

SECTION **10**
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**10.1 SEARCH CONCEPTS**

- 10.1.01 Terminology
- 10.1.02 Circumstances Allowing Legally Authorized Searches
- 10.1.03 Items Which May Be Legally Searched
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SECTION 10 SEARCH AND SEIZURE

CHECK ONE ONLY: PHASE 1 PHASE 2 PHASE 3 PHASE 4 PHASE 5

Trainee

FTO

10.1 SEARCH CONCEPTS								
10.1.01 Terminology								
The trainee shall review and explain the following terms relative to searches:								
A. Consent				E. Instrumentalities of a crime				
B. Scope of Searches				F. Contraband				
C. Contemporaneous				G. Knock and Notice				
D. Probable Cause				H. Container search doctrine				
Reference(s):						Case # (If applicable)	Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Comments:								

Additional Information:

10.1.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) N/A

Mendocino County Sheriff's Office Policy#322

10.1.01 Part B - Agency Training Details *(field will expand automatically)*

The Field Training Officer will provide instruction, which can include written tests, on common terminology relevant to search and seizure.

10.1.02 Circumstances Allowing Legally Authorized Searches

The trainee shall recognize and explain the circumstances under which the following types of legally authorized searches may be made. These circumstances shall minimally include:

- A. Pat searches for weapons
- B. Consent searches
- C. Probable cause search
- D. A search warrant
- E. Plain sight
- F. Incident to arrest
- G. Exigent circumstances
- H. Probation/parole search

<i>Reference(s):</i>					Case # <i>(if applicable)</i>	Incident #		
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

Additional Information:

10.1.02 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)* N/A

Mendocino County Sheriff's Office Policy#322.3

10.1.02 Part B - Agency Training Details *(field will expand automatically)*

The trainee will demonstrate the ability to conduct searches of persons, places and vehicles. The trainee will explain the legal authority to conduct such searches.

10.1.03 Items Which May Be Legally Searched
 The trainee shall identify items for which an officer may legally search. These items shall minimally include:

A. Dangerous weapons	D. Contraband
B. Fruits of the crime	E. Suspects
C. Instruments of the crime	F. Additional victims

Reference(s): Case # (If applicable) Incident #

	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								

Comments:

Additional Information:

10.1.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) N/A

Mendocino County Sheriff's Office Policy#322

10.1.03 Part B - Agency Training Details (field will expand automatically)

The trainee will explain what items and can legally be searched for, and explain how different situations provide a different scope of the search.

10.1.04 Limits of Searches The trainee shall discuss the limits of searches when conducted with persons, vehicles, and buildings including: A. Protective sweeps B. Closed containers C. Inventory searches								
Reference(s):						Case # (If applicable)	Incident #	
FTO:	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
Trainee:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Comments:								

Additional Information:

10.1.04	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) Mendocino County Sheriff's Office Policy#510.3	<input type="checkbox"/> N/A
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10.1.04	Part B - Agency Training Details (field will expand automatically) The trainee will demonstrate a knowledge and ability to complete searches, including the limitations of scope, and when to conduct a vehicle inventory search.
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10.1.05 Exclusionary Rule The trainee shall explain the “exclusionary rule” and its effect upon police action and procedures including: A. Court filings B. Prosecution of suspects								
Reference(s):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

Additional Information:

10.1.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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10.1.05 Part B - Agency Training Details (field will expand automatically) The Field Training Officer will conduct scenario based training on the Exclusionary rule, including how it can be detrimental to an investigation.

10.2 SEIZURE CONCEPTS

10.2.01 Lawful Evidence Seizure
 The trainee shall review and explain the concept of lawful evidence seizure, including instances where force may be justified, such as:

A. Preventing a suspect from swallowing evidence
 B. Inducing a suspect to vomit
 C. Extracting blood evidence from a suspect
 D. Extracting fingerprint evidence from a suspect

Reference(s): Case # (if applicable) Incident #

	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								

Comments:

Additional Information:

10.2.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) N/A

10.2.01 Part B - Agency Training Details (field will expand automatically)
 The Field Training Officer will provide training on legalities and techniques to obtain evidence from the person of a suspect.

10.3 WARRANTS								
10.3.01 Obtaining Search and Arrest Warrants								
The trainee shall explain the laws and procedures for obtaining search and arrest warrants, to minimally include:								
A. Probable cause necessity				C. Process for obtaining warrants during and after business hours				
B. Allowable exclusions (including hot pursuit and emergency situations)								
Reference(s):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

Additional Information:

10.3.01	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input checked="" type="checkbox"/> N/A
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10.3.01	Part B - Agency Training Details (field will expand automatically)
The Field Training Officer will provide instruction on how to obtain a search warrant which will minimally include the format, establishing probabe cause, review and how to contact a judicial officer both during and after hours.	

10.3.02 Serving Search and Arrest Warrants
 The trainee shall describe the process for serving search and arrest warrants, including:

A. Hours of service for felony arrest warrants
 B. Hours of service for misdemeanor arrest warrants
 C. Hours of service for search warrants
 D. Knock and notice for search warrants, and exemptions to
 E. "Signing off" warrants/return

Reference(s): Case # (If applicable) Incident #

	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								

Comments:

Additional Information:

10.3.02 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum) N/A

Mendocino County Sheriff's Office Policy#614

10.3.02 Part B - Agency Training Details (field will expand automatically)

The Field Training Officer will provide training on how to complete a Mendocino County Sheriff's Office risk assesment for a search warrant, how to complete a Mendocino County Sheriff's Office Incident Action Plan for executing a warrant, how to complete knock and notice, and how to properly complete associated paperwork, including but not limited to a property receipt, warrant return. The trainee will be trained on how to scan the warrant to the AEGIS report writing system and submit with their crime report.

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):						Case # (If applicable)	Incident #	
	Received Instruction		Competency Demonstrated		How Demonstrated?	Remedial Training		How Remediated?
	Signature	Date	Signature	Date		Signature	Date	
FTO:					<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test			<input type="checkbox"/> Field Perform <input type="checkbox"/> Role Play <input type="checkbox"/> Written Test <input type="checkbox"/> Verbal Test
Trainee:								
Comments:								

Additional Information:

10.3.03	Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)	<input type="checkbox"/> N/A
	Mendocino County Sheriff's Office Policy#614	

10.3.03	Part B - Agency Training Details (field will expand automatically)
	The Field Training Officer will provide training on how to complete a Mendocino County Sheriff's Office risk assesment for a search warrant, how to complete a Mendocino County Sheriff's Office Incident Action Plan for executing a warrant, how to complete knock and notice, and how to properly complete associated paperwork, including but not limited to a property receipt, warrant return. The trainee will be trained on how to scan the warrant to the AEGIS report writing system and submit with their crime report.

See next page for Attestation

Part 5 – Section 10: Search and Seizure

ATTESTATION FOR SECTION 10

TO ENTER YOUR ELECTRONIC SIGNATURE:

- Export your file as a PDF. (Go to File > Export > Create PDF/XPS Document)
- Click on “Fill & sign” > Click on “Sign” icon at top of page > Click on “Add signature”
- Click on the “Image” icon > Click “Select image” > Locate your signature file > Click “Apply” to place your signature.
- 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.
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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: Click on the signature > Click on the trash icon.

See the following pages for Instructions to Administrators and FTOs

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

See next page for Instructions to Field Training Officers

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