



**Body Cavity Search:** Any search involving the internal physical examination of body cavities and, in some instances, organs such as the stomach cavity.

**Motor Vehicle:** Any vehicle operating or capable of being operated on public streets or highways, to include automobiles, trucks, trailers, recreational vehicles, mobile homes, motor homes, and any other type of vehicle, whether self-propelled or towed. This policy does not apply to vehicles of any type that have been immobilized in one location for use as a temporary or permanent residence or storage facility, or which are otherwise classified by the law as residences or buildings.

**Motor Vehicle Search:** An examination of all or a portion of the vehicle with an investigatory motive (i.e., for the purpose of discovering fruits, instrumentalities, or evidence of a crime or contraband). A vehicle search may also be conducted to determine the vehicle identification number or the ownership of the vehicle.

**Seizure:** The taking of evidence, property, contraband, concealed weapons, stolen property, or dispositions.

**Contraband:** Counterfeit currency, counterfeiting equipment, narcotics, illegal drug paraphernalia, firearms and other types of unlawful property that the mere possession of such material is an offense in itself.

## **209.4 PROCEDURES**

Officers shall conduct field interviews, perform pat-down searches and execute search warrants in conformance with procedures set forth in this policy.

### **209.4.1. Field Interviews**

209.4.1.1. Officers may stop individuals for the purpose of conducting a field interview only where reasonable suspicion is present.

209.4.1.2. The Officer must be able to point to specific facts that, when taken together with rational conclusions, reasonably warrant the stop. Such facts include, but are not limited to:

- < The appearance or demeanor of an individual suggests that he/she is part of a criminal enterprise or is engaged in a criminal act.
- < The actions of the suspect suggest that he/she is engaged in criminal activity.
- <
- <
- < object.
- <
- < The suspect is located in proximate time and place to an alleged crime.
- <
- < criminal activity.
- < The individual flees at the sight of a police officer.

ISSUED:





209.4.4.4. Items belonging to passengers inside a motor vehicle that has been lawfully stopped can be searched under the following conditions:

- < Probable Cause
- < Consent
- < performed with the reasonable expectation that it will produce evidence of the crime of arrest

209.4.4.5. Warrantless searches of motor vehicles are to be conducted only when lack of time or other exigencies make it impractical for officers to obtain a warrant. When a vehicle has broken down, or there is otherwise no significant chance the vehicle will be driven away or that evidence contained within it will be removed or destroyed, the vehicle should be searched only after a warrant has been obtained.

### **209.4.5 Search at the Scene of a Crime**

Officers shall consider the following procedures when initiating a search at the scene of a crime:

209.4.5.1. Officers may conduct a warrantless entry of residences under the following conditions:

209.4.5.1.1 Consent by the resident(s)

209.4.5.1.2 Probable cause to believe:

- < Someone in the premises is armed and dangerous
- < A serious crime is being committed, and there is a likelihood the offender would escape or that evidence of a crime would be destroyed if time is taken to get a warrant.
- < Fresh pursuit of a suspect who has committed a crime.

209.4.5.1.3 Officers shall secure a search warrant in all cases where circumstances do not provide for exceptions to the warrant rule.

### **209.4.6 Search of a Physical Location**

209.4.6.1 Officers may conduct a warrantless search of a physical location when there is an:

- < Immediate and real danger or threat of public safety in the immediate vicinity; or
- < There exists the possibility that physical evidence may be concealed, damaged, or destroyed.

209.4.6.2 An officer can enter a location in response to an unexplained sound, gunshot, or a cry for help without postponing action until a search warrant has been obtained. Officers are not required to abandon the pursuit of someone whom they reasonably believe has just committed a serious crime, even if that person enters a private residence, apartment, or other similar location. The conditions that must be met for an entry without a warrant are:

- < There must be a solid basis for the belief that an emergency exists;







**Accreditation Standards:**