**LESSON PLAN COVER SHEET**

SUBJECT: Search and Seizure UNIT:

INSTRUCTOR(S): Dan Tiller PHONE: 210/722-0350

TIME ALLOTTED: 4-5 Hours

INSTRUCTIONAL AIDS: Power Point

STUDENT MATERIALS: Handouts

PREREQUISITE EXPERIENCE OF THE LEARNERS: none

GOAL : To ensure that officers, when conducting a search, will do so according to appellate court case guidelines, limitations of intrusiveness, and safety issues.

DATE PREPARED: 3/26/09 DATE REVISED:

PREPARED BY: Dan Tiller REVISED BY:

**INSTRUCTOR LESSON PLAN**

SUBJECT: Search and Seizure UNIT:

LESSON OBJECTIVES:

* Learning objective: The student will be able to explain the T.L.O. v. New Jersey court case.
* Learning objective: The student will be able to explain the difference between “probable cause” and “reasonable cause.”
* Learning objective: The student will be able to explain the “Plain View Doctrine” as it applies to searches.
* Learning objective: The student will be able to explain when they may use “reasonable cause” to conduct a search.
* Learning objective: The student will be able to explain the scope and intrusion level of a search.
* Learning objective: The student will be able to explain when a “stop and frisk” is justified.
* Learning objective: The student will be able to Explain the “Plain View Doctrine” as it applies to searches.
* Learning objective: The student will be able to explain the degree of force which can be used to conduct a search.

**INSTRUCTOR'S LESSON PLAN**

I. PREPARATION Most officers do not know that they can piggy-back on the authority of school administrators under certain situations by functioning as their agents.

II. PRESENTATION

KEY TOPIC POINTS:

Civil Rights vs Safety Issues

Which is most important in a school setting?

Establishing an “Agency”

Proper documentation

In Re Boykin

In Re Fred C.

What is “Presumption of Regularity” – An axiom recognized by the Courts

Avoiding liability issues

“Probable Cause” vs “Reasonable Cause”

Guidelines for School Searches

(Picha vs Weigos – 1976)

T.L.O. vs New Jersey – (1985)

Items or areas that may be searched

Administrative searches

Anonymous tips

III. APPLICATION: Students will be divided into groups and each group will be assigned an appellate court case to review and discuss. Each group will then explain their case to the rest of the class.

IV. EVALUATION: Test Questions

V. REFERENCES:

United States Supreme Court Case Decisions

Texas Appellate Court Case Decisions