



SEARCH & SEIZURE REVIEW EXAM

PAGE 1 OF 10

SEARCH WARRANT PROCESS & FUNDAMENTALS



INSTRUCTIONS: Read each question carefully and select the BEST answer.

THE SEARCH WARRANT PROCESS (PA FOCUS)

A complete search warrant packet generally includes:



- 1** The document that contains the sworn facts establishing probable cause is the:

☐ A Search Warrant
☐ B Affidavit in Support of Search Warrant
☐ C Application for Search Warrant
☐ D Return of Warrant



- 2** The document that authorizes the search is the:

☐ A Affidavit
☐ B Search Warrant
☐ C Inventory/Receipt
☐ D Return of Warrant



- 3** The issuing authority for a search warrant in Pennsylvania is:

☐ A The District Attorney
☐ B The Chief of Police
☐ C The MDJ/Issuing Authority
☐ D The Court of Common Pleas Judge



- 4** Before issuing a warrant, the MDJ/Issuing Authority must determine that:

☐ A The officer's hunch is reasonable
☐ B Probable cause exists
☐ C A crime definitely occurred
☐ D The suspect has already been arrested



- 5** The "Four Corners Rule" means the issuing authority may only consider:

☐ A The officer's training and experience
☐ B The four corners of the affidavit (and any recorded testimony)
☐ C Statements from other officers
☐ D Evidence collected during the search



- 6** Which of the following is NOT a required component of a search warrant?

☐ A Place to be searched
☐ B Items or persons to be seized
☐ C Name of the affiant
☐ D The officer's traffic citation number



- 7** A search warrant must be based on:

☐ A Consent
☐ B Probable cause supported by oath or affirmation
☐ C Reasonable suspicion
☐ D The officer's past experience



KEY DEFINITIONS (PA)

Affiant – The person who swears to the facts in the affidavit.

Issuing Authority – The MDJ/Issuing Authority who reviews the application and either issues or denies the warrant.

Particularity – The warrant must particularly describe the place to be searched and the items to be seized.

Probable Cause – Facts and circumstances within the affiant's knowledge sufficient to warrant a prudent person to believe that evidence of a crime will be found.

Four Corners Rule – The issuing authority may only consider the four corners of the affidavit (and any oral testimony recorded) in determining probable cause.

- 8** The principle that requires a warrant to particularly describe the place to be searched and the items to be seized is:

☐ A Plain View Doctrine
☐ B Particularity Requirement
☐ C Good Faith Exception
☐ D Exigent Circumstances



- 9** If a warrant does not particularly describe the place to be searched, it is:

☐ A Valid as long as it is signed by the MDJ
☐ B Invalid
☐ C Valid if the officer acts in good faith
☐ D Valid if items are listed



- 10** Which document is completed AFTER the search to list items actually seized?

☐ A Affidavit
☐ B Search Warrant
☐ C Inventory/Receipt
☐ D Application for Search Warrant



- 11** The inventory/receipt of seized items must be signed by:

☐ A Only the affiant
☐ B Only the property owner
☐ C The executing officer
☐ D The affiant and the executing officer (and property owner when practicable)



- 12** The return of warrant must be made to the:

☐ A Property owner
☐ B MDJ/Issuing Authority who issued it
☐ C District Attorney
☐ D Police Chief



- 13** If the warrant is not returned to the issuing authority, the most likely result is:

☐ A The case will be automatically dismissed
☐ B Evidence will be suppressed
☐ C Administrative sanctions may be imposed
☐ D The officer may be promoted



- 14** A search warrant must be:

☐ A Handwritten
☐ B Typed or printed and signed by the MDJ
☐ C Verbal
☐ D Signed only by the affiant



- 15** The return of warrant must be made within:

☐ A 24 hours of execution
☐ B 48 hours of execution
☐ C 10 days of execution
☐ D 30 days of execution



KEY TAKEAWAYS



PROBABLE CAUSE



Facts and circumstances in the affidavit must establish probable cause.

FOUR CORNERS RULE



Issuing authority may only consider the four corners of the affidavit (and any recorded testimony).

PARTICULARITY



Describe with particularity the place to be searched and the items to be seized.

RETURN OF WARRANT



Return the warrant and inventory/receipt to the issuing authority within the required time.

COMPLETE & ACCURATE



Complete all sections of the packet and keep accurate records.

★ REMEMBER: FOLLOW THE PROCESS, PROTECT RIGHTS, AND DOCUMENT EVERYTHING! ★



SEARCH & SEIZURE REVIEW EXAM

PAGE 2 OF 10

SEARCH WARRANT PROCESS & FUNDAMENTALS



INSTRUCTIONS: Read each question carefully and select the BEST answer.

16 Which statement about the MDJ/Issuing Authority is TRUE?

- ☐ A The MDJ can help the officer look for evidence.
- ☐ B The MDJ must be neutral and detached.
- ☐ C The MDJ automatically approves every warrant.
- ☐ D The MDJ can accompany officers during the search.



