



## GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES

### **Search Warrant and SWAT Team**

#### *Data Definitions and Reporting Guide*

This *Search Warrant and SWAT Team: Data Definitions and Reporting Guide* provides guidance on the submission of SWAT team activities and information regarding certain search warrants, as required by Chapters 59 and 62 of 2021 (House Bill 670/Senate Bill 178). This guide serves to identify the reporting requirements, a definition for each required data element, and instruction on the submission of all required data. **To quickly access one of these areas, please select from the following list.**

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## Introduction

Chapters 542 and 543 of 2009 (Senate Bill 447/House Bill 1267) required law enforcement agencies that maintain a SWAT team to report specific activation and deployment information to the Governor’s Office of Crime Prevention, Youth, and Victim Services (Office) by January 15 and July 15 of each year.<sup>1</sup> It also required the Office to submit a report of the analyses and summaries of the reports of law enforcement agencies to the Governor, the General Assembly, and each law enforcement agency by September 1 of each year. The collection and submission of SWAT data began on July 1, 2009, and ended on June 30, 2014, due to the bill’s termination date of June 30, 2014.

Chapter 59 of 2021 (House Bill 670) restored the data collection and reporting of SWAT team activities in which law enforcement agencies must biannually submit information to the Office.<sup>2</sup> Specifically, and in accordance with § 3-508(b) of the Public Safety Article, law enforcement agencies that maintain a SWAT team must report information, from the previous six months, to the Office by January 15 and July 15 of each year, as it relates to the following:

1. The number of times the SWAT team was activated and deployed by the law enforcement agency in the previous six months;
2. The name of the county or county and municipal corporation and the zip code of the location where the SWAT team was deployed for each activation;
3. The reason for each activation and deployment of the SWAT team;
4. The legal authority, including the type of warrant, if any, for each activation and deployment of the SWAT team; and
5. The result of each activation and deployment of the SWAT team, including:
  - i. The number of arrests made, if any;
  - ii. Whether property was seized;
  - iii. Whether a forcible entry was made;
  - iv. Whether a weapon was discharged by a SWAT team member; and
  - v. Whether a person or domestic animal was injured or killed by a SWAT team member.

Chapter 62 of 2021 (Senate Bill 178) made various modifications to provisions relating to search warrants, including “no-knock” search warrants, and requires law enforcement agencies to annually report specified data to the Office.<sup>3</sup> Specifically, and in accordance with § 3-525(b) of the Public Safety Article, law enforcement agencies must report information, from the prior calendar year, to the Office by January 15 of each year, as it relates to the following:

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<sup>1</sup> Maryland General Assembly. (2009). *Chapters 542 and 543 (Senate Bill 447/House Bill 1267), Public Safety - SWAT Team Activation and Deployment - Reports*.

<sup>2</sup> Maryland General Assembly. (2021). *Chapter 59 of 2021 (House Bill 670), Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures*.

<sup>3</sup> Maryland General Assembly. (2021). *Chapter 62 of 2021 (Senate Bill 178), Maryland Police Accountability Act of 2021 - Search Warrants and Inspection of Records Relating to Police Misconduct (Anton’s Law)*.

1. The number of times a no-knock search warrant was executed in the previous year;
2. The name of the county and municipal corporation and the zip code of the location where each no-knock search warrant was executed;
3. For each search warrant executed, the number of days from the issuance until the execution of the search warrant, disaggregated by whether the search warrant was a no-knock search warrant;
4. The legal basis for each no-knock search warrant issued;
5. The number of times a search warrant was executed under circumstances in which a police officer made forcible entry into the building, apartment, premises, place, or thing to be searched specified in the warrant;
6. The number of times a SWAT team was deployed to execute a search warrant;
7. The number of arrests made, if any, during the execution of a search warrant;
8. The number of times property was seized during the execution of a search warrant;
9. The number of times a weapon was discharged by a police officer during the execution of a search warrant; and
10. The number of times a person or domestic animal was injured or killed during the execution of a search warrant, disaggregated by whether the person or animal was injured or killed by a police officer.

## Data Definitions

The following definitions must be used when submitting SWAT team activities and information regarding certain search warrants:

**SWAT team** means a special unit composed of two or more police officers within a law enforcement agency trained to deal with unusually dangerous or violent situations and having special equipment and weapons, including rifles more powerful than those carried by regular police officers.<sup>4</sup>

**Forcible entry** refers to ANY entry during which the occupant does not consent to entry. A nonconsensual entry to penetrate the premises includes any physical force whether or not actual damage to the premises occurs. Forcible entries include a deployment where notice has not been given to the occupants prior to the tactical team's entry and entries where the occupant refused consent to enter.

