

SEARCH WARRANTS

Procurement and Execution

Procuring the Search Warrant

What do we need to write a search warrant?

Probable cause to believe evidence relevant to proving a crime has occurred is located on or within a certain place, property, person, vehicle, computer, cell phone etc.

Places to be searched and items searched for are limited only by YOUR imagination!!!

Preparing Your Warrant

- ❑ Ensure the correct crimes being investigated are listed.
- ❑ Correct address and physical description of the property, person , place etc. to be searched.
- ❑ Correct driving directions if located at a place or property.
- ❑ Who the property, place, item etc. is under direct control of.
- ❑ Specific items you are searching for i.e. credit cards, ammunition, firearms, narcotics, paperwork, bodies etc.

Search Warrant Example

SEARCH WARRANT

IN THE CIRCUIT COURT
IN AND FOR WALTON COUNTY, FLORIDA
IN THE NAME OF THE STATE OF FLORIDA:

**TO: SHERIFF MICHAEL A. ADKINSON, EACH AND ALL SINGULAR
DEPUTIES OF THE WALTON COUNTY SHERIFF'S DEPARTMENT.**

(INCLUDE OTHER AGENCY IF THEY ARE PARTICIPATING)

Whereas, complaint on oath and in writing, supported by affidavit has this date been made before me, the undersigned, HONORABLE _____ Judge, Circuit Court of the First Judicial Circuit of Florida, in and for Walton County, by Investigator **investigator name**, of the Walton County Sheriff's Office. The affiant has reason to believe and does believe that the laws of the State of Florida regarding **(crimes that have been violated)** have been violated and that evidence relevant to proving said **(felony or misdemeanor)** may be found on or within the below described **(residence, person, property or vehicle)** :

(Address here)

LEGAL DESCRIPTION OF PROPERTY TO BE SEARCHED:

(Description here)

DRIVING DIRECTIONS:

(Directions here)

Being the premises occupied by or under the control of **SUSPECT'S NAME OR NICKNAME**.

There is now being kept on or within said **(residence, person, property vehicle etc)** certain evidence, to wit:

(Items you are searching for)

I have reviewed the Affidavit of the Affiant and I am satisfied that there is probable cause to believe that there is evidence located on the aforementioned **(residence, person, property vehicle etc)**, and that grounds for the issuance of a search warrant exist.

Search Warrant Example Cont.

NOW, THEREFORE, you, or any of you, are hereby COMMANDED IN THE NAME OF THE STATE OF FLORIDA, in the daytime or in the night time, upon any day of the week, including Sunday, to enter the hereinbefore specified property, and the curtilage thereof, and to search therein, and to search any persons or vehicles arriving, leaving or present at the hereinbefore specified property and/or on other property immediately adjacent thereto, who are believed to be involved in violating any laws pertaining to **(crimes that have been violated)**, for said property, and if the same, or any part thereof shall be found on said premises, then you are hereby authorized and commanded to seize said property and to bring it before this court or a court of competent jurisdiction and to arrest any person or persons found violating the law in connection with the same, and to bring them before the Honorable Court of competent jurisdiction to be dealt with according to law, and to forthwith make return to the Clerk of Court upon the execution of this warrant, which pursuant to F.S.S. 933.05, you are hereby ordered to execute within ten days of issuance as provided by law.

YOU ARE FURTHER COMMANDED, in the event that you seize any of the said property hereinbefore described, to make up, at the time and place of seizure, a full and complete inventory of all things seized and taken, in person duplicate, signed by you, and to deliver one copy of said duplicate to the person named in the warrant, if said person is not present or should no person be named herein, then to some person in charge of, or living on the premises, and in the absence of such person, to leave the same on said premises.

DONE AND ORDERED at DeFuniak Springs, Walton County, Florida, this **24th** day of **February, 2012**.

HONORABLE _____,
JUDGE CIRCUIT COURT OF THE
FIRST JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR WALTON COUNTY

Affidavit Example

AFFIDAVIT FOR SEARCH WARRANT

IN THE CIRCUIT COURT
IN AND FOR WALTON COUNTY
STATE OF FLORIDA
COUNTY OF WALTON

Before the HONORABLE _____, Circuit Judge of the First Judicial Circuit, Walton County, Florida, the undersigned being duly sworn, deposes and says that she/he is investigating the crimes of (crimes that have been violated). Further, the undersigned believes that the laws of the State of Florida regarding the above have been violated and that evidence relevant to proving said (felony or misdemeanor) may be found on or within the below described (residence, person, property, vehicle) and any conveyance located upon the property at the time of execution.

