



San Diego County

SHERIFF

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TRAINING BULLETIN

Search and Seizure (Administrative Searches)

The Constitution, through the Fourth Amendment, protects people from unreasonable searches and seizures by the government. When entering jail grounds, some aspects of a person's 4th Amendment rights do not apply, and all persons, property, and vehicles are subject to search. This applies to any professional visitor, contractor, volunteer, or staff member. Security and safety of the facility becomes the primary concern and any contact or search reasonably related to the security and integrity of the facility are to be upheld. These types of searches are also known as "Administrative Searches."

Administrative Stops and Searches

Administrative searches are for facility security and preventing contraband from entering the facility. You have the right to know who is entering the facility, what they are in possession of, and what kind of business they are conducting.

Example:

Random pat downs/searches/ vehicle searches may be conducted as long as they are being done for security purposes only.

- ✓ Without reasonable suspicion or probable cause, you should inform a person you will be searching their person, property, or vehicle. If they refuse, you **may** choose to instruct them to leave the property to avoid a search. However, you are **not** required to obtain consent or allow them to leave to avoid a search.
- ✓ If probable cause exists, the person is detained and is **not** free to leave.
- ✓ Always try to start with consent, but at the end of the day, "ALL PERSONS, PROPERTY, AND VEHICLES ARE SUBJECT TO SEARCH." You have the legal authority and legal justification to conduct a search of any individual, their property, and their vehicle whenever you choose to do so.

This Training Bulletin was prepared by the Detention In-Service Training Unit. If you have expertise in a particular subject and would like to write a training bulletin, please contact the Detention In Service Training unit at GC 7927.700 - Pro Staff Phone-Home-Email-Birth-Medical-Test Score