

SA01 - Enrichment
Session 01 - Search and Seizure
LD16 - Search and Seizure

Date Revised: 10/31/2019

Course Goal: To review the laws involving vehicle stops and applying them to practical scenarios.

Learning Objective:

- No New Material

Session Time: 1 Hour

Resources: <ul style="list-style-type: none">• Outside parking lot, or outside location to simulate traffic stop with vehicles• Black and white police vehicles and plain car vehicles• Scenario driver licenses and proof of insurance or use FI cards to simulate license and insurance• Inert firearms for recruits• Prop gun for violator• Prop contraband• Prop knife• Radios for recruits	
Session Summary: The instructor will lead a facilitated discussion accompanied with learning activities with the whole class.	
Outline	Instructor's Notes
<ul style="list-style-type: none">• No new material to cover. TTS' covered in previous law session.	<p>Run Learning Activity # 1</p> <p>Note: See last page for learning activity # 1</p> <ul style="list-style-type: none">• The instructor may alter the scenarios as needed as long as the recruits comprehend the concepts in regards to search and seizure.

Learning Activity # 1 - Vehicle Searches

Purpose: To teach the recruits the laws concerning vehicle searches.

Description:

1. **Assign** or take two volunteer recruits to play the role of officers. The instructor can play the role of the violator or have another recruit volunteer.
2. **Assemble** the groups at pre-determined locations
3. **Position** the B/W vehicles and plain vehicles in separate traffic stop formations
4. To ensure each group receives the same level of training, follow the below three scenarios along with the facilitation notes. They are designed to address the TTS' in LD 16, chapter 4. If time permits, instructors can use their own scenarios after the following three have been thoroughly covered and the recruits have a strong understanding of the TTS'.
5. **Traffic Stop Scenario # 1.** Present the following:
 - a. "You and your partner are assigned to unit 14A21 (present date & time). While westbound on Manchester Avenue, the officers observed the violator's vehicle traveling in the number one lane (also westbound on Manchester Avenue), and failed to stop for the mid-phased red tri-light at Aviation Boulevard. The officers conducted a traffic stop of the vehicle at 5651 W. Manchester Avenue."
 - b. Although this is not a tactics exercise, remind the recruits to utilize what they learned from their tactics instructors [LD 22 infused, Vehicle Pullovers]
 - c. Place prop narcotics in plain view inside vehicle (back seat, dashboard, center console) [16.4.A.2]
 - d. Recruits should observe prop narcotics and take appropriate action.
 - 1) Remove driver from vehicle and detain
 - 2) Recover prop narco and proceed to search the whole vehicle for additional narcotics. [16.4.A.1]
 - e. End scenario when instructor is satisfied the recruits displayed knowledge of TTS' 16.4.A.1 and 16.4.A.2 or end scenario if recruits did not problem solve the scenario correctly.
 - f. Debrief
 - 1) **Ask** the recruits to describe their actions and thought process during the scenario
 - 2) **Facilitate** a discussion, covering TTS' 16.4.A.1 and 16.4.A.2
 - 3) **Ask** Where can officers search? Answer: the whole vehicle (bumper to bumper)
 - 4) As the recruit reveals each step that occurred, the instructor can further discuss the points of each TTS
 - g. **Ask** If the violator is being arrested for illegal possession of narcotics, should it have been a search incident to custodial arrest? [16.4.A.5]

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- 1) Answer: In this scenario, probable cause search applies. Search incident to arrest could be used but the discovery of narcotics allows probable cause search, which allows search of the whole vehicle.
- 2) **Ask** What is the scope and restrictions to searches incident to arrest?
6. **Traffic Stop Scenario # 2.** Present the same scenario violation.
 - a. Place prop knife or gun in visible location (back seat, center console, dash board)
 - b. Allow recruits to problem solve
 - 1) Remove violator from vehicle
 - 2) Detain or have violator stand to side
 - 3) Secure weapon
 - 4) Search vehicle based on protective search [16.4.A.3]
 - c. End scenario when instructor is satisfied the recruits displayed knowledge of the TTS or end scenario if recruits did not problem solve the scenario correctly.
 - d. **Facilitate** discussion and debrief the scenario to fulfill TTS 16.4.A.3
 - 1) **Ask** recruits to describe actions and thoughts during scenario
 - 2) **Ask** Where can they search after locating the weapon? Answer: Anywhere a weapon can be found in the passenger compartment.
 - 3) **Ask** Where can they search if narcotic contraband was found during the protective search? Answer: bumper to bumper. The search has now become a probable cause search.
7. **Traffic Stop Scenario # 3.** Present the following scenario
 - a. Officers hear a broadcast of attack occurred in a vehicle 10 minutes ago. Vehicle used was (give vehicle color and number of doors only so that it is only a possible suspect vehicle). Suspect driving described as (provide sex of violator only). Additional information, suspect was seen putting narcotics under right rear floor mat (or under right front passenger seat) prior to fleeing scene.
 - b. Officers observed violator vehicle fail to stop at a red light and conduct a traffic stop.
 - c. Scenario is set up so the recruits do not have enough probable cause to search or arrest and must gain access to search by other means, such as consent. [16.4.A.4]
 - d. After presenting scenario and prior to starting, establish with the class there is not enough information in the description to be sure the violator is the sexual assault suspect.
 - e. If recruits ask for consent to search vehicle, violator will grant it.
 - f. If recruits find narcotics, violator should be handled appropriately.
 - 1) Detain/Handcuff/Arrest
 - g. End scenario when instructor is satisfied the recruits displayed knowledge of the TTS or end scenario if recruits did not problem solve the scenario correctly.
 - h. **Ask** Other than the vehicle code violation, what crime was committed? Answer: Sexual assault.
 - 1) **Ask** Can the officers search the vehicle for evidence of the sexual assault? Answer: yes, vehicle was used as instrument of a crime. [16.4.A.6]
8. **Review** searches of vehicles for vehicle inventory. [16.4.B]

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- Prop knife
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Handouts: None

Time required: 1 Hour