(Address here)

LEGAL DESCRIPTION OF PROPERTY TO BE SEARCHED:

(Description here)

DRIVING DIRECTIONS:

(Directions here)

Being the premises occupied by or under the control of **SUSPECT'S NAME OR NICKNAME**.

There is now being kept on or within said (residence, person, property vehicle) certain evidence, to wit:

(Items you are searching for)

(EXAMPLE)

Your affiant is Investigator (your name), employed by Walton County Sheriff's Office, DeFuniak Springs, Walton County, FL. Your affiant is a bonded Law Enforcement Officer in Walton County, Florida with over (how many years) of law enforcement experience and has received training in the identification, investigation and apprehension of (felony or misdemeanor) law violators. Your affiant is currently assigned to the (Northern or Southern) District of Walton County, and has conducted and participated in numerous (felony or misdemeanor) investigations resulting in the arrest and successful conviction of (felony or misdemeanor) offenders.

Affidavit Example Cont.

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

PROBABLE CAUSE

The facts contained within this Affidavit were obtained from other law enforcement and/or through my own personal knowledge gained throughout this investigation.

Due to the aforementioned facts, your Affiant requests that a warrant be issued for the search of (what you are searching).

On the basis of your Affiant's experience and from the facts set forth herein, your Affiant believes and has good reason to believe that certain evidence, more particularly described herein of the crime of (crime here), is now being kept within said (what you are searching).

WHEREFORE, affiant makes this affidavit and prays the issuance of a search warrant in due form of law for the search of the above described residence for the hereinbefore described evidence to be seized and for the seizure and return thereof, subject to the order of the Honorable Court having competent jurisdiction, by the duly authorized Officers of the Law.

Affiant

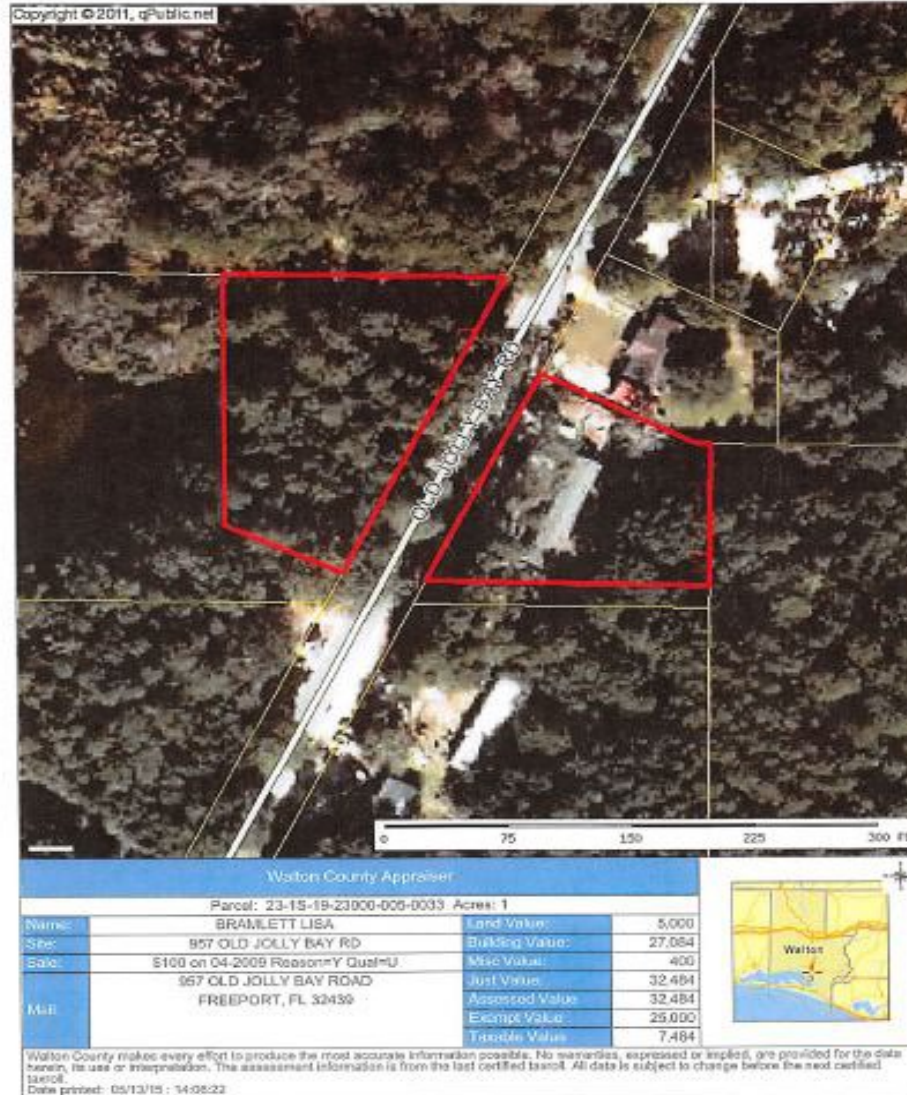
Sworn to and subscribed before me this _____ day of _____ A.D., _____.

