### **Revise Form B-191, the Operations and Risk Management Plan, to simplify and streamline, allowing for greater transparency and accountability.**

The Sheriff's Office revised Form B-191, which is used to document, assess, and determine the risk levels of a given operation. OLEO has three recommendations to improve this document:

- 8.1. The form should be restructured to allow for more uniform quantitative data capture using yes/no, Likert scale, or matrix scoring style questions. As revised, Form B-191 provides several qualitative long-form text fields to allow narrative response. This format makes completing and reviewing the form cumbersome, allows overbroad discretion to determine the risk level of an operation, and makes data analysis efforts of search warrant service and planned event operations prohibitively time intensive. Alternative formats such as scorecards, matrices, checklists, etc.,<sup>xxi</sup> make explicit connections between risk factors and the final risk-level determination to ensure consistency across operations and reduce the influence of bias in risk determinations. Long-form text boxes should still be included on the form for additional supporting information and justification. If Form B-191 is not significantly revised to address Recommendation 8.1, the Sheriff's Office could reinstate Form B-193, the Search Warrant Risk Analysis Checklist, which has been removed in the revision of GOM 5.12.000. Alternatively, the streamlined structure of B-193 could be incorporated into B-191 to standardize risk assessment across the department.
- 8.2. Complete Form B-191 for all search warrants, including low-risk (defined in GOM 5.12.020) and outside agency operations (defined in GOM 5.12.015). Form B-191 can be streamlined to establish low-risk criteria at the top and make any subsequent fields that would be unnecessary for a low-risk operation optional. The aim is to ensure thorough and consistent documentation—and accountability for operational risk analysis—not to create unnecessary administrative burden.
- 8.3. Include additional fields in Form B-191 to capture the following data:
  - Operational requests for exceptions to the typical expectation of slow and deliberate tactics, justification for the request, and a field for approval by supervisors.<sup>xxii</sup>
  - Requests for an exception to hours of service, justification for the request, and a field for approval by supervisors.
  - Pre-planned notice, factors considered for planned notice, requests for planned notice less than 30 seconds, justification for the request, and a field for approval by supervisors.
  - Intelligence regarding the presence of animals, children, elderly persons, and/or pregnant people at the location of a planned event or search warrant.<sup>xxiii</sup>

## RECOMMENDATION 9.

### **Restore language in GOM 5.12.025(8) on department-approved uniforms and add additional language on the use of body cameras as responsibilities of the Incident Commander.**

- 9.1. Members participating in planned events should always be easily identifiable as law enforcement officers. These recommendations are supported by International Association of Chiefs of Police and the Council on Criminal Justice and previous OLEO recommendations.<sup>xxiv</sup> OLEO recommends that the following language, which was removed in the recent revision, to be reinstated:

“Ensure that department approved vests, raid jackets, and hats are worn during all operations unless the detective(s) is working undercover inside the building or group targeted for the operation.”
- 9.2. Incident commanders should verify that all members of an operation are equipped with a functional body worn camera. The Incident Commander, or another appropriate designee should

also ensure that body worn cameras are on and recording at the commencement of, and throughout, the operation.

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<sup>i</sup> See GOM 5.12.000 on Executing Search Warrants/Planned Events available at <https://public.powerdms.com/KCSO/tree/documents/1758024>.

<sup>ii</sup> OLEO Systemic Reviews of Officer-Involved Shootings of Anthony Chilcott, Tommy Le, and Mi'Chance Dunlap-Gittens, <https://kingcounty.gov/independent/law-enforcement-oversight/reports.aspx>; ACLU, "War Comes Home: Excessive Militarization of American Policing," June 2014, <https://www.aclu.org/report/war-comes-home-excessive-militarization-american-police>; International Association of Chiefs of Police, "Executing Search Warrants," February 2006, <https://www.theiacp.org/sites/default/files/2020-07/Executing%20Search%20Warrants%20FULL%20-%2007282020.pdf>; Council on Criminal Justice Task Force on Policing, "No-Knock Warrants and Police Raids," January 2021, <https://counciloncj.foleon.com/policing/assessing-the-evidence/iii-no-knock-warrants-and-police-raids>; and Charles Johnson and Debra Stephens, "Survey of Washington Search and Seizure Law: 2019 Update," *Seattle University Law Review*, 2019, <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=2613&context=sulr>.

