



SEARCH & SEIZURE

Enforcement Division
Policy Number: LE 2.00.00

Effective Date: 2/1/08

POLICY

Certified peace officers (CPOs) will conduct searches and seizures according to federal law, state law, and these policies and procedures. CPOs will, at all times, respect the rights of persons subject to searches and seizures.

CPOs will only conduct searches and seizures that are reasonable. A reasonable search is supported by probable cause, executed pursuant to a warrant or recognized exception to the warrant requirement, and conducted in a reasonable manner.

CPOs will exercise the minimum amount of restraint necessary to ensure officer safety and the safety of others. CPOs will always treat individuals in a professional manner.

RULES

The United States Constitution, 4th Amendment

“The right of the people to be secure in their persons, houses, papers, and effect, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

The Texas Constitution, Article 1, Section 9

“The people shall be secure in their persons, houses, papers, and possession, from all unreasonable seizures, and no warrant to search any place or to seize any person or thing, shall issue without describing them as near as may be, nor without probable cause, supported by oath or affirmation.”