Judge in and for Walton County, Florida.

Preparing Your Warrant Cont.

- ▣ Always attach a photograph of the item or place to be searched as an attachment if attainable.
- ▣ If a property is to be searched, attach a copy of the property appraiser's page for that location.
- ▣ Attach any supporting documentation relevant to the search warrant.

Attachment Example



ATTACHMENT "A"

Attachment Example



ATTACHMENT A-1

Preparing Your Warrant Cont.

- ▣ Have SEVERAL people review your search warrant and affidavit for spelling and grammatical errors, also to ensure the paper flows and makes sense.
- ▣ Once your search warrant has been approved by your supervisor, have the state attorney review it, call the court house and request to see a judge.
- ▣ After the judge has signed your search warrant, always make a copy of the SEARCH WARRANT. This copy should be left at the residence or hand delivered to the person/persons. Your Affidavit is not to be left at the residence or given to the person/persons.

Preparing Your Warrant Cont.

- ▣ If you find a scribe's error or incorrect information on the search warrant & affidavit after the judge has signed it, **DO NOT SHRED IT!!!!** Keep that search warrant & affidavit, it has to be returned to the Clerk's Office.
- ▣ Amend your original search warrant & affidavit with the proper corrections and return to the judge for another signature.

Preparation for Execution

- ▣ Once you have obtained a signed search warrant, an Operational Plan (OPS Plan) has to be prepared. (If the search warrant is for electronic devices, vehicles etc. or property already in our custody, an OPS Plan is not needed.)

Operations Plan

- ▣ Operations plan includes the following information:
- ▣ A Brief description of the case information: Location to be searched, Case Number, Anticipated Time of Execution, Demographic Information for Suspect(s), and known intelligence concerning them.
- ▣ In addition, a brief synopsis for the operation is required.

Operations Plan Cont.

- ❑ Specific information concerning the operation is continued on the second page of the form.
- ❑ An operational outline to describe the steps included in this operation should be included on this page.
- ❑ There should also be details added to include additional instructions for the search teams and evidence collection assignments after the pre-video and still photography is completed.
- ❑ If children are present at the location, notify DCF prior to the execution of the warrant or after arriving on scene.

Operations Plan Cont.


- ▣ The third page has spaces for signatures of the chain of command reviewing and approving each OPS Plan. ALL OPS Plans must be approved prior to execution of the search warrant.
- ▣ Also include the name, radio ID number, and cell phone number for each participant in the operation. Once the plan is approved, provide the LCO with a copy of this prior to going to the search warrant location.

