

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 100.91

REVISED JANUARY 2026

SEARCH AND SEIZURE POLICY

1. PURPOSE. The purpose of this General Order (GO) is to establish departmental search and seizure policy and provide direction for the completion of the CHP 202D, Consent Search (refer to Annex A).

2. BACKGROUND.

a. The U.S. and California Constitutions prohibit “unreasonable” searches and seizures of people, houses, and personal property.

(1) The Fourth Amendment of the U.S. Constitution states: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

(2) Article 1, Declaration of Rights, Section 13 of the California Constitution states: “The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches may not be violated; and a warrant may not issue except on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized.”

b. A search occurs when an expectation of privacy that society is prepared to consider reasonable is infringed.

c. A seizure of property occurs when there is some meaningful interference with an individual’s possessory interest in that property.

d. A seizure of a person occurs when a peace officer physically applies force to a person, or when a person voluntarily submits to a peace officer’s authority.

e. The Fourth Amendment is not violated unless a legitimate expectation of privacy is infringed upon by the government.

f. Oath of Allegiance. Pursuant to Article XX, Section 3 of the California Constitution, all employees of the California Highway Patrol (CHP) have taken an oath of allegiance affirming they will "... support and defend the Constitution of the United States and the Constitution of the State of California..." (refer to Annex B).

g. Code of Honor. All uniformed members of the CHP have sworn a pledge "To serve the United States of America and the State of California honestly and conscientiously, and fulfill my oath as a soldier of the law ..." (refer to Annex C).

h. Code of Ethics. As part of search and seizure training, all uniformed employees have reviewed the Law Enforcement Code of Ethics as prescribed in Title 11, Section 1013 of the California Code of Regulations (Commission on Peace Officer Standards and Training), which requires them "... to respect the Constitutional rights of all persons to liberty, equality and justice." The Code of Ethics is consistent with the Department's value statement of respect for others, fairness, ethical practices, and equitable treatment for all (refer to Annex D).

3. GENERAL TERMS.

a. Search. A search is defined as the physical intrusion into one's person or property to seek potential evidence or contraband that may be concealed. Merely looking at that which is open to view is not a search.

b. Probable Cause and Searches.

(1) Whether it is in the same context of arrests or searches, probable cause amounts to the same question: Does an officer possess enough factual knowledge or reliable information so that it is reasonable for the officer, in light of their training and experience, to believe that a person has committed a crime; or for searches, that an object of a search (e.g., contraband) is in a particular location?

(2) For searches, another way of stating this idea is, probable cause to search exists when there are enough facts, training, knowledge, etc., (totality of information) to provide a fair probability that the object being sought will be found in the location to be searched; it is enough information to lead an ordinary, intelligent person, with similar training and experience, to arrive at the same conclusion.

c. Consent to Search.

(1) The Fourth Amendment assures the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures which shall not be violated. No warrants shall be issued, except

upon probable cause, supported by oath or affirmation, describing the place to be searched, and the persons or things to be seized.

(2) However, an individual may waive their Fourth Amendment right by permitting a law enforcement officer the ability to conduct a warrantless search of their person, house, papers, and effects (including a vehicle). Therefore, a consent search is a lawful procedure utilized by law enforcement officers. In order for a consent search to be lawful, the following requirements must be met:

- (a) Consent must be granted freely and voluntarily.
- (b) The person granting consent must have standing over the items to be searched.
- (c) The scope or limitation of the search must be defined and cannot be exceeded by the officer.
- (d) The person granting consent has the right and the ability to withdraw consent at any time.

d. Reasonable Suspicion. Reasonable suspicion is the belief that (1) something related to a crime has just happened, is happening, or is about to happen; and (2) the vehicle or the person in the vehicle stopped, detained, or contacted (or pedestrian detained or contacted) is connected with that activity.

