

**Course Outline**

**COURSE:** JLE 162                      **DIVISION:** 50                      **ALSO LISTED AS:** JLE 221

**TERM EFFECTIVE:** Fall 2018                      **Inactive Course**

**SHORT TITLE:** SEARCH WARRANT INVEST

**LONG TITLE:** Search Warrant Investigations

Units	Number of Weeks		Contact Hours/Week		Total Contact Hours
.5	18	Lecture:	.5	Lecture:	9
		Lab:	.11 TO .86	Lab:	1.98 TO 15.48
		Other:	0	Other:	0
		Total:	.61 TO .86	Total:	10.98 TO 15.48

**COURSE DESCRIPTION:**

The course will cover search warrant law and procedure, knock notice, affidavit preparation, problems of search warrant preparation, the actual preparation of a search warrant by each participant, knock and talk. In addition, the course will provide the knowledge, skills and tactics necessary to properly serve and execute a search warrant effectively and safely. The student will develop a sound operational plan for the execution of a search warrant. This is a pass/no pass course. This course is now listed as JLE 221. **ADVISORY:** JLE 100

**PREREQUISITES:**

**COREQUISITES:**

**CREDIT STATUS:** D - Credit - Degree Applicable

**GRADING MODES**

P - Pass/No Pass

**REPEATABILITY:** N - Course may not be repeated

**SCHEDULE TYPES:**

- 02 - Lecture and/or discussion
- 03 - Lecture/Laboratory
- 04 - Laboratory/Studio/Activity

**STUDENT LEARNING OUTCOMES:**

1. Develop a sound operational plan, conduct a briefing and, serve a mock search warrant.

Measure: Written assignment, skills demonstration

PLO:

ILO: 1,2,3

GE-LO:

Year assessed or anticipated year of assessment: 2015

2. Complete the search warrant forms relating to an investigation.

Measure: Written assignment

PLO:

ILO: 2, 3

GE-LO:

Year assessed or anticipated year of assessment: 2015

3. Analyze and evaluate issues associated with the development of a search warrant and affidavit.

Measure: class exercise

PLO:

ILO: 2,3

GE-LO:

Year assessed or anticipated year of assessment: 2015

4. Prepare and apply a mock search warrant effectively and safely.

Measure: Scenario

PLO:

ILO: 1,2,3,7

GE-LO:

Year assessed or anticipated year of assessment: 2015

5. List and review all safety procedures and techniques/information needed to procure and serve a search warrant

Measure: written and skills exam

PLO:

ILO: 2,3,7

GE-LO:

Year assessed or anticipated year of assessment: 2015

## CONTENT, STUDENT PERFORMANCE OBJECTIVES, OUT-OF-CLASS ASSIGNMENTS

Inactive course: 10/23/2017

This course is now listed as JLE 221.

Introduction to a Search Warrant

Students will review a police report or sample investigation and complete the Search Warrant forms relating to the investigation.

I. Introduction and Overview of Search and Seizure Law

A. The Fourth Amendment

B. Standard of Review

C. Review of Warrantless Search & Seizures

D. Practical Application- Q & A

## II. Search Warrant & Affidavit: Definitions

- A. Search Warrant
  - a. Search Warrant contents and forms
- B. Statutory Grounds for Issuance- 1524(a) PC
- C. Magistrates Defined- 808 PC
  - a. Magistrate's Jurisdiction
- D. Affidavit in Support of Search Warrant
  - a. Affidavit content and forms
- E. Preference given to Search Warrants
- F. US Supreme Court Cases Governing Search Warrants
  - a. Illinois v. Gates
  - b. United States v. Leon
  - c. Franks v. Delaware
- G. Advantages and Versatility of Search Warrants
- H. Exceptions to a Search Warrant
  - a. Persons
  - b. Vehicles
  - c. Premises
  - d. Abandonment
- I. Steagald Warrant

## III. Describing the Places, Vehicles & Persons to be searched

- A. Reasonable Particularity Standard
- B. Number of Locations
- C. Photographs and Diagrams
  - a. Special Hiding Places
- D. Searches of other Places
  - a. Newsroom
  - b. Offices of Attorneys, Doctors, Psychotherapists & Clergymen
  - c. Crime Scenes

## IV. Describing the Property to be seized

- A. Reasonable Particularity Standard & Justification for each item requested
  - a. Dominion and control evidence
  - b. Items not listed on the Search Warrant

## V. Statement of Probable Cause

- A. Gates Decision- Veracity, Basis of Knowledge & Reliability
- B. Affidavit Format
- C. Corroboration of Information contained in Affidavit
  - a. Stale Information
  - b. Predicted or Anticipatory Information
  - c. Police Reports and Official Channels

Practical Exercise I: Students will review a police report (supplied by the student) or Sample Investigation (provided by the instructor). The student will then complete the Search Warrant forms relating to the investigation.