Operations Plan Example



WALTON COUNTY SHERIFF'S OFFICE
CRIMINAL INVESTIGATIONS BUREAU OPERATIONS PLAN

WCSD 80-18
08/2012

General Information					
<input checked="" type="checkbox"/> Search Warrant Executed <input type="checkbox"/> High Risk Arrest Warrant Service <input type="checkbox"/> Other					
Location: 957 Old Jolly Bay Road, Freeport, (Walton County) Florida					
Date: May 20, 2015			Anticipated Time of Plan Execution: 5:30 A.M.		
WCSD Case #: 15-000476			Assist By Other Agency: A.S.P.C.A.; D.C.F.; Animal Control		
Brief Description of Location: Single wide mobile home surrounded by residences and woods					
Brief Synopsis: Probable Cause Search Warrant					
Case Officers: Inv. Breezy Adkinson / Inv. Nick Nelson					
Suspect Information					
Arrest Warrant Obtained: No			Date of Warrant:		
Charges: Probable Cause exists for Dogfighting, Narcotics Sales					
Arrest Warrant Obtained:			Date of Warrant:		
Suspect Complete Name: Terrall Dantwan Bramlet					
 Photo					
DOB: 12/16/1989	Race/Sex: B/M	Height: 6'03"	Weight: 200	Hair: Black	Eye: Black
Employment: Self Employed / Entrepreneur					
Criminal History: Yes		Criminal History Attached: Yes		MNI/Local Check: Yes	
History of Violence: Yes <input checked="" type="checkbox"/> No					
Describe:					
Known Weapons: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Describe:					
Handgun (Hi Point 9MM), Rifles x2 (AK-47) (AR-15), Unknown other					
Suspect Vehicle(s) Tag # and State: 2008 Dodge Charger (Grey) FL. 10-28 808 NFP, Registered to Kelsi L. Greene (Girlfriend)					
DL# and State: B654804894560 (FL)					
Weapons or Children at Location: Approx 2 year old male and 2 adult females reside in residence. Has three known firearms (See above)					
Operation Details					
Date of Operation Briefing: May 19, 2015			Time: 2:00 P.M.		
Location of Operation Briefing: W.C.S.O. Administration Building C.I.B. Office					
Conducted By: Inv. Breezy Adkinson, Inv. Nick Nelson					
Location Verified By: Inv. Nick Nelson					
Dispatch Notified By: Lt. Adam Falk					
Staging Area Location: Owl's Head Farms (East side of U.S. 331 in uncompleted subdivision) 5:00 A.M.					

Operations Plan Example Cont.

Dynamic Entry Required: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If "yes", Entry Team Assignments: S.W.A.T.
Evidence Collection Assignments: C.S.T.s Chambers, Gainey, and Goddin
Evidence Collection: W.C.S.O. Crime Scene Technicians
Video and Photography (before and after): W.C.S.O. Crime Scene Technicians
Documentation: W.C.S.O. Crime Scene Technicians
Interviews To Be Conducted By: Inv. Breezy Adkinson and Inv. Nick Nelson, A.S.P.C.A.
WEAPONS/RADIO CHECKS:
(1) Entry Team: <input checked="" type="checkbox"/>
(Ram): <input checked="" type="checkbox"/>
(Halligan): <input checked="" type="checkbox"/>
(2) Arrest Team (Optional): <input checked="" type="checkbox"/>
(3) Outside/Suspect Security: <input checked="" type="checkbox"/>
Position (1) Front of Building <input checked="" type="checkbox"/>
Position (2) Left Side of Building <input checked="" type="checkbox"/>
Position (3) Rear of Building <input checked="" type="checkbox"/>
Position (4) Right Side of Building <input checked="" type="checkbox"/>
Marked Unit: <input checked="" type="checkbox"/>
Onsite Supervisor: <input checked="" type="checkbox"/>
Suspect Transport: <input checked="" type="checkbox"/>
Vehicle Assignments:
Vehicle 1: Entry Team: S.W.A.T.
Vehicle 2: Outside Security Team: C.I.B. and Narcotics
Vehicle 3: Marked Unit: TBD
Vehicle 4: Onsite Supervisor: Captain Bruce Maddox
Vehicle 5: Rear Security Vehicle (Optional):
Problem Information: Property consists of numerous dogs which are well trained for dog fighting. Although there are no indications they are human aggressive, EXERCISE CAUTION!
Special Equipment: Fire Extinguishers, Ram, Halligan
Operational Outline: S.W.A.T. will gain entry into the residence while members of C.I.B. and Patrol (armed with weapons and fire extinguishers) maintain outside security of the property. Until the property is deemed safe and secure, Animal Control, D.C.F., and Crime Scene will stage at U.S. Highway 331 and Old Jolly Bay Road.
Additional Instructions: Once the building/scene is secured all units will exit the building/scene so that the case agent and CST can conduct a walk through of the building/scene before the search is initiated in order to make adjustments for the search. After the walk through is completed, an area will be prepared for the Animal Intake team to document the animals collected. C.S.T. Gainey will prepare the TopCon equipment for use. Members of the interior search team will begin to search the inside of the residence for evidence items. Each item of evidence will remain in place and logged onto the door sheet by the member who located it. The CST assigned to the interior search team will take additional photographs of the item before collecting it. The outside search team will search for additional evidence along with collecting the animals from the yard. Every item of evidence will be logged onto the room sheet by the person who discovered it. Each animal will be collected one at a time, documented with descriptive information and photographs, then loaded into one of the Animal Control Vehicles. After the collected animals arrive at the Animal Shelter, additional documentation and photographs will be taken as part of the intake process.

