

Search Warrants

Facilitator Guide

Session Overview

Introduction & Learning Objectives	05m
PRACTICAL EXERCISE – Suspect Vehicle	15m
Lecture – Search Warrants	25m
Break	10m
Lecture – Search Warrants (cont.)	30m
PRACTICAL EXERCISE – 2 nd Look at Vehicle	15m
Break	10m
PRACTICAL EXERCISE – Write A Search Warrant	2hrs
End of Session / Break	10m

Total Session Time: 4 hours

This particular session focuses on:

- *Search Warrants*

Facilitators Needed: 1(CI)

Locations:

- *Classroom*
- *Parking Lot*
- *Computer Lab*

Materials Needed:

- *PowerPoint – Search Warrants*
- *Suspect Vehicle*
- *Mock Gun and/or Drugs*
- *Cameras*
- *HANDOUT - Sample of Completed Search Warrant*

Students Should Already Have:

- *Notebooks*
- ***[THUMB DRIVE]***
- *Blank Search Warrant/ Affidavit Forms*
- *HANDOUT - King County Prosecutor's Office Checklist Tips*
- *HANDOUT- Qualifying Witnesses*



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LEARNING OBJECTIVES:

- List the three parts to a search warrant.
- List the three sections to a search warrant affidavit.
- Identify exceptions to the search warrant requirement.
- Demonstrate ability to write a search warrant and affidavit based on scenario provided.
- Describe how to properly serve a warrant.
- List the documents to be left at the location a warrant is executed.
- Describe the process for getting a telephonic warrant.



NOTE TO FACILITATOR - Set Up

Prior to the start of class, set up the following scenario in the parking lot:

Stage a traffic stop scene involving a parked violator vehicle and a properly positioned patrol car. A strategically placed handgun along with drugs and/or paraphernalia should be visible from outside the vehicle.



SAY TO CLASS – Search Warrants

Search warrants used to be thought of as something only Detectives wrote. In today's law enforcement environment, search warrants are commonly written by patrol officers. In order to search a vehicle subsequent to an arrest from a traffic stop, patrol officers need to have a warrant. There is no longer "search incident to arrest" unless you can articulate some type of exigent circumstance that precluded you from taking the time to get a search warrant first. (*State v. Snapp*; *State v. Byrd*)

Criminal Procedures teaches you *when* you need to get a search warrant; this class will help you understand *how* to write and apply for a search warrant.



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PRACTICAL EXERCISE - Suspect Vehicle

Time: 15 min

- Materials:
- Suspect Vehicle / Patrol Vehicle
 - Gun and/or Drugs or Paraphernalia

Instructions: Take the students out to the parking lot where you have already set up a traffic stop or static scene in the parking lot involving an arrest out of a vehicle. Explain that the driver was arrested for an outstanding warrant and has been transported from the scene by another unit.

Have the students walk around the outside of the vehicle as if they had been the officer conducting the traffic stop. Encourage them to make any notes about what they observe inside the vehicle. DO NOT allow them to access the interior of the vehicle at this point.

After everyone has had a chance to observe the scene, return to the classroom for the presentation portion of this session.



NOTE TO FACILITATOR

Lead a 55 minute interactive lecture on Search Warrants (with a break midway through).

Use PowerPoint to guide lecture and discussion.

See Instructor Notes in PowerPoint slides to ensure key points are hit.



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**PRACTICAL EXERCISE - Write a Search Warrant**

Time: 2 hrs

- Materials:
- Suspect Vehicle / Patrol Vehicle
 - Gun and/or Drugs or Paraphernalia
 - Blank Search Warrant Form and Affidavit

Instructions: Return to the same scene in the parking lot and have the students take a second look at the vehicle now that they have a better understanding of what they are looking at and should be looking for. They may take photographs with the provided cameras if they think to. Have them gather as much information as they want **WITHOUT ENTERING THE VEHICLE**. This information will be used to return to the classroom and/or computer lab to individually write a search warrant for this scenario.

NTF: Students will spend the remaining time writing their search warrant. Service of the search warrant will come later in M07/S10 - Evidence Collection Practical 1. At that time, the students will have their warrant approved and then move on to processing the vehicle to recover the items from the inside.

**STUDY**

- STUDY MATERIAL**
- HANDOUT - Prosecutor's Office Checklist Tips [THUMB DRIVE]
 - HANDOUT - Qualifying Witnesses [THUMB DRIVE]
 - HANDOUT - Sample of Completed Search Warrant

**BREAK/END OF SESSION**