4. POLICY.

- a. It is the policy of the CHP to enforce the law without fear, favor, or discrimination.
- b. The contents of this GO are applicable to all uniformed employees regardless of rank or assignment.
- c. In those circumstances where departmental policy does not provide specific direction or guidance regarding the topic of search and seizure (refer to Annex E), uniformed employees shall comply with the guidelines outlined in the California Peace Officers Legal Sourcebook (CPOLS). The CPOLS is published by the California Department of Justice, Office of the Attorney General, and contains guidelines on law, search and seizure, and the admissibility of evidence, based upon California statutes and federal and state court opinions. The Department subscribes to the online version of the CPOLS which is accessible on the Internet at <https://www.copware.com>. The California District

Attorneys Association publishes the Field Guide, a condensed, portable version of the CPOLS, which directly references the larger Sourcebook.

d. All uniformed personnel are required to review the contents of this GO quarterly. Additionally, uniformed employees at the rank of captain and below shall complete the Quarterly Review and Training assessment each quarter.

e. All uniformed personnel are encouraged to utilize the consent search exception if in their training and experience they believe it is in the best interest of public safety. All consent searches are subject to the requirements set for in Section 6, Consent Searches.

f. Field Support Section (FSS), as the Office of Primary Interest (OPI) for this GO, will work concurrently with the Academy's Criminal Law Unit as the search and seizure subject matter expert on policy and curriculum relating to all search and seizure matters.

g. The Academy shall be responsible for creating two Solid, Realistic, Ongoing, Verifiable Training scenarios per month addressing arrest, detentions, or searches.

5. SEARCH AND SEIZURE. Uniformed employees may conduct the following searches and seizures during the course and scope of their employment:

a. Search Warrant.

(1) Section 1523 et seq. of the Penal Code (PC) establishes the process and documentation under which uniformed members may obtain a search warrant to conduct a search. If forcible entry causes breakage or damage, a CHP 216, Arrest – Investigation Report, shall be completed.

b. Exceptions to the Search Warrant Requirement.

(1) Probation, Parole, and Post-Release Community Supervision Searches. These types of searches are documented on an Activity Tracking System (ATS) 415, Daily Field Record. If the search is positive, document on a CHP 216 or CHP 202, Driving Under the Influence Arrest – Investigation Report, as required.

(2) Roadblocks/Checkpoints. Driving under the influence checkpoints will be documented on an operational plan and CHP 205, Sobriety/Driver License Checkpoint Activity Report, pursuant to Highway Patrol Manual (HPM) 70.4, Driving Under the Influence Enforcement Manual. All other roadblocks/checkpoints will be documented on a CHP 216.

- (3) Administrative Searches. This includes airport searches, border searches and inspections conducted pursuant to Section 25850 (b) PC, documented on a CHP 216.
- (4) Inspections in compliance with Section 2805 of the California Vehicle Code are not searches and are documented on a CHP 136G, Business/Vehicle Inspection, per HPM 81.1, Vehicle Theft Control Manual. The CHP 136G is to be retained in place of the CHP 202D upon a business/vehicle inspection. If an arrest is made, the events shall be recorded on a CHP 216/CHP 202 as appropriate.
- (5) Vehicle Inventories. Vehicle inventories are not searches. Vehicle inventories are allowed to protect involved parties when the Department seizes a vehicle. Vehicle inventories are documented on a CHP 180, Vehicle Report, pursuant to HPM 81.2, Vehicle Procedures Manual, and on a CHP 216/CHP 202 if evidence or contraband is discovered.
- (6) Plain View Seizures. Any physical intrusion into an area where an individual has a reasonable expectation of privacy constitutes a search and will be documented on a CHP 216/CHP 202.
- (7) Searches Incidental to an Arrest. Searches incidental to an arrest shall be documented on a CHP 216/CHP 202.
- (8) Automobile Exception with Probable Cause. This type of search is documented on a CHP 216.
- (9) Exigent Circumstances. This type of search is documented on a CHP 216/CHP 202.
- (10) Emergency Searches. This type of search is documented on a CHP 216/CHP 202.
- (11) Pat Downs/Frisks. Pat downs/frisks shall be documented on the ATS 415, Daily Field Record. Completion of the ATS 415 will be pursuant to the guidelines set forth in the ATS 415 User Guide.
- (12) School Searches. School searches are typically conducted by school officials. If departmental personnel assist, the action shall be documented on CHP 216.
- (13) Consent Searches. Consent searches are documented on a CHP 202D. Refer to paragraph 6. of this GO.

c. After-the-Fact Search Warrant: Cell Phone Emergency Pings.