Operations Plan Example Cont.

Operation Plan Approval	
Plan Submitted By: Inw. Nick Nelson 6759	
Supervisor Approval: <input checked="" type="checkbox"/> [Signature]	Date:
Lieutenant Approval: <input checked="" type="checkbox"/> [Signature]	Date:
Captain Approval: <input checked="" type="checkbox"/> [Signature]	Date:
Director Notified: Yes <input type="checkbox"/> No <input type="checkbox"/> By:	Date:
Emergency Information	
Primary Radio Communications: SLERS	Nearest Emergency Treatment Center: Sacred Heart Emerald Coast
Secondary communication: Department NEXTEL radios	Emergency Telephone Number: 911
	Nearest Emergency Treatment Center:
Local Agency Dispatch Phone Number: (850) 892-8111	Ambulance Stand By: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	First Aid Kit in Vehicle: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Contact Information	
CID	Narcotics
Capt. Bruce Maddox: 12 (850-401-4466) Lt. Adam Falk: 108 (850-401-4085) Sgt. Rome Garrett: 238 (850-855-0400) Sgt. Chris Lehman: 214 (850-401-4641) Inw. Breezy Adkinson: 304 (850-401-4028) Inw. Nick Nelson: 402 (850-401-4018) Inw. Sara Messenger: 384 (850-401-4716) Inw. Lloyd Skipper: 419 (850-200-2101) Inw. Matt Williams: 440 (850-401-4021) Inw. Dustin Cosson: 326 (850-401-4630) Inw. Joseph Paul: 407 (850) 401-4609 Crime Scene: Cpl. Josh Martin: 394 (850-401-4716) C.S.T. Justin Chambers: 721 (850-978-0298) C.S.T. Laura Gainsy: 729 (850-200-2290) C.S.T. Jamey Goddard: 750 (850-419-5812) A.S.P.C.A.: Adam Leath: (917) 828-5725 Terry Mills: (917) 284-2172 Amanda Fitch: (646) 285-3303 Department of Children and Families: T.B.D. Alaqua Animal Refuge: Lori Hood: (850) 685-0288	Lt. Jason Klawitter: 121 (850-401-4006) Sgt. Dustin Burfison: 218 (850-419-3241) Inw. Isaac Cosby: 316 (850-401-4031) Inw. Cameron Johnson: 367 (850-855-0444) Inw. Mindy Shalton: 422 (850-520-0250) Inw. Michael Townsend: 434 (850-520-0245) Inw. Erik Somrude: 423 (850-855-0602) Animal Control Supervisor Russel Beatty: (850) 380-7684 Officer Jon Dalton: (850) 419-7282 Officer Joe Everett: (850) 419-2609 Officer Ruth Hanthorn: (850) 419-5297 Doctor Catherine Collier: (850) 419-4631 Veterinary Technician: Maria Duncan State Attorney's Office: Prosecutor Greg Anchors: (850) 607-5009 Prosecutor Josh Mitchell: (850) 826-4052 Patrol: Deputy T.B.D. Deputy T.B.D. S.W.A.T. See Separate OPS Plan for personnel.

Execution of Search Warrant



Execution of Search Warrant Cont.

- ▣ Once the property, residence etc. has been cleared and all persons secured, the following shall take place:
- ▣ The Lead Investigator shall read the Search Warrant to the appropriate person(s).
- ▣ A pre search video and still photographs will be taken prior to any search.
- ▣ After the video and photography is complete and door sheets are placed for each room, the search teams may search their designated areas.

Execution of Search Warrant Cont.

- ▣ **REMEMBER** you can only search areas that the evidence you are searching for can be hidden or stored in. **(CAN'T SEARCH FOR AN ELEPHANT IN A BREAD BOX!)**
- ▣ Any items of evidence located, should be marked with an evidence marker and left in place.

Execution of Search Warrant Cont.

- ▣ After all items of evidence have been located, each item should be photographed in place, prior to removal (Overall, Mid-range, and Close Up).

Overall Photo



Mid-range Photo



Close Up Photo



Execution of Search Warrant Cont.

- ▣ Each located item of evidence shall be documented on the room's respective door sheet with the item description and officer's name who located the item.
- ▣ An inventory of items to be removed will be completed before the items are removed from the location.
- ▣ The inventory should include a detailed description of the item, who located the item and where it was located.

Execution of Search Warrant Cont.

