

3.03-9

**DAYTON POLICE DEPARTMENT
GENERAL ORDER
FORCED ENTRY POLICY**



RICHARD S. BIEHL – DIRECTOR AND CHIEF OF POLICE

Rev. 9/15

POLICY STATEMENT

The responsibility of maintaining order and protecting life and property sometimes requires officers to force entry into structures, vehicles or other property. Any situation wherein an officer finds it necessary to force entry must be promptly and accurately reported and investigated by an on-duty supervisor. No policy can prepare officers for all possible eventualities or circumstances where forced entry will be required or justified.

The standard of behavior will be the reasonableness of the decision to force entry and the reasonableness of the means used to force entry, based on the information available to the officer(s) at the time. A thorough investigation of a forced entry provides police personnel and the City of Dayton protection from false allegations of unwarranted searches.

I. DEFINITION OF FORCED ENTRY

Forced entry is defined as anytime an officer uses force to gain entry to a dwelling, structure, vehicle or other property.

II. FORCED ENTRY PROCEDURE

- A. If officers are aware in advance that force is going to be needed to gain entry to any property during the execution of a warrant for search or arrest, they must get approval to use such force from a supervisor.
- B. Officers should contact a supervisor prior to forcing entry whenever circumstances permit. If there is insufficient time to reach a supervisor prior to forcing entry, a supervisor must be called immediately after all risks to persons or evidence have been minimized.
 - When time permits and there are no safety issues, officers will seek a point of entry that minimizes the damage to the property.
- C. After force has been used to gain entry, the officer or supervisor conducting the investigation will ensure that color photographs are taken of all damage to the structure, vehicle or other property caused during the entry.
- D. Before the end of the tour of duty, the supervisor of the officer who forced entry must complete a *BlueTeam Internal Incident Investigation Report*, fully describing the situation. The report, along with the attached photographs, will be forwarded through the system to the appropriate Division Commander and then to the Professional Standards Bureau.

Supervisors of personnel using forced entry while conducting a search warrant will complete a brief *BlueTeam Internal Investigation Incident Report* unless there are allegations of misconduct which will require a complete investigation.

- Supervisors will attach a copy of the DIBRS report, search warrant and any photographs taken of the incident to the *BlueTeam Internal Investigation Incident Report* and forward through the appropriate Division Commander's Office to be filed in Professional Standards.