Maryland
GOVERNOR'S OFFICE OF CRIME PREVENTION AND POLICY

SWAT Team and No-Knock Search Warrants

Data Definitions and Reporting Guide

This *SWAT Team and No-Knock Search Warrants: Data Definitions and Reporting Guide* provides guidance on the submission of SWAT team activities and information regarding no-knock search warrants, as required by § 3–508(b) of the Public Safety Article and § 3–525(b) of the Public Safety Article. This guide serves to identify the reporting requirements, a definition for each required data element, and instruction on the submission of all required data. Although the law requires agencies to report information to the Governor's Office of Crime Prevention and Policy in January and July, based on the mandate, this guide includes a revision for agencies to only submit State fiscal year data (July 1 - June 30) by July 15, moving forward. **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 and Policy (Office) by January 15 and July 15 of each year. 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. Under § 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 1 and July 1 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 no-knock search warrants, and requires law enforcement agencies to annually report specified data to the Office. Under § 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:

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.

Although the law requires agencies to report information to the Office in January and July, law enforcement agencies should only submit State fiscal year data (July 1 - June 30) by July 15.[1]

Data Definitions

The following definitions must be used when submitting SWAT team activities and information regarding no-knock 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.[2]

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.

[1] It is important to note that the due date for § 3-508(b) was changed, from January 1 and July 1 of each year, to July 15 of each year; and the due date for § 3-525(b) was changed from January 15 to July 15.
[2] SWAT (Special Weapons and Tactics) teams are a type of Special Tactical Response Team that consist of two or more law enforcement officers who possess advanced technical training and expertise. Duties of a SWAT can range from non-emergency situations to potentially high-risk situations, such as issuing a no-knock search warrant.

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

- **Activated** means to put a SWAT team on notice of potential deployment for an unusually dangerous or potentially violent situation.
- **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.[3]

Reporting Requirements

To consolidate and reduce the number of data submissions required by § 3-508(b) and § 3-525(b) of the Public Safety Article, agencies should only submit State fiscal year data (July 1 - June 30) to the Office by July 15. Please refer to the chapters below for information regarding each requirement, and the reporting guide for a description of the data elements.

Chapter 59 of 2021 (House Bill 670): An agency that maintains a SWAT team must compile and submit its data to the Office by July 15.

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.

[3] A no-knock search warrant is a type of warrant service operation in which the serving officer(s) does not announce their presence prior to entering the premises (as opposed to a knock and announce warrant where the serving officer(s) announces their presence prior to entry).

Chapter 62 of 2021 (Senate Bill 178): Law enforcement agencies must submit its no-knock search warrant data to the Office by July 15. All other search warrants data (e.g., GPS, DNA, electronics, etc.) IS NOT required. Please only submit no-knock search warrant data.

The law enforcement agency must also provide a copy of the no-knock 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 no-knock search warrants can be entered into one reporting template to account for the § 3-508(b) and § 3-525(b) requirements. 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 search warrant (no SWAT team)
> - SWAT team (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) while *no-knock search warrant (SWAT Team)* and *no-knock search warrant (no SWAT Team)* capture the reporting components of Chapter 62 of 2021 (Senate Bill 178).

#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 no-knock 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 no-knock 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 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 no-knock search warrant or SWAT deployment was executed.
>
> **Municipality**: Enter the municipality where the no-knock search warrant or SWAT deployment was executed.
>
> **Zip Code**: Enter the 5-digit zip code where the no-knock 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 no-knock 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 no-knock search warrant or deployment of the SWAT team.

- Criminal
- Emergency petition

Crime Type: If *criminal* is selected for the reason of the executed no-knock 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
- Arson
- Assault Offenses
- Bribery
- Burglary/Breaking & Entering
- Counterfeiting/Forgery
- Destruction/Damage/ Vandalism of Property
- Drug/Narcotic Offenses
- Embezzlement
- Extortion/Blackmail
- Fraud Offenses
- Gambling Offenses
- Homicide Offenses
- Human Trafficking
- Kidnapping/Abduction
- Larceny/Theft Offenses
- Motor Vehicle Theft
- Pornography/Obscene Material
- Prostitution Offenses
- Robbery
- Sex Offenses, Forcible
- Sex Offenses, Nonforcible
- Stolen Property 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 no-knock search warrant or deployment of a SWAT team.

- Yes
- No

Property Seized: Records should indicate whether property was seized during the execution of a no-knock 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 no-knock 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 no-knock 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 no-knock 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 no-knock 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 no-knock 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 no-knock 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 no-knock 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)