(1) If the government entity, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires access to the electronic information, the officer may request an emergency ping with supervisor approval to obtain electronic information pursuant to the emergency exception of the California Electronic Communications Privacy Act (CalECPA).

(2) When electronic information is obtained from the emergency ping request, the supervisor authorizing approval of the emergency ping shall ensure that a warrant, order authorizing the obtaining of the electronic information, or a motion seeking approval of the emergency ping is filed within the appropriate court within three court days as outlined in Section 1546.1(h) PC. Additionally, the supervisor authorizing the approval of the emergency ping shall ensure notification to the target(s) of the search is completed as outlined in 1546.2 (a)(1) PC.

6. CONSENT SEARCHES.

a. Protective Consent Searches. Whenever there is an articulable need to protect themselves or others, uniformed employees may request consent to search from an individual without first obtaining a supervisor's approval (e.g., requesting to conduct a preliminary frisk of a motorist who needs transport back to their vehicle, preliminary frisk of a witness who will be interviewed in the Area office). A CHP 202D, CHP 216, or CHP 202 is not required unless illegal items are located. Document the pat down/frisk on an ATS 415, consistent with the guidelines set forth in the ATS 415 User Guide, if no illegal items are located.

b. Investigatory Consent Searches. Investigatory consent searches are documented on a CHP 202D. An investigatory consent search is a search based on observable and/or articulable signs illegal activity may be occurring. This could include the demeanor and actions/speech of an individual and/or observable irregularities with the vehicle itself that lead the officer to believe, based on their experience and training, illegal activity may be occurring. The requirements for investigatory consent searches are as follows:

(1) Consent must be granted freely and voluntarily. Uniformed employees must avoid sending any message that compliance with the request is mandatory or required (reference CPOLS, Chapter 3, Section VI, Subsection B, Voluntariness of Consent).

(2) The person granting consent must have standing over the items to be searched.

- (3) The scope or limitation of the search must be defined and cannot be exceeded by the officer.
- (4) The person granting consent has the right and the ability to withdraw consent at any time.
- (5) If the officer requesting consent is issued a body-worn camera (BWC) the officer shall ensure the BWC is activated and not turned off until the contact concludes.
- (6) A CHP 202D shall be completed by the uniformed employee for all consent searches and signed by the individual granting consent prior to conducting the search. No search shall be conducted if the subject refuses or is unable to sign the CHP 202D. If the uniformed employee is issued a BWC and the consent to search is recorded, a signature on the CHP 202D is not required prior to beginning the search; however, all reasonable attempts should be made to obtain a signature on the CHP 202D.

c. Uniformed employees who have a search warrant, or the authority to conduct a search under one of the exceptions to a search warrant, are encouraged to request consent from the arrested or detained individual. Supervisor approval to request or conduct a consent search under these circumstances is not required. If the individual refuses to sign the CHP 202D, the 'refusal to sign' or 'consent denied' provisions of this GO do not apply.

d. Consent searches resulting in the discovery of contraband, evidence, or suspects shall be thoroughly documented on a CHP 216/CHP 202.

e. The completed CHP 202D shall be assigned a tracking number by the uniformed employee's command prior to filing. Tracking numbers shall be annotated on page 1 of the CHP 202D in the appropriate section, and the corresponding CHP 202DL, CHP 202D Log, entry shall be made (refer to Annex F).

f. All documents related to the requested search (e.g., CHP 216; CHP 202D; CHP 180; CHP 36, Property Receipt) shall be submitted for supervisor review. The documents shall be retained with the uniformed employees' command in accordance with the retention schedules listed on the STD. 73, Records Retention Schedule, pursuant to HPM 11.1, Administrative Procedures Manual, Chapter 11, Records Management.

7. PROCEDURES.

a. A CHP 202D shall be completed for all requests for investigatory consent searches, whether or not a search was conducted.

b. A CHP 216/CHP 202D is not required to be completed for the following:

(1) Pat down/frisk searches when no weapons, contraband, etc., are found and no arrest is made.

NOTE: If, while conducting a pat down/frisk, an officer feels what they believe to be a weapon or something immediately recognizable as contraband, the officer has developed **probable cause** to make intrusion into the suspect's clothing or property. Therefore, in these instances, a CHP 216 shall be completed if an illegal weapon or contraband is located.

(2) Vehicle inventories.

