Search and Seizure

10.1 – 10.3 COMPETENCY REQUIREMENTS

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Note to Administrators

In order for POST to review and approve your agency's *Field Training Guide*, you MUST submit the following electronic files:

- 1) The POST FTP Approval Checklist (Form 2-230)
- 2) Your department's Policy & Procedure Manual
- 3) Your completed Guide (Volumes 1 & 2), including ALL competency requirements covered in Part 5, Sections 1–18.

LIST OF SUBTOPICS

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SECTION	110 SEARCH AND SEIZU	JRE							
	CHECK	ONE ONLY	: PHASE 1	PHASE 2	PHASE 3 P	HASE 4 PHA	SE 5		
T				FTO					
Trainee				FTO					
10.1	SEARCH CONCEPTS								
10.1.01	Terminology								
	The trainee shall review and	explain the	following terms re	elative to searches:					
	A. Consent				E. Instrumentaliti	es of a crime			
	B. Scope of Searches	B. Scope of Searches F. Contraband							
	C. Contemporaneous				G. Knock and Noti	ce			
	D. Probable Cause				H. Container sear	ch doctrine			
Reference(:	5):						Case # (If applicable)	Incident #	
	,								
	Received Instruction			cy Demonstrated	How Demonstrated?	Remedia		How Remediated?	
570	Received Instruction Signature	Date	Competen Signature	Date	Demonstrated?	Remedia Signature	Date	How Remediated? Field Perform	
FTO:					Demonstrated? ☐ Field Perform ☐ Role Play			Remediated? Field Perform Role Play	
FTO: Trainee:					Demonstrated? Field Perform			Remediated? Field Perform	
	Signature				Demonstrated? Field Perform Role Play Written Test			Remediated? Field Perform Role Play Written Test	
Trainee:	Signature				Demonstrated? Field Perform Role Play Written Test			Remediated? Field Perform Role Play Written Test	
Trainee:	Signature				Demonstrated? Field Perform Role Play Written Test			Remediated? Field Perform Role Play Written Test	
Trainee:	Signature				Demonstrated? Field Perform Role Play Written Test			Remediated? Field Perform Role Play Written Test	
Trainee:	Signature				Demonstrated? Field Perform Role Play Written Test			Remediated? Field Perform Role Play Written Test Verbal Test	
Trainee:	Signature	Date	Signature	Date	Demonstrated? Field Perform Role Play Written Test Verbal Test			Remediated? Field Perform Role Play Written Test	
Trainee: Comments Additional	Signature Information:	Date	Signature	Date	Demonstrated? Field Perform Role Play Written Test Verbal Test			Remediated? Field Perform Role Play Written Test Verbal Test	
Trainee: Comments Additional	Signature Information:	Date	Signature	Date	Demonstrated? Field Perform Role Play Written Test Verbal Test			Remediated? Field Perform Role Play Written Test Verbal Test	
Trainee: Comments Additional	Signature Information:	Date	Signature	Date	Demonstrated? Field Perform Role Play Written Test Verbal Test			Remediated? Field Perform Role Play Written Test Verbal Test	

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10.1.01	Part B - Agency Training Details (field will expand automatically)							
10.1.02	Circumstances Allowing Leg The trainee shall recognize a shall minimally include:	=	ized Searches the circumstances under which	the followi	ng types of legally	authorized searches	may be made. These	circumstances
	A. Pat searches for weapon	าร		I	E. Plain sight			
	B. Consent searches F. Incident to arrest							
	C. Probable cause search			(G. Exigent circum	stances		
	D. A search warrant			I	H. Probation/pare	ole search		
Reference(s	5):						Case # (If applicable)	Incident #
	Received Instruction		Competency Demonstrat	ed	How	Remedial Training		How
	Signature	Date	Signature	Date	Demonstrated?	Signature	Date	Remediated?
FTO:					Field Perform Role Play			Field Perform Role Play
					Written Test			Written Test
Trainee:					☐ Verbal Test			☐ Verbal Test
Comments:								
Additional	Information:							
10.1.02	Part A - Reference Agency P	olicies/Pro	cedures, if applicable (600 chai	racters max	rimum)			□ N/A
	5.19: Searching of Suspect	ts by SBCC	D Police Personnel					
	· .	,						
10.1.02	Part B - Agency Training Det	ails (field w	vill expand automatically)					

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10.1.03	Items Which May Be Legally Searched								
	The trainee shall identify ite	ms for whic	ch an officer may legally search.	These item	s shall minimally ir	nclude:			
	A. Dangerous weapons			1	D. Contraband				
	B. Fruits of the crime E. Suspects								
	C. Instruments of the crime F. Additional victims								
Reference(s	Reference(s): Case # (If applicable) Incident #								Incident #
	Received Instruction		Competency Demonstrate	ted	How	Remedia	al Training		How
	Signature	Date	Signature	Date	Demonstrated?	Signature		Date	Remediated?
FTO:					Field Perform Role Play				Field Perform Role Play
Trainee:					☐ Written Test				☐ Written Test
Comments					☐ Verbal Test				☐ Verbal Test
Additional	Information:								
10.1.03	Part A - Reference Agency P	olicies/Pro	cedures, if applicable (600 cha	racters max	rimum)				⊠ N/A
10.1.03	Part B - Agency Training De	tails (field v	vill expand automatically)						