**To meet the criteria of a reportable incident, the SWAT team must be BOTH activated AND deployed:**

- “Activated” means to put a SWAT team on notice of potential deployment for an unusually dangerous or potentially violent situation.

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<sup>4</sup> Maryland General Assembly. (2021). [Chapter 59 of 2021](#) (House Bill 670), *Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures*.

- “Deployment” means that a SWAT team has taken SWAT-related tactical police action. “SWAT-related” police action shall not include: manpower, security, executive protection, or general law enforcement duties.

**No-knock search warrant** means a search warrant authorizing entry into a building, apartment, premises, place, or a thing to be searched without giving notice of the officers authority or purpose.<sup>5</sup>

## Reporting Requirements

**Chapter 59 of 2021 (House Bill 670):** An agency that maintains a SWAT team must compile and submit its data in the described format ([below](#)) no later than the 15th day of the month following the 6-month reporting period (i.e., reports for July 1 - December 31 are due by January 15th, and reports for January 1 - June 30 are due by July 15th). This requirement shall take effect July 1, 2022, with the first set of data due by January 15, 2023.

An agency that maintains a SWAT team must also provide a copy of the report to the local governing body (e.g., county council/commissioners) or chief executive officer of the jurisdiction served by the law enforcement agency.

### Reporting Responsibility in Situations Involving Multiple SWAT Teams

- In cases where multiple SWAT teams are deployed and/or multiple entries are made into different addresses, each entry will be considered a single deployment and will require separate reporting.
- In situations where multi-agency or multi-jurisdictional teams are deployed for one location, the agency that employs the tactical commander or supervisor of the operation has the responsibility of reporting that deployment.
- In situations where multi-agency or multi-jurisdictional teams are deployed for multiple locations, each entry is considered a single deployment, and the agency that employs the tactical commander or supervisor of the operation has responsibility of reporting that deployment.

**Chapter 62 of 2021 (Senate Bill 178):** Law enforcement agencies are required to submit the search warrant data in the described format ([below](#)) annually by January 15th of the following year. The first reporting period (January 1 - December 31, 2022) is due to the Office by January 15, 2023.

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<sup>5</sup> Maryland General Assembly. (2021). *Chapter 62 of 2021 (Senate Bill 178), Maryland Police Accountability Act of 2021 - Search Warrants and Inspection of Records Relating to Police Misconduct (Anton’s Law)*.

The law enforcement agency must also provide a copy of the search warrant data report to the local governing body (e.g., county council/commissioners) or chief executive officer of the jurisdiction served by the law enforcement agency.

## Reporting Guide

All SWAT team activities and information regarding certain search warrants can be entered into the *Search Warrants and SWAT Team Reporting Template* excel spreadsheet which includes the data elements required by Chapters 59 and 62 of 2021 (House Bill 670/Senate Bill 178), based on the selected dropdown option. A description of the data elements, to include the available selections for each, is provided below.

### #1. The number of reporting law enforcement agencies.

The template will designate one column to capture this data element, to include the following:

**Agency name:** Enter the name of the reporting law enforcement agency.

Please note that this information will be used, in combination with data element #2 and data element #3, to identify the number of times a SWAT team was activated and deployed by the law enforcement agency, and the number of times a no-knock search warrant was executed.

### #2. The number and type of search warrants, and the number of initiated deployments.

The template will designate two columns to capture this data element, to include the following:

**Search Warrant Type:** This indicates the different types of search warrant categories, and if a SWAT team was initiated. Use the “dropdown” menu to select a search warrant category.

- No-knock search warrant (SWAT team)
- No-knock warrant (no SWAT team)
- SWAT team (other)
- Residence
- Electronics
- Social media
- Person
- Vehicle
- Property
- DNA/Genealogy
- GPS
- Records
- Other

Please note that the *No-knock search warrant (SWAT team)* and *SWAT team (other)* selections capture the SWAT data reporting component for Chapter 59 of 2021 (House Bill 670).

**Search Warrant Type (Other):** If *Other* is selected for the search warrant type, write out the applicable warrant type.

**#3. The number of times a SWAT team was deployed to execute a search warrant, and the number of days from the issuance until the execution of the search warrant.**

The template will designate two columns to capture this data element, to include the following:

**Issued Date:** Provide the date in which the search warrant or SWAT deployment was issued, based on a MM/DD/YYYY format for each entry.

**Executed Date:** Provide the date in which the search warrant or SWAT deployment was executed, based on a MM/DD/YYYY format for each entry.

Please note that the Office will calculate the number of days from the issuance until the execution of the search warrant by subtracting the *executed date* from the *issued date*.