(3) Searches conducted incidental to a lawful arrest (e.g., if an arrest results in a subsequent search or inventory of the suspect's vehicle or person, a CHP 202D is not required to be completed).

(4) Searches conducted of persons on parole, searchable probation, or post-release community supervision (PRCS).

(a) An ATS 415 entry shall be completed with the following information in the activity section:

1 Subject's name.

2 Driver's license or identification number.

3 Parole, probation, or PRCS.

4 Dispatch log number.

(b) If the officer does not enter the dispatch log number on the ATS 415, a CHP 216 shall be completed.

c. Completion of the CHP 202D.

(1) Due to the individuality of standing and the potential of multiple locations to be searched, a separate CHP 202D shall be completed for each consent search requested.

d. CHP 202D Preparation.

(1) Date. Enter date prepared.

(2) 202D Log Number. Refer to paragraph 7.f.(4) of this GO.

- (3) I.D. Number. Enter the ID number of the approving official.
- (4) Right Thumb Print. A thumb print is optional. However, if there is any question regarding a subject's identity, a thumb print should be obtained. If for some reason a right thumb print cannot be obtained, then a left thumb print may be substituted, which should be indicated on the form.
- (5) Section One. Section one shall be completed for all consent searches.
- (a) Subject Name. The officer shall indicate the subject's name.
- (b) Date of Contact. Indicate the date of contact when the search (or searches) was conducted, and/or when the subject(s) was asked to consent to a search.
- (c) Time of Contact. Indicate the time of contact when the search (or searches) was conducted, and/or when the subject(s) was asked to consent to a search.
- (d) Subject Status and Identity. The officer shall indicate the subject's driver's license number and state, date of birth, sex, and race or ethnicity.

1 An ID number may be entered in the absence of a driver's license number. If the subject does not have a driver's license or ID number, enter "none."

2 The categories to be used in the race/ethnicity box of the CHP 202D shall be consistent with HPM 100.9, Enforcement Documents Manual, Chapter 1, CHP 215, Notice to Appear, and GO 100.28, Criminal Fingerprinting; JUS 8715, Adult Disposition of Arrest and Court Action; and JUS 8716, Juvenile Detention Disposition Report (officers shall use observation and their best judgment only to determine a subject's race/ethnicity):

| | | |
|------------------|--------------|-------------------------|
| A - Other Asian* | H - Hispanic | P - Pacific Islander*** |
| B - Black | I - Indian | S - Samoan |
| C - Chinese | J - Japanese | U - Hawaiian |
| D - Cambodian | K - Korean | V - Vietnamese |
| F - Filipino | L - Laotian | W - White |
| G - Guamanian | O - Other** | Z - Asian Indian |

*Any person who is Asian but whose specific ethnic origin is not known or declared or if none of the other Asian codes apply. This also allows for "sight identification" by officers in the field.

**Any person who cannot be designated as any of the general or specific racial/ethnic groups listed.

***Any Pacific Islander who cannot be identified as belonging to one of the listed Pacific Islander racial/ethnic groups such as Samoan, Guamanian, or Hawaiian.

3 Forms Prepared. For consent searches, the person from whom consent to search is sought shall have their information entered in the "SUBJECT NAME" field. Associated parties who are not searched should have their information entered in the "Passenger(s)/Witness(es)" field.

(e) Vehicle Information. Enter available identifying vehicle information. If there are no license plates, or there are questions regarding the vehicle's license plates and/or registration, enter the vehicle identification number.

(f) Premises and Other Areas/Items Subject to Search. Officers shall indicate in the appropriate subsection whether a premises or other object (e.g., backpack, purse) was searched. For premises, mark the box corresponding to whether the premise is a residence or business.

(6) Section Two. Section two shall be completed for all requests for consent searches whether or not a search is conducted.

(a) Signature of Consenting Person. Officers shall have the consenting person sign the CHP 202D. If the person refuses to sign, "refusal to sign" shall be marked across section two. If the person is unable to sign, "unable to sign" shall be marked across section two. Officers shall not conduct a consent search if there is a refusal or an inability to sign the CHP 202D.

(b) When consent is requested from an individual and subsequently denied, a CHP 202D shall be completed and "consent denied" shall be marked across section two. An investigatory consent search shall not be conducted.