17 An affiant may be:

- ☐ A The officer requesting the warrant
- ☐ B Any witness to the crime
- ☐ C The property owner
- ☐ D The MDJ/Issuing Authority



18 Probable cause exists when:

- ☐ A A hunch is supported by facts
- ☐ B Facts and circumstances within the affiant's knowledge warrant a prudent person to believe evidence of a crime will be found
- ☐ C The suspect admits guilt
- ☐ D Other officers agree with the affiant



19 Which of the following is required for a search warrant to be valid?

- ☐ A The officer's signature
- ☐ B Probable cause
- ☐ C The suspect's consent
- ☐ D A supervisor's approval



20 If the issuing authority lacks probable cause, the correct action is to:

- ☐ A Issue the warrant anyway
- ☐ B Seek more information or clarification
- ☐ C Ask another officer to sign the application
- ☐ D Call a supervisor



21 Which detail is LEAST likely to be included in the "four corners" of the affidavit?

- ☐ A What the officer saw
- ☐ B What a reliable confidential informant told the officer
- ☐ C The affiant's belief about the suspect's character
- ☐ D What another officer heard over the radio



22 A search warrant must be based on:

- ☐ A Facts, not conclusions
- ☐ B Rumors and anonymous tips
- ☐ C The officer's personal opinion
- ☐ D What the suspect posted on social media



23 Which type of information strengthens an affidavit?

- ☐ A General statements without detail
- ☐ B Specific facts, dates, times, and locations
- ☐ C Statements from unknown, unreliable sources
- ☐ D What the officer "thinks" may be true



24 A search warrant becomes invalid if:

- ☐ A The officer changes shifts
- ☐ B It is not executed within 10 days
- ☐ C The suspect moves
- ☐ D The officer calls for backup



25 Which of the following is TRUE about nighttime searches?

- ☐ A They are allowed for any felony
- ☐ B They require reasonable cause to believe the items are on the premises
- ☐ C They are never allowed
- ☐ D They require consent



26 A nighttime search may be authorized when:

- ☐ A The warrant states "anytime"
- ☐ B There is reasonable cause to believe the items are on the premises
- ☐ C The MDJ is on duty
- ☐ D The officer prefers to search at night



27 Which form is used to list items seized during a search?

- ☐ A Affidavit
- ☐ B Inventory/Receipt
- ☐ C Application for Search Warrant
- ☐ D Return of Warrant



28 Who must sign the inventory/receipt of seized items?

- ☐ A Only the affiant
- ☐ B Only the executing officer
- ☐ C Executing officer and property owner (when practicable)
- ☐ D Only the MDJ



29 The inventory/receipt must include:

- ☐ A Only the total number of items
- ☐ B A detailed list and description of items seized
- ☐ C Only the most valuable items
- ☐ D Nothing if the items are contraband



30 The return of warrant is required by Pennsylvania Rule of Criminal Procedure:

- ☐ A Rule 205
- ☐ B Rule 206
- ☐ C Rule 207
- ☐ D Rule 208



31 The return of warrant must state:

- ☐ A Whether the warrant was executed
- ☐ B When and where it was executed
- ☐ C A general description of items seized
- ☐ D All of the above



32 The return of warrant must be submitted to the issuing authority:

- ☐ A Before the search begins
- ☐ B Within 48 hours of execution
- ☐ C Within 10 days of execution
- ☐ D At trial



33 If no items are seized during the search, the executing officer must:

- ☐ A Still file the return of warrant
- ☐ B Inform the District Attorney
- ☐ C Notify the property owner
- ☐ D Destroy the warrant



34 Which of the following items would properly be listed in a search warrant?

- ☐ A "Clothes"
- ☐ B "All papers related to the sale of heroin"
- ☐ C "Things"
- ☐ D "Any and all items"



35 The particularity requirement is met when:

- ☐ A The warrant clearly describes the place and items to be searched/seized
- ☐ B The officer knows what he is looking for
- ☐ C The MDJ believes the officer
- ☐ D The suspect is named



KEY TAKEAWAYS



PROBABLE CAUSE



Facts and circumstances must warrant a prudent person to believe evidence of a crime will be found.

FOUR CORNERS RULE



Issuing authority may only consider the four corners of the affidavit (and recorded testimony).

PARTICULARITY



Describe the place to be searched and the items to be seized with as much detail as possible.

RETURN OF WARRANT



Must be completed and returned to the issuing authority within the required time.

DOCUMENT & LIST



List all items seized on the inventory/receipt and keep complete, accurate records.

★ REMEMBER: FOLLOW THE PROCESS, PROTECT RIGHTS, AND DOCUMENT EVERYTHING! ★



SEARCH & SEIZURE REVIEW EXAM

PAGE 3 OF 10

PROBABLE CAUSE & AFFIDAVITS



INSTRUCTIONS: Read each question carefully and select the BEST answer.

- 36** Probable cause exists when the facts and circumstances within the affiant's knowledge are sufficient to warrant a prudent person to believe that evidence of a crime will be found in a specific place.