**#4. The name of the county, municipal corporation, and the zip code of the location where the search warrant or SWAT deployment was executed.**

The template will designate three columns to capture this data element, to include the following:

**County:** Enter the county where the search warrant or SWAT deployment was executed.

**Municipality:** Enter the municipality where the search warrant or SWAT deployment was executed.

**Zip Code:** Enter the 5-digit zip code where the search warrant or SWAT deployment was executed.

**#5. Provide the legal authority, including the type of warrant, if any, for each activation of the SWAT team; and the reason for each activation and deployment of the SWAT team.**

The template will designate three columns to capture this data element, to include the following:

**Authority:** Use the “dropdown” menu to select the origin of the legal authority for which the search warrant is executed or the SWAT team is deployed.

- Arrest warrant
- Search warrant
- Barricade

- Exigent circumstances
- Other

Please note that *Search warrant* will be selected for the reporting requirements under Chapter 62 of 2021 (Senate Bill 178).

**Reason:** Use the “dropdown” menu to select the underlying reason for the execution of each search warrant or deployment of the SWAT team.

- Criminal
- Emergency petition

**Crime Type:** If *Criminal* is selected for the reason of the executed search warrant or deployment of a SWAT team, use the “dropdown” menu to select the most serious offense committed or alleged to have been committed. This “dropdown” menu is based on the crime categories associated with Group A offenses under the National Incident Based Reporting System (NIBRS). If *emergency petition* is selected for the reason, the crime type field can be left blank.

- |  |                                |
|--|--------------------------------|
| ● Animal Cruelty                           | ● Homicide Offenses            |
| ● Arson                                    | ● Human Trafficking            |
| ● Assault Offenses                         | ● Kidnapping/Abduction         |
| ● Bribery                                  | ● Larceny/Theft Offenses       |
| ● Burglary/Breaking & Entering             | ● Motor Vehicle Theft          |
| ● Counterfeiting/Forgery                   | ● Pornography/Obscene Material |
| ● Destruction/Damage/Vandalism of Property | ● Prostitution Offenses        |
| ● Drug/Narcotic Offenses                   | ● Robbery                      |
| ● Embezzlement                             | ● Sex Offenses, Forcible       |
| ● Extortion/Blackmail                      | ● Sex Offenses, Nonforcible    |
| ● Fraud Offenses                           | ● Stolen Property Offenses     |
| ● Gambling Offenses                        | ● Weapon Law Violations        |

For more information on which offenses fall within a specific crime category, please refer to the [NIBRS Quick Facts](#).

**#6. The result of each activated/deployed SWAT team and executed search warrant.**

The template will designate nine columns to capture this data element, to include the following:

**Forcible Entry:** Use the “dropdown” menu to select if a forcible entry was made during the execution of a search warrant or deployment of a SWAT team.

- Yes
- No

**Property Seized:** Records should indicate whether property was seized during the execution of a search warrant or deployment of a SWAT team. Use the “dropdown” menu to select if property was seized.

- Yes
- No

**Weapon Discharged:** If a firearm, as defined by § 5-101 of the Public Safety Article, was discharged during the execution of a search warrant or deployment of a SWAT team, use the “dropdown” menu to select the intended target of the discharge.

- No (no firearm was discharged)
- Fixed (fixed structure such as a door, window, etc.)
- Person
- Animal
- Accidental

**Arrests:** Enter the number of arrests made during the execution of a search warrant or at the scene of the deployment by any law enforcement agency.

**Animal Injured:** Use the “dropdown” menu to select if any animals were injured during the execution of a search warrant or as a result of the deployment.

- Yes
- No

**Animal Killed:** Use the “dropdown” menu to select if any animals were killed during the execution of a search warrant or as a result of the deployment.

- Yes
- No

**Person Injured:** Use the “dropdown” menu to select if any human beings were injured during the execution of a search warrant or as a result of the deployment.

- No (no persons were injured by officers or animals)
- Officer (injured by an officer)
- Animal (injured by an animal)
- Other (injured through other means)

**Person Killed:** Use the “dropdown” menu to select if any human beings were killed during the execution of a search warrant or as a result of the deployment.



- Yes
- No

**Officer Injured:** Use the “dropdown” menu to select if any officers were directly injured by any persons or animals during the execution of a search warrant or at the scene of a SWAT deployment.

- No (no officers were injured by people or animals)
- Person (injured by a person)
- Animal (injured by an animal)
- Other (injured through other means)

## Questions

If you have any questions or concerns regarding the reporting requirements, please contact Jeffrey Zuback, Chief of Research and Analysis, at [Jeffrey.Zuback@Maryland.gov](mailto:Jeffrey.Zuback@Maryland.gov).