(c) NOTE: The CHP 202D shall then be submitted for review and retained for a period of three years. Refer to paragraph 6.f. of this GO.

(d) When consent is initially given and then subsequently withdrawn, the search shall immediately be stopped (unless probable cause was

developed and/or contraband was located prior to consent being withdrawn). The circumstances regarding consent being withdrawn shall be documented on a CHP 556, Narrative/Supplemental, and attached to the CHP 202D.

(e) Witness to Consent. When civilian or sworn personnel are present, the names and signatures of persons witnessing the consent should be documented.

(7) Section Three. Section three shall be completed for all requests for consent searches whether or not a search is conducted.

(a) Consent Positive/Negative.

1 Check the consent positive box when “fruits and instrumentalities” of the crime, contraband, or illegal items are found.

2 Check the consent negative box when no “fruits and instrumentalities” of the crime, contraband, or illegal items are found.

3 Leave both the positive and negative boxes blank when no search is conducted (e.g., consent denied, refused or unable to sign, consent withdrawn prior to start of search).

(b) Reason for Stop. List the authority/reason for the stop.

(c) Storage/Impound. Check the appropriate box.

(d) Authority. List the authority for the storage/impound.

(e) Presearch Vehicle Condition. Briefly describe the condition of the vehicle prior to the search of the vehicle. General description of cleanliness, contents, and vehicle condition is sufficient.

(f) Indicators of Criminal Activity. Check the appropriate box and/or describe indicator(s) in “Other” section.

(g) Location of Stop. Indicate the location of the stop, including county.

(h) Assisting Officer(s). List the names and ID numbers of personnel who assisted with the stop and/or search.

(i) Comments/Additional Information. Include any relevant information not identified in previous categories.

e. Completion of the CHP 216.

(1) A CHP 216 shall be completed when a probable cause search is conducted and no contraband is located (e.g., smell of marijuana present in the vehicle and upon a probable cause search, no contraband is located).

(2) When an employee makes an arrest based upon a probable cause search, a CHP 216 shall be completed with the probable cause explanation located in the body of the report.

(3) Contents of the CHP 216 shall include, but are not limited to, the following: 1) location and reason for stop and/or contact; 2) specific observations that provided reasonable suspicion/probable cause that led to a search; 3) contraband/evidence and location where found; 4) condition of vehicle/property prior to and after search; 5) names and ID numbers of personnel assisting with the stop and/or search.

f. Document Review and Retention.

(1) Consent and Probable Cause Searches Not Resulting in the Completion of a CHP 216/CHP 202. If a signed consent is obtained and contraband is not located, the CHP 202D shall be completed. If a consent search results in an arrest, a CHP 216 and CHP 202D shall be completed to document the event. If a probable cause search is conducted, the CHP 216 shall be completed. These forms shall be submitted to the Area at the end of the officer's shift for supervisory review. Reviewed forms shall be retained in an established Area file for three years.

(2) Denied Consent to Search. A CHP 202D shall be completed when consent is requested and denied and shall be submitted to the Area at the end of the officer's shift for supervisory review. Reviewed forms shall be retained in an established Area CHP 202D file for three years.

(3) Search Resulting in an Arrest and/or Completion of a CHP 202 or CHP 216. The original CHP 202D and one copy should be attached to and reviewed with the CHP 202/CHP 216. The copy of the CHP 202D shall be placed in an established Area CHP 202D file for three years. The original CHP 202D attached to a CHP 202/CHP 216 shall be retained in accordance with the retention schedule for those documents (e.g., open felonies, seven years; felonies, four years; misdemeanors, three years).

(4) CHP 202D Reconciliation. Field Support Section has been designated as the OPI for tracking and reconciling the CHP 202D. Commands shall assign a log number to each completed CHP 202D prior to filing. The log numbers shall be sequential, beginning with the number "1" on the first day of the calendar

year and ending on the last day of the calendar year. The log number shall be annotated in the appropriate section on page 1 of the CHP 202D, with the corresponding log entry made on the CHP 202DL. The CHP 202DL shall be kept with the CHP 202D file. When conducting reconciliations, examiners should be aware of disproportionately high numbers of searches with relatively low number of finds during the review process. Additionally, examiners shall ensure all CHP 202Ds are complete, legible, and compliant with policy contained in this GO. It is recommended that Area commands and field Divisions cross reference their physical count of CHP 202Ds with the search data numbers reported to Information Management Division, Information Technology Section.

