



CIVILIAN COMPLAINT REVIEW BOARD
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MICHAEL R. BLOOMBERG
MAYOR

HECTOR GONZALEZ
CHAIR

November 20, 2003

Police Commissioner Raymond Kelly
New York City Police Department
One Police Plaza
Room 1400
New York, NY 10038

-by facsimile and mail-

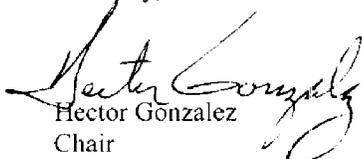
Dear Commissioner Kelly:

During the last several months, the full board has reviewed complaints stemming from the execution of search warrants. Our review has raised an issue the board would like to bring to your attention.

The CCRB believes that showing a copy of a search warrant to the occupants of a searched premise may reduce the number of complaints filed as a result of search warrant executions. In situations where the search warrant being executed is not a no-knock warrant, New York Criminal Procedure Law ("CPL") § 690.50(1) already explicitly requires police officers to show, upon request of the occupant of the searched premises, the search warrant or a copy of the warrant. The CPL, however, does not direct that officers show a copy of a no-knock search warrant. To the extent that the department does not require officers, after premises are secured, to show a copy of a no-knock search warrant upon request, the CCRB recommends that, where practicable under the circumstances, the department modify its procedures to do so.

Thank you for your consideration of this matter. I look forward to hearing from you.

Sincerely,


Hector Gonzalez
Chair

c: Board members
Florence Finkle, executive director
Stephen Hammerman, Esq.