



City of Racine Police Department
Policy and Procedure

Number: 1104

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| Subject: Developing a Sworn Affidavit to Support a Search Warrant | | |
| Date Issued: 08-15-80 | Effective Date: 07-29-11 | Revision Number: 5 |

POLICY:

The Racine Police Department has established a uniform method for the drafting of Sworn Affidavits in support of Search Warrants.

PROCEDURE:
MEMBER:

When drafting a Sworn Affidavit to support a Search Warrant:

1. Confer with your Supervisor.
2. Prepare the affidavit, including;
 - a. The first statement of the affidavit should read "Your affiant is an adult male/female employed by the City of Racine as a Patrol Officer, Investigator, etc... and has been so employed since (insert date of hire) and is presently assigned to (insert Unit name)."
 - b. In subsequent numbered paragraphs, provide the following:
 - 1) Facts supporting request for a search warrant, i.e., dates, names, places, times and nature of investigation or crime.
 - 2) Identify the source(s) of information, i.e., surveillance, personal knowledge and/or observations, named citizen or confidential informant.
 - 3) Establish the reliability and credibility of the individual(s) supplying the information:
 - a) If the individual is named in the body of the affidavit, this is usually sufficient.
 - b) If the individual (confidential informant) is not named in the affidavit, explain how you personally know the informant to be reliable.
 - c) In detail, state how the individual knows the designated property or person is at the location in question.
 - c. Name the person (name, sex, race, & DOB) or place to be searched (type of construction, address, color, etc.). Include utility check information obtained via the Utilities Company.
 - d. If the location to be searched is a vehicle, be specific (make, model, color, type, etc...). Also include DOT information validating ownership of the vehicle.
 - e. Describe the items or property to be seized with as much detail as possible, i.e., serial number, color, brand name, etc.
 - f. Provide criminal history and/or background information that further support the affidavit.
 - g. Provide information supporting a NO KNOCK entry if applicable, i.e., criminal history, background, informant information or recent observation of weapons.
 - h. Identify the owners and/or occupants of the premises to be searched when possible.
 - i. In the second to last paragraph, the affiant shall state "Your affiant has read the foregoing and knows it to be true and correct as to best of his/her knowledge, except for those matters stated on information and belief and as to those matters he/she believes them to be true".
 - j. In the last paragraph, the affiant shall state "WHEREFORE, your affiant respectfully prays that a (insert NO KNOCK if applicable) search warrant be issued" and then describe the location(s) to be searched and the items to be seized.
3. Forward the affidavit to your immediate Supervisor and present to the DA's office for review and approval. **Note:** DA approval can be done by telephone.

SUPERVISOR:

1. Review the affidavit and the face of the search warrant before execution of the search warrant. Check for completeness and accuracy.

**RELATED
PROCEDURE:**

[1105 – Issuance of a Search Warrant](#)

[1106 – Executing a Search Warrant](#)

[1107 – Return of a Search Warrant](#)

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