



STAFF REPORT

DATE: April 27, 2021
TO: Kent Cagle, City Manager
FROM: Charles Kimble, Chief of Police
SUBJECT: Amendment of Chapter 22 Article IV Prohibiting No-Knock Warrants

BACKGROUND AND FINDINGS:

The Killeen Police Department, on occasion, has used no-knock warrants to arrest violent offenders. In 2020, incidents throughout the nation forced police departments to re-examine several policies, including the execution of no-knock warrants. On June 16, 2020, the Chief of Police and the Executive Staff of the Police Department developed a Police Reform package that changed policy and procedures regarding use of force, choke holds, requesting medical treatment for arrestees, accountability, transparency and use of no-knock warrants. In summary, the reform package has eliminated no-knock warrants for narcotic only cases, and a very high threshold for non-narcotic exceptions must be met only after a presentation to the Chief of Police or an Assistant Chief of Police. The last no-knock warrant executed in the City of Killeen was April 29, 2020 and the Killeen Police Department has adjusted its tactics that no-knock warrants are no longer an option. The City of Killeen drafted an ordinance revising Article IV Chapter of the City of Killeen Code of Ordinance. It states in part:

ARTICLE IV. SEARCH WARRANT LIMITATIONS

Sec. 22-60. Purpose.

The purpose of this article is to limit the type of search warrants that can be executed by peace officers employed by the City of Killeen within the Killeen city limits.

Sec. 22-61. Search Warrant Exception.

No peace officer employed by the City of Killeen, including the Chief of Police as provided in section 22-26, may request, execute or participate in the execution of any search warrant that does not require the officer to knock and announce his or her presence prior to execution.

Sec. 22-62. Violations

Unless stated otherwise, any violation of this article may subject a peace officer to discipline as provided by Texas Local Government Code, Chapter 143, or as provided in City policy.

THE ALTERNATIVES CONSIDERED:

Not adopt the ordinance and let the policy stand within the police department.

Which alternative is recommended? Why?

No recommendation from the Police Department.

CONFORMITY TO CITY POLICY:

This ordinance complies with policy and state law.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

The ordinance does not have a cost associated with it.

Is this a one-time or recurring expenditure?

Not applicable

Is this expenditure budgeted?

Not applicable

If not, where will the money come from?

Not applicable

Is there a sufficient amount in the budgeted line-item for this expenditure?

Not applicable

RECOMMENDATION:

No recommendation from the Police Department.

DEPARTMENTAL CLEARANCES:

Police
City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Ordinance