☐ A True
☐ B False
☐ C Only if the affiant has made an arrest
☐ D Only if the information came from another officer



- 37** An affidavit must contain which of the following?

☐ A Only the affiant's conclusion
☐ B Facts supporting probable cause
☐ C The officer's hunch
☐ D The officer's personal feelings



- 38** Information provided by a confidential informant can be used in an affidavit if:

☐ A The informant's name is listed
☐ B The informant has given reliable information in the past or the information is independently corroborated
☐ C The informant is a friend of the officer
☐ D The informant is paid by the police



- 39** Which of the following is LEAST likely to establish probable cause?

☐ A An anonymous tip with no detail
☐ B Corroborated information from a citizen
☐ C Observations of the officer
☐ D Admissions by the suspect



- 40** The officer's training and experience may be used to help establish probable cause.

☐ A True
☐ B False
☐ C Only if the officer has been on the job more than 5 years
☐ D Only if approved by a supervisor



- 41** Which type of observation provides the STRONGEST basis for probable cause?

☐ A Hearing suspicious noises
☐ B Smelling the odor of marijuana from inside a residence
☐ C Seeing a person walking away
☐ D Receiving an anonymous phone call



- 42** An officer may rely on hearsay information in an affidavit if:

☐ A It is from a confidential informant
☐ B It is supported by other facts and circumstances
☐ C It would be admissible at trial
☐ D It is listed in the telephone directory



- 43** Which of the following should be INCLUDED in an affidavit?

☐ A The affiant's belief that a crime occurred
☐ B The dates, times, and places of observations
☐ C Statements that are purely conclusory
☐ D Irrelevant background on the suspect



- 44** The "totality of the circumstances" test means that the issuing authority must:

☐ A Consider each fact in isolation
☐ B Consider all facts together to determine if probable cause exists
☐ C Base the decision only on the last fact presented
☐ D Ask other officers for their opinions



- 45** If an affiant lies or recklessly includes false information in the affidavit, the warrant is :

☐ A Still valid if the MDJ signed it
☐ B Invalid and must be suppressed
☐ C Only invalid if the false information was material
☐ D Valid if the officer had good intentions



- 46** Which of the following is an example of independent police corroboration?

☐ A A CI says drugs are in the house
☐ B The officer sees short-term traffic at the house at all hours
☐ C The CI has provided accurate information in the past
☐ D The suspect is known to the officer



- 47** Facts that are several weeks or months old are:

☐ A Automatically invalid
☐ B Always sufficient for probable cause
☐ C Less reliable unless corroborated by recent facts
☐ D Only usable if the suspect is on probation



- 48** An affiant should NOT include in an affidavit:

☐ A Facts known from personal observation
☐ B The identity of the confidential informant
☐ C Irrelevant criminal history of the suspect
☐ D Results of controlled buys



- 49** Which BEST describes a "controlled buy"?

☐ A An officer buys a controlled substance from the suspect
☐ B The suspect buys drugs from an undercover officer without police supervision
☐ C A CI buys drugs under police supervision with money provided by police
☐ D An officer searches a residence and buys property



- 50** The issuing authority may question the affiant to:

☐ A Challenge the affiant
☐ B Clarify the facts in the affidavit
☐ C Help strengthen the case for trial
☐ D Obtain additional evidence



- 51** Which of the following is TRUE about probable cause?

☐ A It requires proof beyond a reasonable doubt
☐ B It is a higher standard than reasonable suspicion but lower than proof beyond a reasonable doubt
☐ C It must be based on the officer's hunch
☐ D It requires actual evidence of a crime



- 52** Which statement is TRUE about an anonymous tip?

☐ A It can never be used for probable cause
☐ B It can support probable cause only if corroborated by police
☐ C It is always enough for a search warrant
☐ D It is treated the same as information from a CI



- 53** Which of the following strengthens an affidavit?

☐ A Detailed observations with dates and times
☐ B Conclusory statements that a crime occurred
☐ C The officer's dislike of the suspect
☐ D Information not related to the crime



- 54** If the issuing authority determines there is NOT probable cause, they will:

☐ A Issue the warrant anyway
☐ B Return the application unsigned
☐ C Call for backup
☐ D Refer the case to another officer



- 55** Which of the following is a permissible source of information for an affidavit?

☐ A Personal observation
☐ B Information from other law enforcement
☐ C Citizen information
☐ D All of the above



KEY TAKEAWAYS



PROBABLE CAUSE



Facts and circumstances must warrant a prudent person to believe evidence of a crime will be found.

AFFIDAVITS



Include facts, not conclusions. Use observations, training, and reliable information.

INFORMANTS



Use information from reliable informants or corroborate anonymous tips.

ISSUING AUTHORITY



Considers the "four corners" and the totality of the circumstances. May question the affiant.

FOUR CORNERS RULE



Only what is in the affidavit (and oral testimony recorded) may be considered.

