

Warrant Compelling Provider to Disconnect Service (TRAVIS)  
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Smith is a convicted felon with a history of arrests for weapons and crimes against persons including: Assault with a Deadly Weapon, Robbery, Possession of a Dangerous Weapon, and Possession of a Concealed Firearm. Smith is a validated, self-admitted member of a criminal street gang as defined in California Penal Code Section 186.22. As noted above, Confidential Reliable Informant 2 states he/she has seen Smith in possession of what appears to be a semi-automatic handgun concealed in his waistband on no less than three separate occasions. Both Confidential Reliable Informant 1 and Confidential Reliable Informant 2 state they have heard Smith repeatedly state he would not return to prison and intended to shoot as many law enforcement officers as he could before being killed by the police. Based on the nature of the crime under investigation, Smith's prior arrests for weapons and violent crimes against persons, Smith's self-admission to being a member of a criminal street gang, the observation of Smith being armed with a handgun, and his statements regarding his intent to violently resist apprehension to two separate informants, I have come to the belief the execution of a search warrant, should it be granted, will pose an high risk of injury or death for the law enforcement officers executing it.

Due to the risk factors detailed above your affiant fully expects the search warrant, should it be granted, will be executed by members of the River City Police Department's Special Response Unit (SRU). Your affiant is aware from prior training and experience, and the experience of other veteran law enforcement officers, the tactics and equipment of the RCPD SRU Team reduces some of the factors causing risk of injury or death the officers executing the warrant. To further mitigate the risk to the officers executing the warrant, your affiant requests the following:

The California Penal Code requires a search warrant to be executed no earlier than 0700 unless the warrant is endorsed for night service. Your affiant believes the execution of the warrant during the daylight hours would compromise the tactics and safety of the officers executing the warrant. Therefore, your affiant requests officers be allowed the serve the warrant at any time of the day or night.

California statutory and case law require the officers executing the warrant to knock and announce their presence before forcing entry into the residence. Based on the facts documented above your affiant believes Smith would likely use the time during the knock and announce period to arm himself, further arm himself with other weapons, barricade himself, and/or destroy or attempt to destroy the very evidence your affiant seeks a search warrant for. Therefore, your affiant requests officers be authorized to execute the search warrant without the required knock and announce.

The tactics of the RCPD SRU are to deploy the tactical elements of the team from a ballistic resistant armored rescue vehicle. The team members routinely ride on the outside of the vehicle in order to rapidly and simultaneously deploy to the target location. The presence of an armored rescue vehicle with tactical operators on the outside of the vehicle is an attention grabbing site. This attention frequently causes those in proximity to either yell, text message, or make cellular telephone calls to associates, friends, family members, or members of criminal groups to warn them of the presence and impending deployment of the tactical team. Your affiant believes this may occur even during late night or early morning warrant service as Smith's residence is notorious for vehicle and foot traffic at all hours of the day and night.

Your affiant is aware, through prior training and experience, cellular service providers have the ability to forcibly disconnect a mobile phone from their network. To prevent Smith from being warned of the impending arrival of the tactical team and arming himself, barricading himself inside the residence, and/or destroying evidence, your affiant requests judicial authorization to compel Smith's cellular service provider, Verizon Wireless, to disconnect service to his mobile phone at the direction of the affiant or a designee. Your affiant believes this would serve to prevent Smith from being notified of the impending arrival of the tactical team serving the search warrant. Additionally, your affiant knows from prior training and experience forcibly shutting down service to Smith's phone prior to the deployment of the tactical team serves not only to prevent Smith from being warned but also prevents Smith from making any outgoing phone calls in the event he barricades himself inside the residence. Your affiant knows from prior training and experience that even after a phone has had service disconnected it is still able to make emergency calls to 911. In the event Smith barricades himself inside his residence he would be unable to make any calls other than those to the 911 public safety answering point which would then be routed to the RCPD SRU Crisis Negotiation Team.