



KERN COUNTY PROBATION DEPARTMENT

Policies And Procedures

TITLE: Forced Entries			Article: 1708
APPROVED: William Dickinson, Chief Probation Officer			
EFFECTIVE: October 2016	REVIEWED: August 2018	REVISED: September 2024	UPDATED: October 2016

POLICY

Forced entries may be necessary depending on the circumstances and are allowed under Sections 844 and 1531 of the Penal Code. The officer must have probable cause to believe the person to be arrested is actually inside at the time of entry. Authorization from a Probation Supervisor must be obtained prior to forced entry is made unless doing so would create an imminent threat of danger to an officer or others, or there are other exigent circumstances. Whenever practical, officers should ensure there are sufficient personnel present and use the appropriate tools.

In general, officers must knock and announce their presence, identifying themselves as peace officers. Prior to forced entry, they should state their purpose, demand entry and wait a reasonable amount of time for compliance which will vary with the circumstances. Once there is implied refusal based on the passage of a reasonable amount of time, or there is specific conduct or verbal statements by the suspect indicating refusal, officers may force entry into the residence to gain admittance.

Exceptions to the knock and announce requirements include an officer being given consent to enter, or exigent circumstances. Examples of exigent circumstances include, but are not limited to, an imminent threat to life, to property, of suspect's escape, destruction of evidence or contraband, to officer safety, or hot pursuit.