Course Title: 7.08 MLEAP Search and Seizure Warrants

Time: 2 hours

Course Description: This course meets Level 2 MLEAP training requirements.

Learning Objectives:

- Identify search warrant and property search procedures, including:
  - The legal requirements of the search warrant affidavit and the search warrant form.
  - What to include in a search warrant affidavit.
  - Execution of a search warrant.
  - Legal requirements of "knock and announce."
  - Seeking information from electronically stored information, tracking devices, cell phones.
  - The Particularity Requirement.

Course Outline Sections:

- Search Warrants – General Information
  - Warrant Requirement
- Rule 41 – Search and Seizure
  - Grounds to Issue a Search Warrant – Rule 41(c)
  - Definition of Property – Rule 41(d)
  - Requesting a Search Warrant – Rule 41(e)
  - What's Included in a Search Warrant? – Rule 41(e)
- Rule 41 – Issuing a Search Warrant
  - Authority of the Search Warrant – Rule 41(f)(2)(A)
  - Time of Execution – Rule 41(f)(2)(B)
  - Warrant Execution Briefing
  - Unannounced Execution of a Search Warrant – Rule 41(f)(2)(B)

    - "Knock and Announce"
    - Execution and Return with Inventory
        - Use of Force When Executing a Warrant
        - Scope of Search
        - Media Access
        - Private Citizens
        - Seizure of Items
        - Copy of the Warrant
        - Return
- Rule 41B – Electronically Stored Information, Tracking Devices, and Cell Phones
    - Tracking Devices
    - Location Information from Cell Phone
    - Cell Phone Contents
- Fourth Amendment
    - Particularity Requirement
        - What is Particularity?
        - How do you know if particularity is sufficient?
    - Example: Place to be searched
    - Example: Property to be seized
    - Probable Cause Requirement
        - What is Probable Cause?
        - How do I prove Probable Cause?
        - Establishing Probable Cause
            - Credibility and Reliability
            - Basis of Knowledge
            - Staleness
            - Corroboration
        - Franks v. Delaware
- QUIZ: Search and Seizure Warrants