

TULANE UNIVERSITY POLICY SEARCH WARRANTS

A Search Warrant is a written court order entitling law enforcement to search a defined area and seize property which constitutes evidence of commission of the alleged crime described in the warrant. A Search Warrant is available only in criminal actions.

PROCEDURE:

1. All law enforcement personnel, state and federal agents should be escorted to a conference room or private office. Immediately contact the Office of the General Counsel, Uptown: 300 Gibson Hall, phone: 865-5783 or Tulane University Health Sciences Center, 1430 Tulane Avenue TB-33, phone: 588-5031 .
2. Identify the agent in charge of executing the warrant. Ask for a business card or record the name, title, agency, and telephone number of the agent. Ask for a copy of the warrant and any affidavit submitted to the court to obtain the warrant. Have the agent identify the prosecutor by name and phone number, if that person is not indicated on the document.(The agent is acting at the direction of the prosecutor.)
3. Inform the agent in charge that the General Counsel has been contacted and is on the way. Request agent in charge not to proceed until counsel arrives.
4. If agent will not wait for counsel to arrive, take the following steps to monitor the search:
 - a) Carefully read the warrant.
 - b) Make sure the warrant is signed by a judge or magistrate. If there is any discrepancy, notify the agent in charge.
 - c) Determine the scope of the warrant, the area to be searched and type of evidence to be seized. A Search Warrant permits the designated agent to search and seize property. If there is any discrepancy between the scope of the search document and the search actually conducted by the agent, notify the agent in charge. Attempt to assist the agent in retrieving those documents that are the subject of the search.
 - d) Identify those essential employees that are knowledgeable and can assist in retrieving the documents, computer information, etc. Notify the agent in charge that key employees are here to ease the search with minimal disruption of business and that other employees are permitted to leave.
 - e) Advise employees that persons executing the warrant may ask them questions. Advise employees it is their choice whether or not they want to speak with an agent, they are not required to do so.
 - f) Monitor the search, but do not impede or obstruct.

g) Photocopy each item seized. If the agent in charge refuses to permit you to photocopy, record in detail all items seized.

h) Agents sometimes number the rooms that they enter. Record the numbering scheme.

i) Request back up copies of all documents and computer disks, etc. before agents seize computers.

j) If agents attempt to seize privileged (e.g. attorney/client privileged communications) documents or other documents that you believe are outside the scope of the warrant, notify the agent in charge. Ask that the privileged material be segregated from the other materials and marked as "privileged".

k) The agent in charge will prepare an inventory of the items seized. Ask for a copy of that inventory before the agent leaves, but do not sign anything verifying the content or accuracy.

l) Ask employees not discuss the Search Warrant or any related events with the press or other employees.