

S.B. 82
FORCIBLE ENTRY AMENDMENTS

Senator **Stephen H. Urquhart** proposes the following amendments:

1. *Page 3, Line 60:*

- 60 (1) (a) No later than July 1, 2015, any law enforcement agency that seeks a warrant under this Section shall adopt and comply with guidelines and procedures which are, at a minimum, in accordance with the Utah Department of Public Safety "Utah Search Warrant Service Model Guidelines".
(b) Written policies adopted pursuant to this Section, shall be subject to public disclosure and inspection, in accordance with Title 63G, Chapter 2, Government Access and Management Act.
(2) When a search warrant has been issued authorizing entry into any building, room,

2. *Page 3, Lines 65 through 71:*

- 65{~~————(2) The officer executing the warrant under Subsection (1) may use only that force~~
66 ~~which is reasonable and necessary to execute the warrant.~~}
67 (3) (a) {~~The officer shall identify himself or herself and state the purpose [of] for~~
68 ~~entering the premises as soon as practicable.~~
69 ~~————(b)—~~} The officer may enter without notice only if:
70 (i) {~~there is [reason] probable cause to believe that the notice will endanger the life or~~
71 ~~safety of the officer or another person; or~~}

3. *Page 3, Lines 74 through 75:*

- 74 [(iii)] {~~(ii)~~} the magistrate, {+} having found probable cause based upon proof provided
75 under oath, that the object of the search may be easily or quickly secreted or destroyed, or {+}

4. *Page 3, Lines 78 through 83:*

- 78 entering the premises to be searched under [~~Rule 40,~~] the Rules of Criminal Procedure {~~—~~} ; or
(ii) the officer physically observes and documents a previously unknown event or circumstance at the time the warrant is being executed which creates probable cause to believe the object of the search is being secreted or destroyed, or creates reason to believe that physical harm may result to any person if notice were given.
(b) The officer shall identify himself or herself and state the purpose for entering the premises as soon as practicable after entering.
(4) An officer executing a warrant under this Section may use only that force which is reasonable and necessary to execute the warrant.
(5) An officer executing a warrant under this Section shall wear readily identifiable markings,

including a badge and vest or clothing with a distinguishing label or other writing which indicates that he or she is a law enforcement officer.

(6) An officer executing a warrant under this Section shall comply with the officer's employing agency's body worn camera policy when the officer is equipped with a body worn camera.

79 { ~~(c) The officer shall wear a uniform with large, conspicuous text stating that the officer~~
80 ~~is a peace officer.~~

81 ~~—— (d) The officer shall be equipped with a camera worn on the officer's body that actively~~
82 ~~records throughout the duration of the execution of the warrant. }~~

83 { ~~(4)~~ (7) (a) The officer shall take reasonable precautions in execution of any search warrant