(a) Area commands shall conduct a self-audit of all CHP 202Ds quarterly, utilizing the CHP 202M, CHP 202D Audit - Area Level. Area commands shall submit their findings in a memorandum, with attached CHP 202M, to their field Division no later than the 30th of the month following the end of the quarter. The memorandum shall include the total number of consent searches performed and the ratio of positive to negative finds for searches performed during the reporting period.

(b) Divisions shall conduct physical random audits of each Area's CHP 202Ds annually (calendar year), utilizing the CHP 202N, CHP 202D Audit - Division Level, and submit their findings in a memorandum, with attached CHP 202N, to FSS no later than April 1st. The memorandum shall include the total number of consent searches performed during the reporting period, the ratio of positive to negative finds for searches performed, number of CHP 202Ds audited, and the percentage of CHP 202Ds audited. Divisions shall include in the memorandum any discrepancies and plans of action to correct such discrepancies.

(c) Field Support Section shall compile the statistical data from all Divisions and submit a report annually to the Office of the Commissioner no later than July 1st of each reporting period.

OFFICE OF THE COMMISSIONER

ANNEXES A, B, C, D, E, F

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ANNEX A

CHP 202D, CONSENT SEARCH

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|---|----------------------|--|---|---|---|
| STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL | | DATE 11/15/2018 | 202D LOG NUMBER 1 | Page 1 of 2 | |
| CONSENT SEARCH CHP 202D (Rev. 10-11) OPI 065 | | CONSENT SEARCH APPROVED BY (Print name/rank) J. Getran / Sergeant | | I.D. NUMBER 16079 | |
| SECTION ONE - TO BE COMPLETED FOR ALL CONSENT SEARCHES | | | | | |
| SUBJECT NAME (Last, First, M.I.) Clarke, Bennie S. | | | | DATE OF CONTACT 11/15/2018 | Right Thumb Print TIME OF CONTACT 07:35 |
| DRIVER LICENSE NUMBER X1234567 | STATE WA | DATE OF BIRTH 05/19/1963 | SEX M | RACE/ETHNICITY W | |
| <input checked="" type="checkbox"/> Vehicle described below including luggage, containers and contents thereof. | | | | | |
| LICENSE PLATE NUMBER 7WPRT23R | STATE WA | YEAR 2018 | VEHICLE IDENTIFICATION NUMBER (If No License) | | |
| VEHICLE YEAR 1979 | MAKE Honda | BODY STYLE Civic | COLOR Whi | BODY TYPE 2 Door | |
| <input checked="" type="checkbox"/> Passenger(s)/Witness(es) (Include name, driver license number or identification number (if available), date of birth, sex, race/ethnicity): Andrew Grossman, X8910111, 11/05/1965, Male, White | | | | | |
| <input type="checkbox"/> Premises located below, including all buildings, rooms, garages, storage spaces and compartments, and all items found within the location. <input type="checkbox"/> Residence <input type="checkbox"/> Business | | | | | |
| STREET ADDRESS | | APT/UNIT | CITY | COUNTY | STATE |
| <input type="checkbox"/> Other (articles in possession of a person, a storage container, etc.). Describe the object/area to be searched: | | | | | |
| SECTION TWO - TO BE COMPLETED FOR ALL CONSENT SEARCHES | | | | | |
| I, <u>Bennie S. Clarke</u> , hereby voluntarily grant my consent to <u>Jeff Baker, Officer, 17258</u> . | | | | | |
| <small>PRINT SUBJECT'S NAME</small> <small>NAME, RANK, ID NUMBER</small> | | | | | |
| an Officer of the California Highway Patrol, and others who may assist him/her to conduct the search described above. Although I have given my consent to conduct the search, I understand that I may withdraw my consent at any time. No promises, threats, force, or physical or mental coercion of any kind have been used to obtain my consent for the search described above or to sign this form. I understand any evidence found during this search may be used against me in a criminal proceeding. | | | | | |
| SIGNATURE | | | | DATE 11/15/2018 | TIME 07:50 |
| WITNESS TO CONSENT | | | | | |
| PRINT NAME Andrew Grossman | | SIGNATURE | | DATE 11/15/2018 | TIME 07:50 |
| <input type="checkbox"/> CHP 556, NARRATIVE/SUPPLEMENTAL, ATTACHED | | | | | |
| ARRESTING/INVESTIGATING OFFICER (Print name/rank) J. Baker / Officer | I.D. NUMBER 17258 | DATE 11/15/2018 | AREA 590 | REVIEWED BY (Print name/rank) J. Getran / Sergeant | I.D. NUMBER 16079 |
| | | DATE 11/15/2018 | | | |

