

<p style="text-align: center;">East Haven Police Department</p> 	Type of Directive: Policies & Procedures		No. 420.3
	Subject/Title: Search and Seizure	Issue Date: September 29, 2020	
		Effective Date: October 1, 2020	
	Issuing Authority: Honorable Board of Police Commissioners	Review Date: Annually	
References/Attachments: N/A		Rescinds: 420.2	Amends: N/A

I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding search and seizure.

II. POLICY

- A. It is the policy of the East Haven Police Department to pursue justice and protect public safety by upholding every individual's Constitutional Rights and by adhering to all statutory and Constitutional requirements in the execution of searches and seizures.

III. GENERAL GUIDELINES AND CONSIDERATIONS

- A. While the Department's detailed policies and procedures in this critical area are presented in the several separate directives numbered below, it is important for personnel to consider two broad concepts. The concepts of "Plain View" and "Exigent Circumstances" figure in many situations in which personnel must search persons, places and things and seize evidence as the fruits of those searches. Personnel must be keenly aware of the Constitutional applications of these concepts.
1. Plain View
 - a. If an officer is in a place where they have a legal right to be and observes what is probable cause to believe is contraband, packaging normally associated with contraband, stolen property, evidence of a crime or fruits of a crime, the officer may seize those items as evidence.

- b. The items seized must be immediately apparent as contraband, stolen property, fruits of a crime, or evidence. If the items must be moved or examined more closely to develop probable cause, plain view doctrine does not apply.
2. Exigent Circumstance
 - a. Officers may enter premises and conduct a probable cause search without a search warrant if they have reason to believe that failure to enter or search will lead to the loss or concealment of evidence, harm to a person, escape of a suspect or commission of other crimes and there is insufficient time to secure a warrant. Such searches must be limited in scope to the parameters of the probable cause.
 - b. When conducting an exigent circumstance search, officers must weigh the seriousness of the crime, risk to the community, and the importance of immediately conducting the search against the intrusion and harm to the suspect.

IV. PROCEDURES

- A. Detailed procedures on search and seizure situations can be found throughout the Policies and Procedures Manual including in the following Policies and Procedures.
 1. Field Stops # 427
 2. Motor Vehicle Stops # 409.
 3. Arrest Guidelines # 412.
 4. Searching and Transporting Prisoners # 501.
 5. Securing and Handling Prisoners in the Station #502.
 6. Booking Process # 503.
 7. Youthful Offenders # 505.
 8. Protective Custody # 421.
 9. Motor Vehicle Inventories # 702.