<sup>iii</sup> Dara Lind, "Cops do 20,000 no-knock raids a year. Civilians often pay the price when they go wrong.," *Vox*, 2015, <https://www.vox.com/2014/10/29/7083371/swat-no-knock-raids-police-killed-civilians-dangerous-work-drugs>.

<sup>iv</sup> Kevin Sack, "Door-Busting Drug Raids Leave a Trail of Blood," *The New York Times*, 2017, <https://www.nytimes.com/interactive/2017/03/18/us/forced-entry-warrant-drug-raid.html?smid=pl-share>; and ACLU, "War Comes Home: Excessive Militarization of American Policing," June 2014, <https://www.aclu.org/report/war-comes-home-excessive-militarization-american-police>.

<sup>v</sup> Christine Clarridge, "SWAT Team Fatally Shoots Man in Shoreline While Serving Search Warrant," *The Seattle Times*, August 23, 2018, <https://www.seattletimes.com/seattle-news/law-justice/king-county-swat-shoots-person-in-shoreline-while-serving-search-warrant/>; Agueda Pecheco-Flores, "SWAT Team Members Who Shot Man in Shoreline Identified by King County," *The Seattle Times*, August 30, 2018, <https://www.seattletimes.com/seattle-news/law-justice/swat-team-members-who-shot-man-in-shoreline-identified-by-king-county/>; and see Sheriff's Office critical incident case number ART 2018-002.

<sup>vi</sup> Jeffrey Noble, "Memo: King County Sheriff's Department High-Risk Warrant Service Recommendations," July 2020.

<sup>vii</sup> National Tactical Officer's Association, "NTOA Position Statement: No-Knock Warrant Service," February 2022, <https://ntoa.org/pdf/PositionStatement-No-KnockWarrantService.pdf>; and Peter Nickeas, "There's a growing consensus in law enforcement over no-knock warrants: The risks outweigh the rewards," *CNN*, February 12, 2022, <https://www.cnn.com/2022/02/12/us/no-knock-warrants-policy-bans-states/index.html>.

<sup>viii</sup> California Attorney General, "Commission on Special Weapons and Tactics (S.W.A.T.) Final Report, 'High Risk Warrant Tactics Pros and Cons,'" September 10, 2002, <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/swat.pdf>.

<sup>ix</sup> Peter Nickeas, "There's a growing consensus in law enforcement over no-knock warrants: The risks outweigh the rewards," *CNN*, February 12, 2022, <https://www.cnn.com/2022/02/12/us/no-knock-warrants-policy-bans-states/index.html>.

<sup>x</sup> ACLU, "War Comes Home: Excessive Militarization of American Policing," June 2014, <https://www.aclu.org/report/war-comes-home-excessive-militarization-american-police>; and Jeffrey Noble, "Memo: King County Sheriff's Department High-Risk Warrant Service Recommendations," July 2020.

<sup>xi</sup> Charles Johnson and Debra Stephens, "Survey of Washington Search and Seizure Law: 2019 Update," *Seattle University Law Review*, 2019; and International Association of Chiefs of Police, "'Special Weapons and Tactics' Concepts and Issues Paper," March 2011, <https://www.theiacp.org/sites/default/files/all/s/SWATPaper.pdf>.

<sup>xii</sup> Charles Johnson and Debra Stephens, "Survey of Washington Search and Seizure Law: 2019 Update," *Seattle University Law Review*, 2019, <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=2613&context=sulr>.

<sup>xiii</sup> International Association of Chiefs of Police, "'Special Weapons and Tactics' Concepts and Issues Paper," March 2011, <https://www.theiacp.org/sites/default/files/all/s/SWATPaper.pdf>; and International Association of Chiefs of



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Police, "Executing Search Warrants," February 2006, <https://www.theiacp.org/sites/default/files/2020-07/Executing%20Search%20Warrants%20FULL%20-%2007282020.pdf>.

