

OFFICE OF OPERATIONS

OPERATIONS ORDER NO. 1

February 14, 2014

SUBJECT: DEPARTMENT OF CHILDREN AND FAMILY SERVICES SEARCH WARRANT AND PROTECTIVE SERVICES WARRANT PROCEDURES - ESTABLISHED

PURPOSE: The purpose of this Order is to establish guidelines and procedures when assisting the Los Angeles County Department of Children and Family Services (DCFS) with the service of a *Search Warrant and Protective Services Warrant*. As a result of litigation and recent court decisions, the DCFS is required, in specific cases, to petition the courts to obtain a *Search Warrant and Protective Services Warrant* when it is necessary to remove one or more children from a residence. The *Search Warrant and Protective Services Warrant* is a singular document issued by the court which allows DCFS and peace officers to search a residence in order to locate named subject children.

PROCEDURE: Personnel involved in the service of a *Search Warrant and Protective Services Warrant* with DCFS must comply with the instructions set forth in this Order. Furthermore, DCFS employees should make their request for support in the service of these specific types of warrants at an appropriate Department facility (not at the search warrant location) so the warrant can be reviewed and proper planning conducted prior to its service. Although a full warrant work-up may not be necessary, officers will be required to complete an Operation Plan, Form 12.22.00, prior to any enforcement action.

Note: The procedures in this Order are only valid when assisting the DCFS in the service of a *Search Warrant and Protective Services Warrant*. Warrant service procedures outlined in Department Manual Section 4/742, *Search Warrants*, must be followed for all other warrant service.

I. OFFICER'S RESPONSIBILITIES. Officers presented with a *Search Warrant and Protective Services Warrant* from a DCFS employee are responsible for the following:

- Review the *Search Warrant and Protective Services Warrant* prior to any enforcement action;
- Complete an Operation Plan;
- If the DCFS requests forced entry, ensure that it has been authorized by the court and documented in the search warrant;
- Request additional units, if necessary;

- If forced entry is to be conducted and there are no exigent circumstances present, request a supervisor to the scene and notify the watch commander for guidance;

Note: If exigent circumstances are present, ensure that officer safety and sound tactics are exercised, and that necessary resources have been requested before making entry.

- Take appropriate action if it is determined that a crime has taken place; and,
- Ensure a detailed entry is completed on the Daily Field Activities Report (DFAR), Form 15.52.00, and the completed Operation Plan is attached.

II. **SUPERVISOR'S RESPONSIBILITIES.** Supervisors assigned to assist with a *Search Warrant and Protective Services Warrant* with the DCFS are responsible for the following:

- Review the *Search Warrant and Protective Services Warrant* prior to any enforcement action;
- Review and approve the completed Operation Plan;
- Ensure there are sufficient units at scene to conduct service;
- Ensure notification is made to the watch commander;
- If forced entry has been authorized by the court, ensure documentary photographs depicting the condition of the residence are taken before and after forced entry is made;

Note: Whenever entry must be forced, it is not expected that officers take photographs of the point of entry. However, during the course of the search, except when exigent circumstances preclude it, photographs should be taken before and after any property damage. The reasons for damage and any exigent circumstance precluding photographs must be clearly explained in the Sergeant's Daily Report, Form 15.48.00.

- Ensure a detailed entry is completed on the Sergeant's Daily Report and attach copies of the Operation Plan and search warrant;
- If forced entry is required and no one is available to secure the location, adhere to existing Department "board-up" procedures (Department Manual 4/203.70, 203.75); and,
- Ensure photographs are attached to the Operation Plan, if taken.

III. **WATCH COMMANDER'S RESPONSIBILITIES.** The Area watch commander is responsible for the following:

- Ensure there are sufficient units to conduct service;
- If forced entry is to be made, ensure a supervisor is at scene; and,
- Ensure a detailed entry is completed on the Watch Commander's Daily Report, Form 15.80.00.

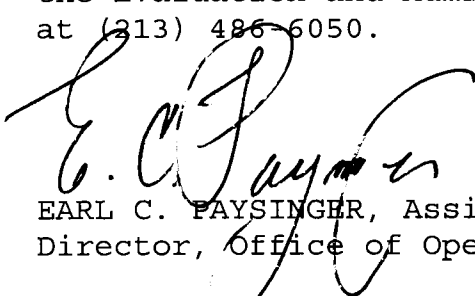
Note: The watch commander may add additional criteria to the Operation Plan, if forced entry is authorized by the court. Warrant Packages and entries on Search Warrant Tracking Logs are not required in these cases.

IV. **AREA COMMANDING OFFICER'S RESPONSIBILITIES.** The Area commanding officer will be responsible for ensuring compliance with this Order.

AMENDMENTS: The "Form Use" link for the Operation Plan, Form 12.22.00, has been updated on the Department's Local Area Network, located in E-Forms.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, will review this directive and determine whether an audit or inspection will be conducted in accordance with Department Manual Section 0/080.30.

Should you have questions regarding this Order, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



EARL C. PAYSINGER, Assistant Chief
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