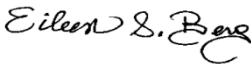
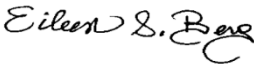


POLICY & PROCEDURE

TITLE: Search Warrants

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| APPROVAL DATE OF CORPORATE COMPLIANCE COMMITTEE: 04/26/2024 | SIGNATURE OF CORPORATE COMPLIANCE COMMITTEE CHAIR:  |
| APPROVAL DATE OF POLICY REVIEW COMMITTEE: 04/26/2024 | EFFECTIVE/IMPLEMENTATION DATE: 04/26/2024 |
| SIGNATURE OF POLICY REVIEW COMMITTEE CHAIR:  | |

BACKGROUND, PURPOSE & RATIONALE:

A search warrant permits agents to immediately seize documents and other types of information. A search warrant may originate from law enforcement, litigation and/or administrative or governmental agencies. Every search warrant requires a careful review by legal counsel. Birch Family Services (herein referred to as Birch or the Corporation) has established standing policies and procedures to advise all employees to appropriately respond to an official search warrant,

POLICY STATEMENT:

It is the policy of Birch to cooperate and comply with the lawful execution of a search warrant. Employees will remain courteous and professional when dealing with agents delivering a search warrant. No one is to impede in any way efforts to deliver a search warrant.

PROCEDURES:

1. Employees will remain courteous and professional when dealing with agents delivering and/or executing a search warrant. Employees will not interfere with the lawful execution of a search warrant.
2. Employees should not volunteer information or submit to any form of questioning or interviewing.
3. The senior staff member present is responsible for contacting the Chief Executive Officer/**designee**, who will contact the Compliance Officer and legal counsel and carry out the response procedures.
4. The responsible senior staff member will:
 - a) Obtain and record the name of the lead agent and the agency they represent. Birch staff should not attempt to photocopy the credentials of an agent as it is a violation of Federal law.
 - b) Request to view and photocopy the search warrant document. Agents are not required to provide a copy, but often will comply with a request for a copy. If a copy is not provided, review the warrant and take notes on the scope and details of the search warrant.

POLICY & PROCEDURE

TITLE: Search Warrants

- c) Immediately contact the Chief Executive Officer / **designee** and provide them with details of the search warrant. The Chief Executive Officer / **designee** will contact the Compliance Officer and legal counsel and provide details of the search warrant. The Chief Executive Officer / **designee** will identify one employee to be responsible for responding to the agent's questions.
5. The agent is limited by the scope of the warrant to where they can search and what they can seize. If the agent requests access to areas or documents that are not within the scope of the search warrant, do not consent to an expanded search.
6. Request an "inventory list" of the documents and items seized by the agents. Ensure that it is detailed enough to properly identify the documents and items taken by the agents. Maintain a separate record for each of the areas searched, listing the documents/items seized from the area.
7. Other than providing information to direct the agents to information requested, do not submit to any form of questioning or interviewing.
8. Always remain present while the agents are conducting the search.

Senior Management Responsibilities

The Chief Executive Officer / **designee** will carefully examine the search warrant (with legal counsel, if possible) to:

- Determine the specific areas or locations that it covers.
- Ensure that it is being executed during the hours indicated on the document (most warrants should limit the hours they can be executed, e.g., "daylight hours").
- Ensure that it has not expired (all warrants should have an expiration date).
- Ensure that it is signed by a Judge (all warrants should be signed by a Judge, not an attorney or law enforcement / police officer or detective).
- Speak to employees and advise them to cooperate in the search by facilitating the search team's ability to locate records or items that they are entitled to seize or by opening containers that they are entitled to search.
- Avoid any substantive conversation with the agent. If legal counsel is available by phone or at the scene, refer all questions to counsel.

POLICY & PROCEDURE

TITLE: Search Warrants

- Advise employees that they have the right to speak to law enforcement, or to refuse to speak to law enforcement (a search warrant does not compel speech), or to consult with an attorney before speaking to law enforcement. It is best to defer any conversation until legal counsel is consulted and legal counsel has had an opportunity to arrange the terms of the interview. If employees decide to speak to law enforcement, you should advise them to answer questions completely, accurately, and truthfully.
- Politely object if there is any overt flaw in the search warrant (as described above) or if the agents are searching for anything deemed to be outside the scope of the warrant. Do not interfere should agents proceed and search. Note the fact for legal counsel to support a future protest.