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10.1.04									
	The trainee shall discuss the limits of searches when conducted with persons, vehicles, and buildings including: A. Protective sweeps B. Closed containers								
Reference(s	Case # (If applicable) Incident #								Incident #
	Received Instruction		Competency Demonstrat	ted	How	Remedia	al Training		How
	Signature	Date	Signature	Date	Demonstrated?	Signature		Date	Remediated?
FTO:					Field Perform Role Play				Field Perform Role Play
Trainee:					☐ Written Test☐ Verbal Test				Written Test Verbal Test
Comments									
Additional	Information:								
10.1.04	Part A - Reference Agency P	olicies/Pro	cedures, if applicable (600 chai	racters max	rimum)				☐ N/A
	5.19: Searching of Suspec	ts by SBCC	D Police Personnel						
10.1.04	Part B - Agency Training Det	ails (field w	vill expand automatically)						

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10.1.05	Exclusionary Rule							
	The trainee shall explain th	ne "exclusion	ary rule" and its effect upon po	lice action a	and procedures inc	luding:		
	A. Court filings B. Prosecution of suspects							
Reference(s	Reference(s): Case # (If applicable) Incident #							
	Received Instruction	on	Competency Demonstrat	ted	How	Remedia	al Training	How
	Signature	Date	Signature	Date	Demonstrated?	Signature	Date	Remediated?
FTO:					Field Perform Role Play			Field Perform Role Play
Tuelinee					☐ Written Test			Written Test
Trainee:					☐ Verbal Test			☐ Verbal Test
Additional	Information:							
10.1.05	Part A - Reference Agency	Policies/Pro	cedures, if applicable (600 chai	racters max	kimum)			⊠ N/A
10.1.05	Part B - Agency Training D	etails (field v	vill expand automatically)					

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10.2	SEIZURE CONCEPTS							
10.2.01	Lawful Evidence Seizure The trainee shall review an	d explain th	e concept of lawful evidence sei	izure, incluc	ding instances whe	re force may be justi	fied, such as:	
	A. Preventing a suspect frB. Inducing a suspect to v		ring evidence	C. Extracting blood evidence from a suspectD. Extracting fingerprint evidence from a suspect				
Reference(s):								Incident #
	Received Instructio	n	Competency Demonstrat	ted	How		al Training	How
	Signature	Date	Signature	Date	Demonstrated?	Signature	Date	Remediated?
FTO:					Field Perform Role Play			Field Perform Role Play
Trainee:					☐ Written Test☐ Verbal Test			☐ Written Test☐ Verbal Test
Comments:								
Additional	Information:							
10.2.01	.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)						⊠ N/A	
10.2.01	.2.01 Part B - Agency Training Details (field will expand automatically)							

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10.3	WARRANTS									
10.3.01	Obtaining Search and Arre		s procedures for obtaining search	and arrest	warrants, to minim	ally include:				
	A. Probable cause necess	•	at nursuit and amorgancy situation		C. Process for ob	taining warrants dur	ing and after	business	s hours	
	B. Allowable exclusions (including hot pursuit and emergency situations) Case # (If applicable) Incident #									
Reference(s	s):						(3.17)	,		
	Received Instruction Competency Demonstrated How Remedial Training How									
	Signature	Date	Signature	Date	Demonstrated?	Signature		Date	Remediated?	
FTO:					Field Perform Role Play				Field Perform Role Play	
Trainee:					Written Test Verbal Test				Written Test Verbal Test	
Comments					Verbai rest	<u> </u>			Verbarrest	
Additional	Information:									
10.3.01	Part A - Reference Agency	Policies/Pro	ocedures, if applicable (600 cha	racters max	kimum)				□ N/A	
	5.20: Obtaining Search a	nd Arrest \	Warrants							
10 2 01	Doub B. Agency Training D	ataile (field	will average automatically)							
10.3.01	Part B - Agency Training D	etalis (jiela l	wiii expana automatically)							

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10.3.02	Serving Search and Arrest Warrants								
	The trainee shall describe the	e process f	or serving search and arrest wa	rrants, inclu	uding:				
	A. Hours of service for feld	ony arrest w	varrants		D. Knock and not	ice for search warra	nts, and exe	emptions t	:0
	B. Hours of service for mis	demeanor	arrest warrants		E. "Signing off" w	varrants/return			
	C. Hours of service for search warrants								
Reference(s	Reference(s): Case # (If applicable) Incident #								Incident #
	Received Instruction	l	Competency Demonstrat	ted	How	Remedi	al Training		How
	Signature	Date	Signature	Date	Demonstrated?	Signature		Date	Remediated?
FTO:					Field Perform Role Play				Field Perform Role Play
Trainee:					Written Test				Written Test
Comments:					☐ Verbal Test				☐ Verbal Test
Additional	Information:								
10.3.02	Part A - Reference Agency F	olicies/Pro	cedures, if applicable (600 chai	racters max	kimum)				□ N/A
	5.20: Obtaining Search ar	d Arrest W	/arrants						
10.3.02	Part B - Agency Training De	tails (field w	vill expand automatically)						