## VI. Informants: Classification and Protection

Students will role play in search warrant mock court proceedings.

- A. Classification of Informants
  - a. Untested Informants
  - b. Tested Informants

- c. Citizen Informants
  - d. Inherently Reliable Informants
  - e. Criminal Transaction/Statements Against Penal Interest
- f. Skelton Hearing
  - B. Evidence Code 1040-1042
  - C. Informant Disclosure / Materiality
    - a. Reducing the Likelihood of Disclosure
    - b. Compliance with Disclosure
    - c. Crime stopper Informants
    - d. Surveillance Point Disclosure
  - D. Luttenberger Motions
  - E. Court Proceedings for Informant Disclosure

#### VII. Court Proceedings in Search Warrant Cases

- A. Proposition 8
- B. 1538.5 Motions
  - a. Single Hearing
  - b. Standing
  - c. Abandonment
- C. Motion to Quash and/or Traverse a Search Warrant
  - a. Four ways to lose Evidence seized pursuant to a Search Warrant
- D. Illegally Obtained Information
- E. "Good Faith Exception"
  - a. Technical Mistakes
- F. Sealing Affidavits

#### VIII. Nighttime Searches

- A. Magistrates Approval after 10:00PM and before 7:00AM
- B. Statement of "Good Cause"

#### Officer Safety and Operational Planning

Students will review all safety procedures and techniques/information needed to procure and serve a search warrant.

#### IX. Mechanics of Search Warrant Preparation

- A. Compilation of Information
- B. Present Search Warrant to Magistrate
- C. Copies of Search Warrant
- D. Return of the Search Warrant

#### X. Oral Affidavits, Telephonic, Email & Facsimile Search Warrants

- A. Special Procedures

#### XI. Service of the Search Warrant

- A. Time Limit for Execution
- B. "Freezing" a Location
- C. 1531 PC "Knock & Notice"
- D. Detaining / Searching Occupants & Visitors
- E. Reading / Seizing Documents
- F. Safes & Locked Containers
- G. Answering Telephones
- H. Currency Seized as Evidence
- I. Inventory of Property Seized
- J. Releasing Property Seized Pursuant to a Search Warrant

Practical Exercise II: Students will review a police report (supplied by the student) or Sample Investigation (provided by the instructor). The student will then complete an Affidavit in Support of a Search Warrant.

**METHODS OF INSTRUCTION:**

Lecture, discussion and demonstration will serve as the medium of instruction. Individual guidance will be provided as required.

**METHODS OF EVALUATION:**

CATEGORY 1 - The types of writing assignments required:

Percent range of total grade: 0 %

If this is a degree applicable course, but substantial writing assignments are not appropriate, indicate reason:

Course primarily involves skill demonstration or problem solving

CATEGORY 2 -The problem-solving assignments required:

Percent range of total grade: 0 %

CATEGORY 3 -The types of skill demonstrations required:

Percent range of total grade: 60 % to 75 %

Class Performance/s

Field Work

Performance Exams

CATEGORY 4 - The types of objective examinations used in the course:

Percent range of total grade: 0 %

CATEGORY 5 - Any other methods of evaluation:

Percent range of total grade: 25 % to 35 %

Proper preparation/execution of a warrant

**REPRESENTATIVE TEXTBOOKS:**

Instructor Handouts

Reading level of text, Grade: 12 Verified by: Doug Achterman

**ARTICULATION and CERTIFICATE INFORMATION**

Associate Degree:

CSU GE:

IGETC:

CSU TRANSFER:

Transferable CSU, effective 200730

UC TRANSFER:

Not Transferable

**SUPPLEMENTAL DATA:**

Basic Skills: N

Classification: Y

Noncredit Category: Y

Cooperative Education:

Program Status: 1 Program Applicable  
Special Class Status: N  
CAN:  
CAN Sequence:  
CSU Crosswalk Course Department: JLE  
CSU Crosswalk Course Number: 162  
Prior to College Level: Y  
Non Credit Enhanced Funding: N  
Funding Agency Code: Y  
In-Service: N  
Occupational Course: B  
Maximum Hours:  
Minimum Hours:  
Course Control Number: CCC000273309  
Sports/Physical Education Course: N  
Taxonomy of Program: 210500