

# THE CENTER FOR DISCOVERY

SUBJECT: Responding to a Search Warrant

MANUAL: Corporate Compliance

SECTION: Section 7

## Purpose:

The purpose of this policy is to provide written guidance on how to respond appropriately to an official search warrant.

## Policy:

1. At all times, Center for Discovery employees will remain courteous and professional in dealing with agents and officers of the court who are serving search warrant orders. No one is permitted to impede the agents or interfere in any way with the lawful execution of a search warrant.
2. The Corporate Compliance Officer will be responsible for responding to search warrants, ensuring that there is always someone present to contact legal counsel, and to carry out the response procedures.

## Procedures:

The following response procedures are to be followed:

1. .
2. Staff receiving service of a search warrant or unannounced visit by a government official will direct the official to the nearest program supervisor. The supervisor will, in turn, notify department Administrators who will respond to the scene. The Administrator will immediately notify the CEO's office of the visit. No other information or discussion should be offered to the agent/investigator. No one should submit to any form of questioning or interviewing at the time of search.
3. The CEO's office will alert Legal Counsel, the Corporate Compliance Officer, the Board of Directors, and other Department Administration as deemed necessary by the CEO.
4. The Corporate Compliance Officer will be designated as the leader of the administrative response team. The CCO will respond to the site and receive the search warrant (or subpoenas). Additionally, in consultation with legal counsel, the CCO will be the main point of interaction with the government agents.
5. At no time will the agents be left alone, as they have the legal right to proceed without permission.
6. Staff members not involved in responding to the event should be situated elsewhere when possible. **With the exception of questions related to the location of documentation**, no information or discussion should be offered to the agent/investigator. No one should submit to any form of questioning or interviewing at the time. There is no obligation to give an interview during a search. Any and all questions from the agents/investigators should be directed to the CCO, who is the designated lead person.

## The Corporate Compliance Officer as the designated lead person will:

1. Meet the agents quickly, verify their identification, and inquire politely as to how they may be assisted

ORIGINAL DATE:	2/2012	SUPERSEDES:	N/A	
REVISION:	2	DATE:	6/5/18	FILE NUM: CC-7.5
				PAGE: 1 OF 3

# THE CENTER FOR DISCOVERY

SUBJECT: Responding to a Search Warrant	MANUAL: Corporate Compliance
	SECTION: Section 7

2. An attempt to request time before the search will be made by the CCO. This time will be used to consult with legal counsel to determine the appropriate course of conduct prior to the initiation of search. Although, it is likely that the request will not be honored.
3. Ask to review the warrant, and request a copy.
4. Carefully examine the search warrant (with legal counsel, if possible) to determine the following:
  - a. The CCO ensures that the search is being executed during the hours indicated on the document (most warrants should limit the hours they can be executed, e.g. “daylight hours”).
  - b. Ensure that the warrant has not expired (all warrants should have an expiration date).
  - c. Ensure that the warrant is signed by a judge (all warrants should be signed by a judge).
  - d. Send a copy of the warrant to legal counsel by the most expeditious means. If legal counsel is not present, the CCO will immediately inform legal counsel of the details of the search warrant.
  - e. What specific premises it covers and what specific documents/evidence they seek.
5. Maintain a record of what happens, including
  - a. What agencies are represented
  - b. The number/identity of the agents
  - c. Areas searched
  - d. Times of search
  - e. A detailed “inventory record” of items/documents seized.
6. Maintain reproduced copies of the records seized, especially if their loss would impact the day-to-day operations of the Agency. If computers are to be seized, the CCO will request that files are copied prior to seizure. Politely object to any searches outside the scope of the warrant. If the agents disregard requests to not search beyond the scope of the warrant, they will not be prevented from doing so. The CCO will note the fact for legal counsel.
7. If designated privileged files and documents are on the premises, the government agents in charge of the search need to be notified. If the government agents seize any of these privileged records, the CCO will note that s/he advised the government agent of that fact. The agents may enter into and look at virtually anything in the defined location, including any room, locked cabinets, files, desk drawers, etc. This includes forcing entry. This may mean individual workspaces and personal privacy invasion. If a government agent(s) bearing

ORIGINAL DATE: 2/2012	SUPERSEDES: N/A	
REVISION: 2	DATE: 6/5/18	FILE NUM: CC-7.5
		PAGE: 2 OF 3

# THE CENTER FOR DISCOVERY

SUBJECT: Responding to a Search Warrant

MANUAL: Corporate Compliance

SECTION: Section 7

a warrant does show up, bear in mind they are acting as agents of the court. Any interference could well be viewed as obstruction of justice, an actionable offense.

8. The CCO will always remain present while the agents are conducting the search.

ORIGINAL DATE: 2/2012

SUPERSEDES: N/A

REVISION: 2

DATE: 6/5/18

FILE NUM: CC-7.5

PAGE: 3 OF 3