★ REMEMBER: TELL THE TRUTH, INCLUDE THE FACTS, AND PROTECT THE CONSTITUTION! ★



SEARCH & SEIZURE REVIEW EXAM

PAGE 4 OF 10

SEARCH WARRANT REQUIREMENTS & PARTICULARITY



INSTRUCTIONS: Read each question carefully and select the BEST answer.

- 56 Under Pennsylvania law, the "Four Corners Rule" means the issuing authority may only consider:

☐ A The affiant's training and experience
☐ B Information contained within the four corners of the affidavit (and any oral testimony recorded)
☐ C Information obtained during the search
☐ D Hearsay from other officers not in the affidavit

AFFIDAVIT



- 57 A search warrant must particularly describe:

☐ A The officer's vehicle
☐ B The place to be searched and the items to be seized
☐ C The name of the informant
☐ D The time of day the search will occur



- 58 Which of the following is an example of a sufficient description of a place to be searched?

☐ A "John Doe's residence"
☐ B "Any vehicle owned by the suspect"
☐ C "123 Maple Street, Erie, PA 16501, second floor apartment on the left"
☐ D "The suspect's usual place"



- 59 Which of the following is an example of a sufficient description of items to be seized?

☐ A "Anything related to the crime"
☐ B "Weapons and drugs"
☐ C "A black handgun"
☐ D "Cocaine, digital scales, packaging materials, and U.S. currency"



- 60 Which statement about the particularity requirement is TRUE?

☐ A It allows officers to search anywhere they want
☐ B It prevents general, exploratory searches
☐ C It only applies to the place to be searched
☐ D It is not required in Pennsylvania



- 61 A warrant authorizing the seizure of firearms must:

☐ A Be approved by the District Attorney only
☐ B Clearly describe the firearms to be seized
☐ C Be executed only during daylight hours
☐ D Be signed by the property owner



- 62 Which of the following should an officer do if the warrant does not adequately describe the items to be seized?

☐ A Seize the items anyway
☐ B Ask the property owner for permission
☐ C Request the warrant be amended or return it
☐ D Let the MDJ decide after the search



- 63 A nighttime search (generally 10:00 p.m. to 6:00 a.m.) may be authorized in Pennsylvania only if the affidavit shows reasonable cause to believe:

☐ A The items will be moved if the search is delayed
☐ B The search will be safer at night
☐ C The suspect works nights
☐ D The officer prefers to search at night



- 64 If a warrant does not authorize a nighttime search, the officers must:

☐ A Obtain verbal consent from the owner
☐ B Wait until daytime to execute the warrant
☐ C Enter and secure the premises until daytime
☐ D Contact the District Attorney for approval



- 65 Oral testimony presented to the issuing authority must:

☐ A Be written down later by the affiant
☐ B Be recorded or otherwise preserved
☐ C Be summarized in the officer's report only
☐ D Not be used in determining probable cause



- 66 Which of the following is NOT a proper item to include in an inventory/receipt?

☐ A List of all items seized
☐ B Approximate street value of each item
☐ C Case number and time of the search
☐ D Officer's personal notes unrelated to the case



- 67 The inventory/receipt must be:

☐ A Completed before the search begins
☐ B Completed during the search or immediately after whenever practicable
☐ C Completed at the police station the next day
☐ D Completed only if requested by the MDJ



- 68 The inventory/receipt must be signed by:

☐ A Only the executing officer
☐ B The affiant only
☐ C The executing officer and the property owner (if present and willing)
☐ D The District Attorney



- 69 When officers seize currency during a search, the inventory/receipt should include:

☐ A Only the amount
☐ B The amount and the form of the currency (cash, money order, etc.)
☐ C Only the serial numbers
☐ D Nothing, unless requested by the owner



- 70 The return of warrant must be submitted to the issuing authority:

☐ A Within 10 days of execution
☐ B Within 48 hours of execution
☐ C Before the search begins
☐ D Only if the warrant is not fully executed



- 71 The return of warrant must include all of the following EXCEPT:

☐ A Date and time the warrant was executed
☐ B Items seized or a statement that no items were seized
☐ C Location searched
☐ D The names of all witnesses



- 72 If items are seized that are not listed in the warrant, the officer should:

☐ A Keep the items if they are valuable
☐ B Seize them only if they are contraband in plain view and record that fact in the inventory
☐ C Destroy them
☐ D Ask the owner if they can keep them



- 73 Which of the following is TRUE about amendments to a search warrant?

☐ A They are never allowed
☐ B They may be made by the officer
☐ C They must be approved by the issuing authority before the search continues
☐ D They can be made after the search is complete without approval



- 74 A "continuing search" after officers find items listed in the warrant is permitted when:

☐ A They believe more items are hidden in the same area
☐ B They want to look in other areas not described in the warrant
☐ C The suspect gives consent
☐ D They have a hunch



- 75 Which of the following best describes the role of the MDJ/Issuing Authority?