<sup>xiv</sup> See Sheriff's Office critical incident case number ART2018-002.

<sup>xv</sup> See definition of "wrong raid" from Chicago Police Department Search Warrants Special Order S04-19 available at [https://home.chicagopolice.org/draft\\_policy/search-warrants-draft-policy-review-revised/](https://home.chicagopolice.org/draft_policy/search-warrants-draft-policy-review-revised/).

<sup>xvi</sup> Language adapted from the Council on Criminal Justice Task Force on Policing, "No-Knock Warrants and Police Raids," January 2021, <https://counciloncj.foleon.com/policing/assessing-the-evidence/iii-no-knock-warrants-and-police-raids>.

<sup>xvii</sup> BlueTeam and IAPro are the internal software platforms that the Sheriff's Office uses to document records such as uses of force and misconduct complaints.

<sup>xviii</sup> See Maryland SWAT Team Deployments Dashboard available at <http://goccp.maryland.gov/data-dashboards/swat-team-deployments-dashboard/>.

<sup>xix</sup> This includes: the service of search warrants, buy/bust investigations, reverse investigations, controlled buys, and undercover buy/walks.

<sup>xx</sup> Katy Kirschner, Adrienne Wat, and Liz Dop, "Evaluation of King County Sheriff's Office: Policy, Practice, and Review Mechanisms for Officer-Involved Shootings," August 2021, [https://kingcounty.gov/~media/independent/law-enforcement-oversight/report-recommendations/2021-08-31\\_OISReport\\_Nov2019\\_AChilcott.ashx?la=en](https://kingcounty.gov/~media/independent/law-enforcement-oversight/report-recommendations/2021-08-31_OISReport_Nov2019_AChilcott.ashx?la=en); and Adrienne Wat, "Memo: General Operations, General Orders Manual 4.00.000," December 2020, [https://kingcounty.gov/~media/independent/law-enforcement-oversight/policy%20recommendations/19-Uniforms\\_and\\_Identification\\_2020-12-01.ashx?la=en](https://kingcounty.gov/~media/independent/law-enforcement-oversight/policy%20recommendations/19-Uniforms_and_Identification_2020-12-01.ashx?la=en).

<sup>xxi</sup> See Seattle SWAT Risk Assessment, [https://www.seattle.gov/documents/Departments/Police/manual/06\\_280\\_SWAT\\_Risk\\_Assessment\\_rev\\_1120.pdf](https://www.seattle.gov/documents/Departments/Police/manual/06_280_SWAT_Risk_Assessment_rev_1120.pdf); San Diego Sheriff Worksheets (Appendix C), <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/swat.pdf>; and Concord Police SWAT Risk Assessment Matrix (Appendix C), [https://www.aclu.org/sites/default/files/field\\_document/jus14-warcomeshome-text-rel1.pdf](https://www.aclu.org/sites/default/files/field_document/jus14-warcomeshome-text-rel1.pdf).

<sup>xxii</sup> Referenced in GOM 5.12.015(4).

<sup>xxiii</sup> ACLU, "War Comes Home: Excessive Militarization of American Policing," June 2014, <https://www.aclu.org/report/war-comes-home-excessive-militarization-american-police>.

<sup>xxiv</sup> OLEO Systemic Reviews of Officer-Involved Shootings of Anthony Chilcott and Mi-Chance Dunlap-Gittens, <https://kingcounty.gov/independent/law-enforcement-oversight/reports.aspx>; International Association of Chiefs of Police, "Executing Search Warrants," February 2006, <https://www.theiacp.org/sites/default/files/2020-07/Executing%20Search%20Warrants%20FULL%20-%2007282020.pdf>; and Council on Criminal Justice Task Force on Policing, "No-Knock Warrants and Police Raids," January 2021, <https://counciloncj.foleon.com/policing/assessing-the-evidence/iii-no-knock-warrants-and-police-raids>.