

**CSUCI Police Department
Training Outline**

Search Warrants (06/2017)

Introduction:

1. Instructor: Officer Wes Johnson
2. Definition and historical purpose: This training will give officers at CSU Channel Islands PD training in the way to write a search warrant and the process necessary in order to get the warrant approved.
3. Justification for the class: CIPD currently does not have a part time or full time detective or investigative officer position and circumstances may arise where officers may have to write a search warrant without the ability or time to wait for additional resources to assist in the course of an investigation.

Materials and/or handouts to be used in the class:

1. Lexipol Policy 606 (specifically 606.4, 606.6, and 606.9)
2. Search Warrant template form
3. Search Warrant Notice of Service form
4. Return to Search Warrant form

Course Objectives:

Upon completion of this course the learner will be able to:

1. Know what a search warrant is used for and the grounds for obtaining one
2. Write a search warrant
3. Know the process necessary to get the search warrant approved after it has been written
4. Know how to access and utilize the search warrant templates and examples folder in the G drive.

Course Overview:

1. Fundamentals of search warrants
 - A. What is a search warrant (basic knowledge of what they are for and other important knowledge about warrants)
 - B. What information is necessary to put in a search warrant (mechanics of writing one)
 - C. How to get a search warrant approved by a Deputy District Attorney and a Judge.
 - D. What to do before you serve the warrant
 - E. What to do after you serve the warrant

2. Format of the class

- A. Review of this outline and attachments with time to navigate through the search warrants folder in the G drive (1 hour).

Content (List each topics main points and relevancy to meeting the course objectives):

Fundamentals of search warrants:

A. What is a search warrant and what are the grounds for obtaining one

1. A search warrant is a legal document authorizing a police officer or other official to enter and search premises or gain access to documents or information. In essence, a search warrant is to show “probable cause” that you may find additional information/evidence for your investigation by searching/obtaining information done by the search.
2. Penal Code section 1524(a) states several reasons by which a search warrant may be issued. The following are applicable to patrol officers/investigators:

- 1) When the property was stolen or embezzled.
- 2) When the property or things were used as the means of committing a felony.
- 3) When the property or things are in the possession of any person with the intent to use them as a means of committing a public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing them from being discovered.
- 4) When the property or things to be seized consist of an item or constitute evidence that tends to show a felony has been committed, or tends to show that a particular person has committed a felony.
- 5) When the property or things to be seized consist of evidence that tends to show that either 311.3 PC (possession of child pornography or child exploitation) or 311.11 PC (matter depicting sexual conduct of a person under 18 years of age) has occurred or is occurring.
- 6)

- 14) Seizure of firearms and/or ammunition owned by somebody issued with a served gun violence restraining order after that person has failed to relinquish the firearm as required by law.
- 15) When the property or things to be seized are controlled substances or a device, contrivance, instrument, or paraphernalia used for unlawfully using or administering a controlled substance.

3. Page three:

-Training and experience (Hero statement): Include how many years of service you have as a law enforcement officer, your current and past assignments (collateral assignments can be included), small history of your education (Associate, Bachelor's or Master's degree), that you have investigated various types of crimes and have testified in court on these cases, and that you have attended training courses (if possible include one that you have been to that is directly related to the investigation your conducting).

EXAMPLE of what can be included:

changes that need to be made). See attached map for further details about locations at the Government Center. Inform a secretary at the front counter that you are there to get a search warrant reviewed by a DA. Once the DA approves the warrant, he or she will sign it and give you the face page with their signature, which will be placed on top of the warrant.

-After the warrant is approved by the DA, respond to the Civil Services area (room 101, northeast corner on the first floor of the courthouse building near the metal detector entrance). Tell the employee at the counter you have a search warrant for review and advise how many pages the warrant is. You will be provided with a form (asking your name, department, date, etc.), which is used to notify the judges of the warrant being ready for review. You will then be provided a court room number to go to and that is where you will meet the judge. You will use the back door and find the elevator to go through the back channels. The judge will be in their chambers if not in the courtroom (if needed, ask for assistance in locating the judge). The judge will review your warrant and correct any changes that are necessary.

-Once the warrant has been signed and approved, it is considered active and can be served immediately.

D. Before serving the warrant

Prior to serving the warrant, make two copies of the warrant (one for our records and the original eventually gets returned to the Judge). Attach a copy to the report in RIMS and provide a copy to records. You will also need a copy of the face page only to provide to the place/person you are searching.

E. After the warrant has been served

After the warrant has been served you must do a search warrant return (this form is located in the Search Warrants Folder). This basically shows what, if anyt (aT)2 (s)-1 (w)2 (ha)4v.004

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