

Forced Entry

319.1 POLICY

The use of forced entry to enter a residence or other dwelling to accomplish an arrest or detention will not be routinely done. However, there may be occasions when this tactic is the only reasonable alternative available. Forced entry is permitted in situations where the safety of the probationer or others is in immediate jeopardy or the i circumstances otherwise require immediate arrest or detention. Situations that may require forced entry include, but are not necessarily limited to, the following:

- (a) The probationer's life is in danger as a result of a suicide attempt or accidental drug overdose.
- (b) The probationer's activities are such that his, her or another's safety is in immediate jeopardy.
- (c) If an arrest or detention is not immediately accomplished, the safety of others, including the probationer, will be jeopardized.
- (d) If the probationer is believed to be in the process of destroying evidence.

319.1.1 KNOCK AND NOTICE

Before forced entry can be accomplished, Penal Code section 844 requires that the sworn peace officer must knock, demand entry, and explain the officer's purpose before entering the residence by force. This requirement can be waived if knocking and announcing will increase the danger of the risk of evidence being destroyed.

Officers must obtain prior approval from the Unit Supervisor if the officer anticipates the need to force entry. Other law enforcement agencies within the jurisdiction of the search may be asked to assist Department staff.