



**AFFIDAVIT FOR SEARCH WARRANT
AUTHORIZING ENTRY WITHOUT NOTICE**

Case No. _____
Court _____
County _____
Division _____

Affiant, _____, a peace officer of _____,
being first duly sworn, states he/she has, and there is reasonable and probable grounds to believe, and **Affiant** does believe, there is now on the premises known and numbered as:

and more particularly described as follows:

and/or in a vehicle or vehicles described as:

and/or on the person or persons of:

the following described personal property, to wit:

Affiant believes and states there is probable and reasonable cause to believe said property constitutes:
(check appropriate box or boxes):

- stolen or embezzled property;
- property or things used as a means of committing a crime;
- property or things in possession of a person who intends to use it as a means of committing a crime;
- property or things in possession of a person to whom it was delivered for the purpose of concealing it or preventing its discovery and which is intended to be used as a means of committing a crime;
- property or things consisting of evidence which tends to show a crime has been committed or a particular person has committed a crime;
- Other _____

_____.

Affiant has been an officer in the aforementioned agency for a period of _____ years and _____ months. The information and observations contained herein were received and made in his/her capacity as an officer thereof. On _____, 2_____, at approximately _____ a.m. p.m., **Affiant** received information from/observed:

Acting on the information received, **Affiant** conducted the following independent investigation:

Further, pursuant to KRS 455.180 and KRS 455.200:

1. a. Affiant states that the evidence sought may give rise to the charge of a crime:
- that would qualify a person, if convicted, as a violent offender under KRS 439.3401; OR
 - that is designated in KRS 525.045, KRS 527.200, KRS 527.205, or KRS 527.210;

AND

- b. Affiant states that giving notice prior to entry will endanger the life or safety of any person, or result in the loss or destruction of evidence sought that may give rise to a charge of a crime that would qualify a person, if convicted, as a violent offender under KRS 439.3401 or may give rise to a charge of a crime designated in KRS 525.045, 527.200, 527.205, or 527.210, as supported by the following facts:

2. Affiant has obtained the approval of _____, who is (*check one*) my supervising officer or the highest-ranking officer in my law enforcement agency.
(Name)

3. Affiant has consulted with _____, who is (*check one*) the Commonwealth's Attorney, an Assistant Commonwealth's Attorney, the County Attorney, or an Assistant County Attorney, for the jurisdiction for which the warrant is sought.
(Name)

4. Affiant states there **has** **has not** been any other attempt to obtain a warrant authorizing entry without notice for the same premises. *List any other attempts by date(s) and judge's name(s), if applicable:*

5. *(Check if applicable)* Affiant requests authorization to execute the search warrant between the hours of 10 p.m. and 6 a.m. and states that exigent circumstances exist establishing there are substantial and imminent risks to the health and safety of the persons executing the warrant, the occupants of the premises, or the public that justify the entry without notice between the hours of 10 p.m. and 6 a.m., as supported by the following facts:

6. *(Check if applicable)* Affiant is in a county having a population of less than 90,000 and requests approval to execute the search warrant without members of a special weapons and tactics team (SWAT) or special response team (SRT). Affiant states, after reasonable inquiry, that members of SWAT or SRT are not available to timely execute the warrant and that the risks to the health and safety of the persons executing the warrant, the occupants of the premises, or the public are greater if the warrant is not timely executed, as supported by the following facts:

Affiant has reasonable and probable cause to believe, and believes, grounds exist for issuance of a Search Warrant based on the aforementioned facts, information, and circumstances and, further, has provided the Court with information sufficient under KRS 455.180 and KRS 455.200 to support entry without notice. **Affiant prays that a Search Warrant authorizing entry without notice be issued**, and that the property (or any part thereof) be seized and brought before any Court and/or retained subject to order of said Court.

Officer

Subscribed and sworn to before me in my presence via oral communication on this the _____ day of _____, 2_____, at _____ a.m. p.m.

Judge or Official authorized to administer oaths pursuant to
RCr 2.02 for the swearing of Complaints

Title (If a Notary Public, my Commission expires: _____)