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10.3.03	Demonstrating Proper Procedures for Obtaining and Serving Warrants Given an incident and necessary probable cause that calls for a search or arrest warrant, the trainee shall follow agency procedures for obtaining and serving the appropriate warrant(s).								
Reference(s	eference(s): Case # (If applicable) Incident #								
	Received Inst	ruction	Competency	Competency Demonstrated		Remed	lial Training	How	
	Signature	Date	Signature	Date	Demonstrated?	Signature	Date	Remediated?	
FTO:					Field Perform Role Play			Field Perform Role Play	
Trainee:					☐ Written Test☐ Verbal Test			☐ Written Test☐ Verbal Test	
Additional	Information:								
10.3.03	Part A - Reference Ag	ency Policies/Pr	ocedures, if applicable	e (600 characters max	kimum)			□ N/A	
	5.20: Obtaining Sea	rch and Arrest	Warrants						
10.3.03	Part B - Agency Traini	ng Details (field	will expand automatic	cally)					

See next page for Attestation

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Part 5 - Section 10: Search and Seizure

ATTESTATION FOR SECTION 10

TO ENTER YOUR ELECTRONIC SIGNATURE:

- Click on the 'X' in the signature line to activate the signature field > Right click and select "Sign" from the menu.
- Click on "Select Image" > Locate your signature file > Click "Open" to place your signature (date appears automatically).
- Enter your full name next to your signature.

YOUR ELECTRONIC SIGNATURES VERIFY that the Field Training Officer (FTO) and Trainee attest to the following:

- 1. The FTO(s) provided all instruction, training, and related feedback/comments to the Trainee in accordance with the agency's training requirements for this portion of the Field Training Program.
- 2. The Trainee demonstrated all competencies required for this portion of the Field Training Program.
- 3. If remedial training was performed, the results were reviewed by the appropriate FTO(s) and accepted by the Trainee.
- 4. The final evaluation of the Trainee's performance for this portion of the Field Training Program were approved by the FTO(s) and accepted by the Trainee.

Primary Field Training Officer:	X	Print Full Name:
Trainee:	X	Print Full Name:

IMPORTANT: After signing the Attestation, the file will be "locked" and **CANNOT BE MODIFIED**. If you need to make changes, both signatures must be removed and re-entered after the final revisions have been made.

To remove the electronic signature: Right click on the signature line > Select "Remove" from the menu.

See the following pages for Instructions to Administrators and FTOs

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How to Complete Part 5 (Sections 1–18)

INSTRUCTIONS TO ADMINISTRATORS

VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5. Each section is provided as a separate file on the POST website (https://www.post.ca.gov/field-training--police-training.aspx). Prior to submitting your FTP Guide to POST for review, you must complete all 18 sections and include them as part of your Guide.

- 1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your agency-specific entries.
- 2. **Front cover** (optional): To keep a hard copy of Volume 2 for internal use, you can add your agency name and date to the front cover.
- 3. For each section (1–18):
 - a. Open the applicable file and add your agency name and date to the header on page 1. (DO NOT change any other headers or footers or alter any other sections of the file.)
 - b. Below each table:
 - Part A: Enter applicable references from your agency's Policies & Procedure Manual.
 - Part B: Enter your agency's training details.
- 4. **After completing ALL sections (1–18),** you MUST submit the following materials via flash drive, CD, or DVD to POST for review and approval (do not send printed copies):
 - 1) Your completed FTP Guide
 - 2) FTP Approval Checklist (POST Form 2-230)

 NOTE: Guides submitted without this form will NOT be reviewed.
 - 3) Your Department's Policy & Procedure Manual
- 5. MAIL YOUR ELECTRONIC MEDIA TO:

Commission on POST 860 Stillwater Road, Suite 100 West Sacramento, CA 95605 Attn: Basic Training Bureau (BTB)

Attn: Basic Training Bureau (BTB)

6. You will receive status notification within 90 days from the date received.

See next page for Instructions to Field Training Officers

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How to Complete Part 5 (Sections 1-18)

INSTRUCTIONS TO FIELD TRAINING OFFICERS (FTOs)

VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5. Each section has been customized by your agency administrator(s) to include references to policies and procedures and training details to meet your agency's Field Training Program requirements. Each file is provided as a separate file. For each section (1–18), complete all tables for each topic.

- 1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your training sessions.
- 2. Tracking your training sessions:
 - a. Upon completing each competency, enter the FTO and trainee names and dates, and how the competency was demonstrated, into the applicable tables.
 - b. Enter any note-worthy comments related to the trainee's performance.
- 3. If trainee requires remedial training:
 - c. Enter the FTO and trainee names and dates, and how the competency was remediated, to show that each competency was completed.
 - d. Enter any additional note-worthy comments related to the trainee's performance.
- 4. **Attestation:** After all competencies have been performed, including any remedial training, the primary FTO and Trainee MUST enter their electronic signatures on the Attestation page (see instructions) to verify that the Trainee has completed this portion of the Field Training Program.

End Section

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