Destroy previous editions

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ANNEX A

CHP 202D, CONSENT SEARCH (continued)

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| STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL | | Page 2 of 2 | |
| CONSENT SEARCH | | | |
| CHP 202D (Rev. 10-11) OPI 065 | | | |
| SECTION THREE - TO BE COMPLETED FOR ALL CONSENT SEARCHES | | | |
| <input checked="" type="checkbox"/> Consent Positive | | <input type="checkbox"/> Consent Negative | |
| REASON FOR STOP 22349(b) VC | STORAGE/IMPOUND <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | AUTHORITY | |
| PRE-SEARCH VEHICLE CONDITION Exterior paint faded, small dents, chips and scratches all panels. Interior in disrepair, loose wires hanging from under dash, carpet torn and dirty, seat upholstery worn and ripped in several places, loose clothing, papers and personal items throughout. | | | |
| INDICATORS OF CRIMINAL ACTIVITY | | | |
| <input checked="" type="checkbox"/> Inconsistent statements | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Conflicting statements w/passengers | <input type="checkbox"/> Other _____ | | |
| <input checked="" type="checkbox"/> Extreme nervousness | <input type="checkbox"/> Other _____ | | |
| <input checked="" type="checkbox"/> Owner not in vehicle | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Owner not known by occupants | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Improbable travel route | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Loose panels | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> EPIC check | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Criminal history | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Allied agency assist | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Odor of marijuana | <input type="checkbox"/> Other _____ | | |
| <input type="checkbox"/> Odor of air fresheners/masking agent | <input type="checkbox"/> Other _____ | | |
| LOCATION OF STOP (INCLUDE COUNTY) I-5 / N. Spring St. (Los Angeles) | | | |
| ASSISTING OFFICER NAME | ID# | ASSISTING OFFICER NAME | ID# |
| George Fritz | 18723 | | |
| COMMENTS/ADDITIONAL INFORMATION | | | |
| OFFICER/RANK/ID J. Baker / Officer / 17258 | | REVIEWED BY J. Getran / Sergeant / 16079 | |
| Destroy previous editions | | Chp202D_1111.pdf | |

ANNEX A

CHP 202D, CONSENT SEARCH (continued)

