

**Course Outline**

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

**TERM EFFECTIVE:** Fall 2018                      **CURRICULUM APPROVAL DATE:** 10/23/2018

**SHORT TITLE:** SEARCH WARRANT INVEST

**LONG TITLE:** Search Warrant Investigations

Units	Number of Weeks		Contact Hours/Week		Total Contact Hours
.5	18	Lecture:	.4	Lecture:	7.2
		Lab:	0	Lab:	0
		Other:	0	Other:	0
		Total:	.4	Total:	7.2

**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. **PREREQUISITE:** JLE 100 This course was previously listed as JLE 162. Prerequisite: JLE 100, 1. Commission on Police Officer Standards & Training (POST) certified basic law enforcement academy diploma or equivalent as determined by the Dean of Academy Instruction. **NOTE:** Approval of equivalent training is not a guarantee state regulatory or licensing agencies will also grant equivalency. 2. Prior to beginning this course students must already be familiar with, and be able to demonstrate all of the skills listed below. These will not be taught in the course; rather, they will be the starting point for advanced officer training that builds upon them. These minimum knowledge and skill levels are regarding: Officer safety, Search Warrants, Proper and safe arrest and control technique, Familiarity with Penal codes used in policing, Familiarity with Vehicle codes used in policing, Familiarity with Health and Safety codes used in policing, Familiarity with Welfare and Institutions codes used in policing, Effective verbal communication used in policing, Effective non- verbal communication used in policing, Familiarity with case law pertinent to policing.

**PREREQUISITES:**

Completion of JLE 100, as UG, with a grade of C or better.

**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 of assessment: Written assignment, skills demonstration

Year assessed, or planned year of assessment: 2017

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

Measure of assessment: class exercise

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

Curriculum Approval Date: 10/23/2018

Lecture content:

Introduction to a Search Warrant

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

B. Statutory Grounds for Issuance-1524(a) PC

C. Magistrates Defined- 808 PC

D. Affidavit in Support of Search Warrant

E. Preference given to Search Warrants

F. US Supreme Court Cases Governing Search Warrants

G. Advantages and Versatility of Search Warrants

H. Exceptions to a Search Warrant

I. Steagall Warrant

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

A. Reasonable Particularity Standard

B. Number of Locations

C. Photographs and Diagrams

D. Searches of other Places

IV. Describing the Property to be seized

A. Reasonable Particularity Standard & Justification for each item requested

V. Statement of Probable Cause

A. Gates Decision- Veracity, Basis of Knowledge & Reliability

B. Affidavit Format

C. Corroboration of Information contained in Affidavit

VI. Informants: Classification and Protection

A. Classification of Informants

B. Evidence Code 1040-1042

C. Informant Disclosure / Materiality Point Disclosure

- D. Lichtenberger Motions
- E. Court Proceedings for Informant Disclosure
- VII. Court Proceedings in Search Warrant Cases
  - A. Proposition 8
  - B. 1538.5 Motions
  - C. Motion to Quash and/or Traverse a Search Warrant
  - D. Illegally Obtained Information
  - E. Good Faith Exception
  - F. Sealing Affidavits
- VIII. Nighttime Searches
  - A. Magistrates Approval after 10:00PM and before 7:00AM
  - B. Statement of Good Cause
  - C. Officer Safety and Operational Planning
- 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

Lab Content:

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.

Practical Exercise II:

Students will role play in search warrant mock court proceedings.

Practical Exercise III:

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.

Practical Exercise IV:

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

**METHODS OF INSTRUCTION:**

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

**OUT OF CLASS ASSIGNMENTS:**

Required Outside Hours:

Assignment Description: Reading instructor handouts.

**METHODS OF EVALUATION:**

Writing assignments

Percent of total grade: 25.00 %

Complete Search Warrant contents and forms, describing the places, vehicles and persons to be searched. Describe the property to be seized and complete a statement of probable cause.

Skill demonstrations

Percent of total grade: 50.00 %

Class Performance/s; Field Work; Performance Exams

Other methods of evaluation

Percent of total grade: 25.00 %

**REPRESENTATIVE TEXTBOOKS:**

Required Representative Textbooks

Verified by: Doug Achterman. Instructor Handouts.

**ARTICULATION and CERTIFICATE INFORMATION**

Associate Degree:

CSU GE:

IGETC:

CSU TRANSFER:

Not Transferable

UC TRANSFER:

Not Transferable

**SUPPLEMENTAL DATA:**

Basic Skills:

Classification:

Noncredit Category:

Cooperative Education:

Program Status:

Special Class Status:

CAN:

CAN Sequence:

CSU Crosswalk Course Department:

CSU Crosswalk Course Number:

Prior to College Level:

Non Credit Enhanced Funding:

Funding Agency Code:

In-Service:

Occupational Course:

Maximum Hours:

Minimum Hours:

Course Control Number:

Sports/Physical Education Course:

Taxonomy of Program:

