



RIVERSIDE COUNTY PROBATION DEPARTMENT
Serving Courts • Protecting Our Community • Changing Lives



Course Title: (Lesson Domain #16: Search & Seizure)

Hours of Instruction: 3

Course Objectives:

I.

- a) Recognize constitutional protections guaranteed by the Fourth Amendment
- b) Identify the concept of reasonable expectation of privacy
- c) Recognize standing and how it applies to an expectation of privacy
- d) Recognize probable cause to search and its link between Fourth Amendment protections and search and seizure law
- e) Recognize how the exclusionary rule applies to a peace officer's collection of evidence

II.

- a) Recognize how probable cause serves as a basis for obtaining a search warrant
- b) Recognize the necessary conditions for securing an area pending the issuance of a search warrant
- c) Identify the time limitations for serving a search warrant
- d) Recognize the elements for compliance with the knock and notice requirements when serving a search warrant
- e) Recognize the application of the Nexus Rule while conducting an authorized search

III.

- a) Recognize why a plain view seizure does not constitute a search
- b) Recognize the legal requirements for seizure of items in plain view
- c) Recognize the conditions and circumstances where warrantless searches and seizures are considered reasonable and legal
- d) Recognize the scope and necessary conditions for conducting the following types of warrantless searches:

1. Cursory/frisk/pat searches
2. Consent searches
3. Searches pursuant to exigent circumstances
4. Searches incident to arrest
5. Probation/parole searches

IV.

- a) Recognize the scope and necessary conditions for conducting the following types of motor vehicle searches:
 1. Probable cause searches
 2. Seizures of items in plain view
 3. Protective searches
 4. Consent searches
 5. Searches incident to custodial arrest
 6. Instrumentality searches
- b) Recognize the scope and necessary conditions for conducting a vehicle inventory

V.

- a) Recognize the legal framework establishing a peace officer's authority to seize physical evidence from a subject's body:
 1. With a warrant
 2. Without a warrant
- b) Recognize conditions under which a peace officer may use reasonable force to prevent a subject from swallowing or attempting to swallow evidence
- c) Recognize the conditions necessary for legally obtaining blood samples
- d) Recognize the conditions for legally obtaining the following evidence:
 1. Fingerprints
 2. Handwriting samples

VI.

- a) Identify the importance of a peace officer's neutral role during an identification procedure
- b) Identify officer actions before, during, and after an identification procedure to prevent impermissible law enforcement suggestiveness when conducting a:
 - 1. Field show-up
 - 2. Photographic spread
 - 3. Custodial lineup