File #: O-228-20, **Version:** 1

Councilman Sykes

Enacting Section 129.12 of the Toledo Municipal Code, No-Knock Warrants; and declaring an emergency.

SUMMARY & BACKGROUND:
Toledo City Council has determined that it is in the best interest of the public and the Department of Police Operations in order to enhance safety for all to place restrictions and limitations on the use of no-knock warrants.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code Section 129.12 is hereby enacted as follows:

129.12   No-Knock Warrants.

(a)   For the purposes of this section, a No-Knock Warrant is a search warrant authorizing police officers to enter certain premises without first knocking and announcing their presence or purpose prior to entering the premises.

(b)   No-Knock Warrants may only be sought in cases involving imminent threat of harm or death to law enforcement and/or to civilians, which shall be limited to the following offenses: murder, hostage taking, kidnapping, terrorism, human trafficking, sexual trafficking and suicide.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety, and property and for the further reason that it is necessary to assure the safety and protection of all involved in citizen/police interactions.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____   _____
                Clerk of Council   President of Council

Approved: _____   _____
                                                                                            Mayor