☐ A To participate in the search
☐ B To determine whether probable cause exists based on the affidavit and testimony
☐ C To decide what items officers may seize
☐ D To supervise the execution of the warrant



KEY TAKEAWAYS



FOUR CORNERS RULE

The issuing authority may only consider the affidavit and any recorded oral testimony.

PARTICULARITY

Clearly describe the place to be searched and the items to be seized.

NIGHTTIME SEARCH

Requires reasonable cause to believe delay will result in removal of items or danger.

INVENTORY/RECEIPT

List all items seized and be signed by the executing officer and property owner (if present and willing).

RETURN OF WARRANT

Must be submitted to the issuing authority within 48 hours.

★ FOLLOW THE PROCESS. PROTECT RIGHTS. DOCUMENT EVERYTHING. ★



SEARCH & SEIZURE REVIEW EXAM

PAGE 5 OF 10

EXECUTION OF SEARCH WARRANTS & SEIZED PROPERTY



INSTRUCTIONS: Read each question carefully and select the BEST answer.

76

A search warrant must generally be executed between the hours of:

- A 6:00 a.m. and 10:00 p.m.
- B 7:00 a.m. and 9:00 p.m.
- C 8:00 a.m. and 8:00 p.m.
- D 10:00 a.m. and 6:00 p.m.



77

To lawfully enter a residence to execute a search warrant, officers must:

- A Break the door if no one answers
- B Knock and announce their authority and purpose
- C Enter quietly without announcement
- D Only knock if they have probable cause



78

If no one answers after knocking and announcing, officers may enter the residence if:

- A They have a "no-knock" warrant
- B They hear movement inside
- C They reasonably believe evidence may be destroyed if entry is delayed
- D They believe the suspect is armed



79

During the execution of a search warrant, officers may search:

- A Only the exact area described in the warrant
- B Any area of the premises where the items listed could reasonably be found
- C Everywhere on the property
- D Only the suspect's bedroom



80

Officers may seize items during the search only if:

- A They are specifically listed in the warrant
- B They are contraband or evidence of the crime for which the warrant was issued
- C They are valuable
- D They are in plain view



81

If officers seize items that are NOT listed in the warrant, they must be:

- A Destroyed
- B Kept if they are contraband or evidence in plain view
- C Returned to the owner immediately
- D Left with the property owner pending court



82

If officers damage property while executing a search warrant, they must:

- A Repair or pay for the damage
- B Leave a note for the property owner
- C Report the damage to their supervisor
- D Do nothing unless the owner complains



83

A search may be continued at another time if:

- A Officers want to
- B The warrant specifically authorizes a continuing search
- C Officers need more time
- D The owner agrees



84

When the search is complete, officers must:

- A Leave the premises immediately
- B Notify the District Attorney
- C Secure the premises as they found them
- D Post a notice of the search



85

The inventory/receipt must be left with:

- A The property owner or person in charge
- B The issuing authority
- C The District Attorney
- D The officer's supervisor



86

The inventory/receipt must contain all of the following EXCEPT:

- A A complete list of items seized
- B The estimated value of each item
- C The officer's social security number
- D The case number and location of the search



87

Currency seized during a search must be:

- A Kept by the seizing officer
- B Turned over to the property owner
- C Turned over to the police department and properly receipted
- D Destroyed if not listed in the warrant



88

Firearms and ammunition seized during a search must be:

- A Left with the property owner
- B Turned over to the police department, unloaded and receipted
- C Sold to cover investigation costs
- D Destroyed if not used in a crime



89

Drugs seized during a search must be:

- A Destroyed on scene
- B Field tested and left with the property owner
- C Turned over to the police department and properly secured
- D Kept by the officer until trial



90

If a person is not present to receive the inventory/receipt, officers should:

- A Leave it on a table
- B Mail it to the owner
- C Leave it in a conspicuous place at the premises
- D Take it with them to the station



91

Statements or admissions made by a suspect during the execution of a search warrant are generally:

- A Not admissible in court
- B Admissible if Miranda warnings were given when custodial
- C Only admissible if recorded
- D Only admissible if written



92

If the search warrant is later found to be invalid, the items seized may be:

- A Automatically admissible
- B Suppressed from evidence
- C Used if the officer acted in good faith
- D Returned to the owner, but still used in court



93

Who must return the warrant to the issuing authority?

- A The property owner
- B Any officer
- C The officer who executed the warrant
- D The police supervisor



94

The warrant must be returned to the issuing authority:

- A Within 24 hours of execution
- B Within 48 hours of execution
- C Within 10 days of execution
- D Within 30 days of execution



95

The MDJ/Issuing Authority may require the officer to:

- A Testify at a preliminary hearing
- B File a written report of the search
- C Both A and B
- D Neither A nor B



KEY TAKEAWAYS



EXECUTION

Knock and announce. Execute between 6:00 a.m. and 10:00 p.m.



SCOPE

Search only areas where items could reasonably be found.



SEIZURE

Seize items listed in the warrant or contraband/evidence in plain view.



RECEIPT

Provide a complete inventory/receipt to the person in charge.



