



10/9/19

Director Andrew Myerberg  
Office of Professional Accountability  
PO Box 34986  
Seattle, WA 98124-4986

Dear Director Myerberg,

Please see the below Management Recommendation response

**Case Numbers:**

OPA 19-0308; COMP 19-0027

**Topic:**

Search Warrant Exception

**Summary of the Management Action:**

Allegation that employee violated Department policy by directing officers to enter the complainant's residence under the Involuntary Treatment Act (ITA) without meeting the exception to the warrant requirement.

**Original Recommendation:**

Modify policy 6.180 and 16.110 to include the community caretaking/Emergency Doctrine exception to the search warrant requirement as set forth in caselaw. The Department should also include guidance concerning community caretaking and warrantless entries in the context of ITAs. OPA made a similar recommendation in 2018OPA-0353/2018COMP-0101.

**Action Taken:**

Guidance related to warrantless community caretaking searches has been incorporated into the draft for 6.180, Searches – General. In addition, language was added to the Crisis Intervention Policy 16.110-POL-5(8) to provide clarity:

- \*NOTE – A court order for detention or verbal order from a DCR does not grant legal authority to enter a constitutionally protected area. An order may add to the overall exigency of an incident, but should not be used as the only motivator to force entry into a protected area.

**SPD Considers this Management Action:**

Fully Implemented

Please don't hesitate to contact me if you have additional questions or concerns.

Sincerely,

Lesley Cordner, Assistant Chief  
Professional Standards Bureau