- ▣ Once this is completed, insure the items collected and listed on the inventory are “in hand” prior to removal from the location.
- ▣ After all seized items are removed from the location, a final walk through will be conducted to ensure nothing has been left behind.
- ▣ A post video will be conducted prior to leaving the location.

Search Warrant Inventory Example



WALTON COUNTY SHERIFF'S OFFICE PROPERTY/EVIDENCE INVENTORY

WCSO 30-73
07/2010

DEFENDANT/SUSPECT Erica Nowling/Leonard Plattorborze ADDRESS 366 lot D-2 Paradise Island Drive, Defuniak Springs, FL 32433 (4-00 3.50)

DATE OF SEARCH/SEIZURE June 16, 2014 TIME ENTERED 1645 TIME EXITED 2200

OFFICERS PRESENT Sgt. Dozler, Sgt. Wendel, Inv. Adkinson, Inv. Somrude, Inv. Shelton, CST Gruenauer DEPT. Walton county Sheriff's Office
Dep. Jodi Day

INVENTORY OFFICER Inv. Breezy Adkinson

DEPT. Walton County Sheriff's Office

EV. CLUS./DISP	PHOTO #	ITEM #	WHAT	WHERE	WHEN	WHO
Evi		1	Surveillance Camera/S#01012152744	Plastic cont. under camper		Inv. Shelton
Photo Only		2	"Biley's Tackle Box	under camper		Inv. Somrude
Evi		3A	Pill bottle, no label	inside Refridgerator		Inv. Somrude
Evi		3B	16 pink in color, round, Ribbon symbol -029 w/ one score	inside Refridgerator		Inv. Somrude
Evi			removed from jewelers bag from 3C	inside Refridgerator		Inv. Somrude
Evi		3C	jewelers bag from 3A	inside Refridgerator		Inv. Somrude
Evi		3D	Pill bottle, worn label	inside Refridgerator		Inv. Somrude
Evi		3E	13 white in color round tablets, 5600/DAN DAN one score	inside Refridgerator		Inv. Somrude
---			from 3D	---		---
Evi		3F	Pill bottle "Plattorborze, Leonard"	inside Refridgerator		Inv. Somrude
Evi		3G	3 white in color oval tablets 500/IP 190, from 3F	inside Refridgerator		Inv. Somrude
Evi		4A	red cut straw with meth residue(FT positive)	Kitchen counter		Inv. Somrude
Destruction		4B	Razor blade	Kitchen counter		Inv. Somrude
Evi		5A	plastic jewelers bag	Kitchen counter		Inv. Somrude
Evi		5B	(2) yellow in color, M-/C/13, round pills (from 5A)	Kitchen counter		Inv. Somrude
Evi		6	(3) empty prescription bottles prescribed to L. Plattorborze	Kitchen drawer		Inv. Somrude
Evi		7	Nokia A1161 cellphone	living room cabinet		Shelton
Photo Only		8	I.D. of L. Plattorborze	living room tv stand		Somrude
Photo Only		9	mail addressed to L. Plattorborze	living room tv stand		Somrude
Evi		10	small plastic container w/meth res. (ftp)	bathroom medicine cabinet		Shelton

Search Warrant Return

- ▣ Within 10 days of serving the search warrant, a return of service has to be filed at the clerks office.
- ▣ You will have your return notarized.
- ▣ Take the original search warrant, copy of inventory and your notarized return to the clerks office.
- ▣ Have the clerk make a copy of your return with the time stamp. Add this to your casefile.

Search Warrant Return Example

INVENTORY AND RECEIPT OF PROPERTY SEIZED UNDER THE WITHIN SEARCH WARRANT

State of Florida
County of Walton County

RECEIVED the within Search Warrant on May 14th 2015 and executed same in Walton County, Florida on May 20, 2015 by searching the person, premises, or motor vehicle(s) described herein and by taking into my custody and possession the following described property, to wit:

See attached Property List (3 pages)

And I further executed said Warrant by leaving a duplicate copy of this warrant at the property described as 957 Old Jolly Bay Road Freeport, Walton County, Florida and by making and delivering to the said Court a true inventory of the above described property.

Inv. Breezy Adkinson
Breezy M. Adkinson
Investigator
Walton County Sheriff's Office

SWORN AND SUBSCRIBED before me
This 22nd Day of May, A.D., 2015

Marti Sherrouse
NOTARY PUBLIC, STATE OF FLORIDA AT LARGE

My Commission expires: October 22, 2018

FILED
WALTON CO FLORIDA
CLERK OF COURTS
2015 MAY 22 P 1:46