RETURN

Return the warrant to the issuing authority within 10 days.



★ FOLLOW THE LAW. PROTECT RIGHTS. DOCUMENT EVERYTHING. ★



SEARCH & SEIZURE REVIEW EXAM

PAGE 6 OF 10

RETURNS, RECEIPTS, INVENTORIES & ROLE OF THE MDJ



INSTRUCTIONS: Read each question carefully and select the BEST answer.

96

The return of warrant is a written statement that must be made under oath and must state:

- A Why the search was requested
- B How the search was conducted and what items were seized
- C The officer's opinion of the suspect's guilt
- D The total value of all items seized



97

The return of warrant must be made to the issuing authority:

- A Before the search begins
- B Within 24 hours of execution
- C Within 48 hours of execution
- D Only if items are seized



98

If the issuing authority is not available to receive the return of warrant within the required time, the officer may return it to:

- A The District Attorney
- B The property owner
- C Any MDJ or issuing authority in the county
- D The police supervisor



99

The inventory/receipt of seized items serves which of the following purposes?

- A Proves the officer had probable cause
- B Provides a record of what was taken
- C Determines the value of items for court costs
- D Identifies witnesses to the search



100

Who should sign the inventory/receipt of seized items?

- A Only the affiant
- B Only the property owner
- C The executing officer and the property owner (if present and willing)
- D Only the MDJ



101

If the property owner is not present and willing to sign the inventory/receipt, the officer should:

- A Mail it to the owner
- B Have a supervisor sign for the owner
- C Note on the receipt that the owner was not present or willing to sign
- D Do not complete a receipt



102

Which of the following is TRUE about the return of warrant?

- A It is only required when items are seized
- B It must be in writing and under oath
- C It must be returned to the trial court
- D It is not required if nothing is found



103

The MDJ/Issuing Authority is not required to be present during the search. This is TRUE.

- A True
- B False
- C Only if consent is given
- D Only if no items are seized



104

Which of the following is a duty of the MDJ/Issuing Authority BEFORE issuing a search warrant?

- A Accompany officers during the search
- B Decide what items will be seized
- C Determine whether probable cause exists based on the affidavit
- D Transport seized items to court



105

Which of the following is a duty of the MDJ/Issuing Authority AFTER the search is completed?

- A Execute the search warrant
- B Receive the return of warrant
- C Sign the inventory/receipt
- D Decide the defendant's sentence



106

The MDJ/Issuing Authority must ensure the affidavit:

- A Is long and detailed
- B States the affiant's personal opinions
- C Sets forth facts sufficient to establish probable cause
- D Identifies the suspect by nickname only



107

An MDJ/Issuing Authority may NOT base a finding of probable cause on:

- A Factual information in the affidavit
- B Hearsay information from a reliable source
- C The affiant's belief or suspicion without facts
- D Information from a confidential informant



108

Which of the following must be included in the affidavit for a search warrant?

- A The officer's rank
- B Facts and circumstances within the affiant's knowledge
- C The officer's home address
- D The length of time the officer has been on duty



109

The "four corners" of the affidavit are judged by:

- A The District Attorney
- B The issuing authority only
- C The affiant and the police supervisor
- D The trial court



110

Which of the following is TRUE regarding an MDJ's neutral and detached role?

- A The MDJ is an advocate for law enforcement
- B The MDJ decides whether probable cause exists without bias
- C The MDJ determines the guilt of the suspect
- D The MDJ assists in searching the premises



KEY TAKEAWAYS



RETURN OF WARRANT



Must be in writing, under oath, and returned to the issuing authority within 48 hours.

INVENTORY/RECEIPT



List all items seized and be signed by the executing officer and property owner (if present and willing).



MDJ ROLE

Determine probable cause BEFORE issuing. Receive return AFTER the search.

FOUR CORNERS RULE



Issuing authority may only consider the four corners of the affidavit (and any recorded testimony).

NEUTRAL & DETACHED



MDJ/Issuing Authority must remain neutral and impartial—not an advocate for either side.



SEARCH & SEIZURE REVIEW EXAM

PAGE 7 OF 10

MDJ ROLES, PROCEDURE & SPECIAL SITUATIONS



INSTRUCTIONS: Read each question carefully and select the BEST answer.

- 111** Which of the following is part of the MDJ's role when presented with a search warrant application?

- ☐ A Determining whether probable cause exists
- ☐ B Accompanying officers during the search
- ☐ C Deciding the guilt of the suspect
- ☐ D Serving the warrant on the suspect



- 116** An MDJ may NOT approve a search warrant if:

- ☐ A The affidavit shows no probable cause
- ☐ B All four corners are completed
- ☐ C The items to be seized are described
- ☐ D The applicant is a law enforcement officer



- 112** An MDJ may approve a search warrant application by issuing:

- ☐ A A verbal order only
- ☐ B A written warrant signed by the MDJ
- ☐ C A promise to sign later
- ☐ D An email approval



- 117** Which of the following is a proper way for an MDJ to handle a deficient affidavit?

