Search Warrant Execution and Return

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A search warrant must be founded on an affidavit providing the probable cause to justify the intrusion of an individual’s home or physical integrity. An affidavit is a sworn statement stating the belief that either persons or items of interest are at a particular place and outlining the facts that support that belief. It identifies the place or person being targeted and specifies the nature of the property of interest. On return, the warrant must be accompanied by an inventory of the property that has been seized pursuant to the warrant. After executing the search warrant and recovering the victims’ properties inside the residence, the person executing the warrant must issue a copy of the warrant and affidavit to the owner of the residence as well as a receipt for the property that has been taken. These documents can be left at the residence if no one is available.

On completing the search, the warrant’s executor should write and sign a statement on it outlining the action taken under its power, indicating the date and time the search was conducted, and identifying the person who received a copy of the warrant and the receipt or the place they were left. The executor should then book these items as evidence at the police station to have them processed for any valuable evidence and any contraband marked for destruction. For instance, ballistic experts can ascertain whether the hand gun is compatible with the one that shot and killed the first victim. Additionally, police can also compare the suspects’ fingerprints with those lifted from the phones and wallet. The marijuana found at the house is contraband and shall be marked for destruction. The executor should also deliver the warrant and a written inventory of seized items to court and add the warrant and any supporting documentation to the investigation report.