



United States Department of the Interior
OFFICE OF THE SECRETARY

Office of Law Enforcement and Security
1849 C Street NW
Washington DC 20240

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LAW ENFORCEMENT and SECURITY POLICY BULLETIN NO. 22-01

SUBJECT: “Knock and Announce” Policy for Execution of a Warrant

1. Purpose

This Law Enforcement and Security Policy Bulletin establishes Department-wide policy regarding the use of “no-knock entries” when executing warrants. On May 25, 2022, President Biden issued Executive Order 14074 on “Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety” (EO 14074). Section 10 of the Executive Order reads, in part, “The heads of Federal [Law Enforcement Agencies] shall, as soon as practicable, but no later than 60 days from the date of this order, ensure that their respective agencies issue policies with requirements that are equivalent to, or exceed, the requirements of the policy issued by the Department of Justice (DOJ) on September 13, 2021, which limits the use of unannounced entries, often referred to as ‘no-knock entries,’ and provides guidance to ensure the safe execution of announced entries.” This Law Enforcement and Security Bulletin creates Department-wide policy with requirements for “no-knock entries” that are equivalent to DOJ’s policy issued on September 13, 2021, thereby satisfying the obligation set forth in EO 14074.

2. Effective Date

This policy is effective immediately.

3. Authorities

- Executive Order (EO) 14074 - “Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety”, dated May 25, 2022.
- 5 U.S.C. § 301; 43 U.S.C. § 1454; Reorganization Plan No. 3 of 1950, (64 Stat. 1262), as amended; 54 U.S.C. § 102701 et seq., for the National Park Service; D.C. Code § 5-206 and related authorities for the U.S. Park Police; 43 U.S.C. §§ 1733(c)(1)-(2), for the Bureau of Land Management; law enforcement authorities specific to the U.S. Fish and Wildlife Service, including but not limited to 16 U.S.C. § 3375(b) and 16 U.S.C. § 460k-3; 25 U.S.C. § 2803, for the Bureau of Indian Affairs; and 43 U.S.C. § 373b, for the Bureau of Reclamation.
- 446 Department Manual (DM), Chapter 20, Use of Force.

4. Coverage

This policy applies to all Departmental Bureaus/Offices that have law enforcement programs or employ law enforcement officers (LEOs). The Departmental Bureaus/Offices that effectuate warrants shall immediately revise their policies to reflect this policy limiting “no-knock entries.” Bureau/Office Directors for Law Enforcement shall also report quarterly to the Director of the Office of Law Enforcement and Security (OLES) regarding the number of “no-knock entries” their Bureau/Office executed during the prior quarter.

5. Policy

Federal officers/agents (agents) are generally required to “knock and announce” their identity, authority and purpose, and demand to enter before entry is made to execute a warrant in a private dwelling. U.S. Const., amend. IV; 18 U.S.C. § 3109; *see Hudson v. Michigan*, 547 U.S. 586 (2006). Once that announcement is made, agents must wait a reasonable amount of time based on the totality of the circumstances to permit the occupant to open the door before making entry into a dwelling. *See United States v. Banks*, 540 U.S. 31 (2003). The Supreme Court has recognized, however, that there are certain situations where it is not constitutionally necessary to “knock and announce” before entering a dwelling – namely, where the officer has reasonable grounds to believe that knocking and announcing would create a threat of physical violence, likely result in destruction of evidence, or be futile. *See Hudson*, 547 U.S. at 589-90. Because of the risk posed to both law enforcement and civilians during the execution of “no-knock warrants,” it is important that this authority be exercised only in the most compelling circumstances.

LEOs of the Department, including Federal task force officers, will limit the use of “no-knock entries” in connection with the execution of a warrant in the following ways:

- First, LEOs may seek judicial authorization to conduct a “no-knock entry” only if that agent has reasonable grounds to believe at the time the warrant is sought that knocking and announcing the agent’s presence would create an imminent threat of physical violence to the agent and/or another person. Prior to seeking judicial authorization for a “no-knock entry,” an agent must first obtain approval from their first- and second-line supervisor, and an Assistant U.S. Attorney in the relevant U.S. Attorney’s Office. Once judicial authorization is obtained, agents may proceed without “knocking and announcing” their presence unless they learn of facts that negate the circumstances that justified this exception to the “knock and announce” rule.
- Second, if an agent did not anticipate the need for a “no-knock entry” at the time the warrant was sought, the agent may conduct a “no-knock entry” only if exigent circumstances arise at the scene such that knocking and announcing the agent’s presence would create an imminent threat of physical violence to the agent and/or another person. If the agent relies on this exigent-circumstances exception in executing the warrant, the agent shall immediately notify their chain of command, and provide written notice to the relevant U. S. Attorney’s Office.

Because this policy limits “no-knock entries” to instances where there is an imminent threat of physical violence, it is narrower than what is permitted by law – for example, agents must “knock and announce” even when they have reason to believe that doing so could result in the destruction of evidence. In setting the policy this way, the Department is limiting the use of higher-risk “no-knock entries” to only those instances where physical safety is at stake at the time of entry. Should an exceptional circumstance arise (e.g., in a national security matter) where no imminent threat of physical violence is present, but an agent believes the evidence is so significant, and the risk of its destruction so pronounced, that a “no-knock” entry is warranted, judicial authorization for a “no-knock” warrant can be sought if approval is first obtained from the head of the law enforcement component and the United States Attorney’s Office.

6. Inquiries

Inquiries on directives contained in this Law Enforcement and Security Policy Bulletin can be directed to the Office of Law Enforcement and Security (OLES).

7. Distribution

This policy will be distributed to all Bureau/Office Directors of Law Enforcement. The policy will also be posted on the [OLES SharePoint Site \(Law Enforcement Portal\)](#) and publicly available on [DOI’s Electronic Library of Interior Policies \(ELIPS\)](#).

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