- ☐ A Tell the officer what to write
- ☐ B Return it and require corrections
- ☐ C Approve it if the officer insists
- ☐ D Ignore minor mistakes



- 113** If the MDJ lacks jurisdiction over the location to be searched, the MDJ should:

- ☐ A Approve the warrant anyway
- ☐ B Refer the application to an MDJ with jurisdiction
- ☐ C Call the police supervisor
- ☐ D Deny the application without explanation



- 118** Which situation would require officers to obtain a new warrant (not just amend the old one)?

- ☐ A Adding an item that was missed
- ☐ B Changing the time of day to execute
- ☐ C Adding a completely different location
- ☐ D Extending the return time



- 114** Which of the following must the MDJ do if the application is denied?

- ☐ A Approve it later without changes
- ☐ B Provide the applicant with the reason for the denial
- ☐ C Contact the suspect to explain
- ☐ D Destroy the application



- 119** A nighttime search (10:00 p.m. to 6:00 a.m.) of a residence may be authorized if the affidavit shows reasonable cause to believe:

- ☐ A The items may be moved or destroyed
- ☐ B The suspect works at night
- ☐ C The officer prefers to search at night
- ☐ D The warrant is for a drug investigation



- 115** Which statement is TRUE about a magistrate's duty of neutrality?

- ☐ A The MDJ acts as part of the police team
- ☐ B The MDJ must be impartial and detached
- ☐ C The MDJ can help officers find evidence
- ☐ D The MDJ should question suspects



- 120** After the search is complete, officers must:

- ☐ A Secure the premises
- ☐ B Leave immediately
- ☐ C Notify the District Attorney
- ☐ D Post the warrant on the door



KEY TAKEAWAYS



MDJ ROLE



- MDJ is neutral, detached, and makes an independent probable cause determination.

APPLICATION



- Affidavit must support probable cause.
- MDJ approves or denies the application.

DENIAL



- If denied, MDJ must provide the reason.
- Applicant may correct and reapply.

NEW WARRANT



- A new warrant is required for a different location or significant changes.

EXECUTION



- Execute exactly as authorized.
- Complete the search and follow all return requirements.



SEARCH & SEIZURE REVIEW EXAM

PAGE 8 OF 10

ANSWER KEY – QUESTIONS 1–60



INSTRUCTIONS: Use this answer key to check your work and identify areas for review.

QUESTION #	ANSWER
1	A
2	B
3	C
4	B
5	C
6	A
7	D
8	B
9	D
10	B
11	A
12	C
13	B
14	C
15	A
16	B
17	C
18	A
19	B
20	D
21	C
22	A
23	B
24	C
25	A
26	B
27	A
28	D
29	C
30	B

QUESTION #	ANSWER
31	A
32	B
33	C
34	B
35	D
36	A
37	C
38	B
39	D
40	A
41	C
42	B
43	D
44	C
45	A
46	B
47	D
48	C
49	A
50	B
51	C
52	D
53	B
54	A
55	C
56	B
57	D
58	A
59	C
60	B

REMEMBER!



MDJ ROLE

The MDJ is neutral, detached, and makes an independent probable cause determination.



PROBABLE CAUSE

Facts and circumstances within the affiant's knowledge must be sufficient for a prudent person to believe evidence of a crime will be found.



PARTICULARITY

Describe the place to be searched and the items to be seized with reasonable certainty.



NIGHTTIME SEARCH

10:00 p.m. – 6:00 a.m. requires reasonable cause to believe items may be moved, destroyed, removed, or secreted if the search is delayed.



RETURN OF WARRANT

Must be returned to the issuing authority within 48 hours of execution.



INVENTORY/RECEIPT

Provide a complete inventory/receipt to the person in charge of the property at the time of seizure.



FOLLOW THE LAW. PROTECT RIGHTS. DOCUMENT EVERYTHING.

KEY TAKEAWAYS



EXECUTION

Knock and announce. Execute between 6:00 a.m. and 10:00 p.m.



SCOPE

Search only areas where items could reasonably be found.



SEIZURE

Seize items listed in the warrant or contraband/evidence in plain view.



RECEIPT

Provide a complete inventory/receipt to the person in charge.



RETURN

Return the warrant to the issuing authority within 48 hours.

★ TELL THE TRUTH. INCLUDE THE FACTS. PROTECT THE CONSTITUTION. ★



SEARCH & SEIZURE REVIEW EXAM

PAGE 9 OF 10

ANSWER KEY – QUESTIONS 61–120



INSTRUCTIONS: Use this answer key to check your work and identify areas for review.

QUESTION #	ANSWER	QUESTION #	ANSWER
61	A	91	B
62	B	92	A
63	C	93	D
64	A	94	C
65	D	95	B
66	B	96	A
67	C	97	C
68	A	98	A
69	B	99	D
70	C	100	C
71	A	101	B
72	D	102	B
73	B	103	D
74	C	104	A
75	A	105	C
76	B	106	A
77	A	107	D
78	D	108	B
79	C	109	A
80	B	110	B
81	A	111	C
82	C	112	C
83	D	113	A
84	B	114	C
85	C	115	B
86	A	116	D
87	B	117	B
88	D	118	B
89	A	119	C
90	C	120	D

REMEMBER!



MDJ ROLE

The MDJ is neutral, detached, and makes an independent probable cause determination.



PROBABLE CAUSE

Facts and circumstances within the affiant's knowledge must be sufficient for a prudent person to believe evidence of a crime will be found in a specific place.



PARTICULARITY

Describe the place to be searched and the items to be seized with reasonable certainty.



NIGHTTIME SEARCH

10:00 p.m. – 6:00 a.m. requires reasonable cause to believe items may be moved, destroyed, removed, or secreted if the search is delayed.



RETURN OF WARRANT

Must be returned to the issuing authority within 48 hours of execution.



INVENTORY/RECEIPT

Provide a complete inventory/receipt to the person in charge of the property at the time of seizure.



FOLLOW THE LAW. PROTECT RIGHTS. DOCUMENT EVERYTHING.

KEY TAKEAWAYS



WARRANT



Must be in writing, under oath, and returned within 48 hours.

AFFIDAVIT



Provide facts, not conclusions. Include basis for knowledge.

EXECUTION



Knock and announce. Execute between 6:00 a.m. and 10:00 p.m.

SEIZURE



Seize only items listed in the warrant or those in plain view.

RECEIPT



Give a complete inventory/receipt at the time of seizure.

NEUTRAL & DETACHED



The MDJ must remain neutral and impartial—not an advocate for either side.

★ TELL THE TRUTH. INCLUDE THE FACTS. PROTECT THE CONSTITUTION. ★



SEARCH & SEIZURE REVIEW EXAM

PAGE 10 OF 10

SEARCH & SEIZURE — “REMEMBER!” MASTER REVIEW

★ HIGH-YIELD PENNSYLVANIA SEARCH & SEIZURE REVIEW SHEET ★

★ FOUR CORNERS RULE

The issuing authority generally considers only:

- ✓ Information within the affidavit
- ✓ Recorded testimony (if permitted)



NOT:

- ✗ Officer's reputation
- ✗ Additional facts learned later
- ✗ Hunches or assumptions

★ PROBABLE CAUSE

Probable Cause exists when:

Facts and circumstances within the affiant's knowledge are sufficient to warrant a prudent person to believe evidence of a crime will be found.

Remember:

- Probable Cause ≠ Beyond a Reasonable Doubt
- Probable Cause > Reasonable Suspicion

★ ISSUING AUTHORITY / MDJ

The MDJ:

- ✓ Reviews affidavit
- ✓ Determines probable cause
- ✓ Issues or denies warrant
- ✓ Remains neutral and detached



The MDJ DOES NOT:

- ✗ Investigate
- ✗ Assist police
- ✗ Determine guilt
- ✗ Participate in the search

★ SEARCH WARRANT PACKET



★ PARTICULARITY

The warrant must describe:

- ✓ Place to be searched
- ✓ Items to be seized
- ✓ Persons (if applicable)



Purpose:
Prevent general exploratory searches.

★ NIGHTTIME SEARCHES

Generally:



10:00 p.m. – 6:00 a.m.
Require additional justification.

Affidavit must show reason why delay could result in:

- Removal
- Destruction
- Concealment of evidence.



★ INVENTORY / RECEIPT

Prepared by:

- ✓ Executing officer

Contains:

- ✓ Complete list of seized items

Provided to:

- ✓ Property owner / person in charge



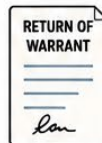
★ RETURN OF WARRANT

Returned to:

- ✓ Issuing Authority

Contains:

- ✓ Date & time executed
- ✓ Inventory
- ✓ Officer information
- ✓ Statement of execution



★ INFORMANTS

Informant information becomes stronger when:

- ✓ Previously reliable
- ✓ Corroborated
- ✓ Supported by surveillance
- ✓ Supported by controlled buys



★ COMMON EXAM TRAPS

- ✗ MDJ decides guilt
- ✗ MDJ helps police investigate
- ✗ Warrant may search “anywhere”
- ✗ General descriptions satisfy particularity
- ✗ Officer's hunch alone = probable cause
- ✗ Missing affidavit facts can be supplied later



★ FINAL EXAM MEMORY AID

ASK THESE 5 QUESTIONS

- 1 Is there Probable Cause?
- 2 Is it within the Four Corners?
- 3 Is the warrant sufficiently Particular?
- 4 Were the forms completed correctly?
- 5 Did the MDJ remain Neutral & Detached?

★ FOLLOW THE LAW. PROTECT RIGHTS. DOCUMENT EVERYTHING. ★



YOUR ROLE AS AN MDJ:

Remain neutral and detached. Determine probable cause only. Protect the Constitution.

FAIR. IMPARTIAL. PROFESSIONAL.