| | | | | | |
|---|------------------------------|---|---|--|---|
| ESTADO DE CALIFORNIA DEPARTAMENTO DE PATRULLA DE CAMINOS DE CALIFORNIA INSPECCIÓN CON CONSENTIMIENTO CHP 202D (Rev. 10-11) OPI 065 | | Fecha 11/15/2018 | 202D Logotipo 4 | Page <u>1</u> of <u>2</u> | |
| | | Consentimiento para la Inspección Aprobado por: (Escriba nombre/rango) J. Getran / Sergeant | | Número de ID 16079 | |
| SECCIÓN UNO - A SER COMPLETADO PARA TODAS LAS INSPECCIONES CON CONSENTIMIENTO | | | | | |
| Nombre (Apellido Paterno, Apellido Materno, Primer Nombre, Inicial) Santillan, Marco A. | | | | Fecha de Contacto 11/15/2018 | Huella del Pulgar Derecho Hora de Contacto 10:15 |
| Número de Licencia de Conducir Z12345678 | Estado AZ | Fecha de Nacimiento (mes/día/año) 02/09/1977 | Sexo M | Raza/Nacionalidad H | |
| <input checked="" type="checkbox"/> El vehículo descrito abajo incluyendo equipaje, recipientes, y otros contenidos de este. | | | | | |
| Número de Placas de Circulación T12BW47 | Estado AZ | Año 2018 | Número de Identificación del Vehículo (Si no hay placa) | | |
| Año del Vehículo 1990 | Marca Chevrolet | Estilo de Carrocería 1500 | Color Black | Tipo de Carrocería P/U | |
| <input checked="" type="checkbox"/> Pasajero (s)/Testigo (s) (incluyendo nombre, número de licencia o número de identificación (si tiene), fecha de nacimiento, sexo, raza/nacionalidad): Eugenio Marcado, Z91011121, 04/15/1971, Male, Filipino | | | | | |
| <input type="checkbox"/> El local descrito abajo, incluyendo todos los edificios, cuartos, cocheras, lugares de almacenaje y todos los artículos ubicados en: | | | | <input type="checkbox"/> Domicilio <input type="checkbox"/> Negocio | |
| Domicilio | | Apt. # | Ciudad | Condado | Estado |
| <input type="checkbox"/> Otro (e.g., artículos en posesión de la persona, en un contenedor, etc.) Describir el objeto/ área a ser inspeccionada: | | | | | |
| SECCIÓN DOS - A SER COMPLETADO PARA TODAS LAS INSPECCIONES CON CONSENTIMIENTO | | | | | |
| Por medio de la presente, yo <u>Marco A. Santillan</u> , otorgo voluntariamente mi consentimiento a | | | | | |
| <small>NOMBRE DE LA PERSONA DANDO SU CONSENTIMIENTO</small> | | | | | |
| a <u>Jeff Baker, Officer, 17258</u> , un(a) oficial de la Patrulla de Caminos de California y a otros que puedan asistir a | | | | | |
| <small>NOMBRE, RANGO, NUMERO DE ID</small> | | | | | |
| dicho(a) oficial a llevar a cabo la inspección descrita anteriormente. A pesar de haber proporcionado mi consentimiento para que se lleve a cabo la inspección, comprendo que puedo revocar mi consentimiento en cualquier momento. No se han utilizado promesas, amenazas, fuerza ni coerción física o mental de ninguna clase para obtener mi consentimiento para la inspección descrita anteriormente ni para firmar este formulario. Comprendo que toda evidencia que se encuentre durante esta inspección podrá utilizarse en mi contra en un proceso penal. | | | | | |
| Firma | | | Fecha 11/15/2018 | Hora 10:30 | |
| TESTIGO DEL CONSENTIMIENTO | | | | | |
| Nombre Escrito En Letras En Mayúsculas Eugenio Marcado | | Firma | | Fecha 11/15/2018 | Hora 10:30 |
| <input type="checkbox"/> CHP 556, NARRATIVE/SUPPLEMENTAL, ATTACHED | | | | | |
| Oficial Que Realiza El Arresto/La Investigación (Escriba el nombre/rango) J. Baker / Officer | Número de ID 17258 | Fecha 11/15/2018 | Área 590 | Revisado Por (Escriba nombre/rango) J. Getran / Sergeant | Número de ID 16079 |
| | | Fecha 11/15/2018 | | | |

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ANNEX A

CHP 202D, CONSENT SEARCH (continued)

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
CONSENT SEARCH
CHP 202D (Rev. 10-11) OPI 065 Page 2 of 2

SECTION THREE - TO BE COMPLETED FOR ALL CONSENT SEARCHES

Consent Positive Consent Negative

| | | |
|---------------------------------------|---|------------------|
| REASON FOR STOP 22349(b) VC | STORAGE/IMPOUND <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | AUTHORITY |
|---------------------------------------|---|------------------|

PRE-SEARCH VEHICLE CONDITION
Exterior paint faded, small dents, chips and scratches all panels. Interior in disrepair, loose wires hanging from under dash, carpet torn and dirty, seat upholstery worn and ripped in several places, loose clothing, papers and personal items throughout.

INDICATORS OF CRIMINAL ACTIVITY

| | |
|---|--------------------------------------|
| <input checked="" type="checkbox"/> Inconsistent statements | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Conflicting statements w/passengers | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Extreme nervousness | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Owner not in vehicle | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Owner not known by occupants | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Improbable travel route | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Loose panels | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> EPIC check | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Criminal history | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Allied agency assist | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Odor of marijuana | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Odor of air fresheners/masking agent | <input type="checkbox"/> Other _____ |

LOCATION OF STOP (INCLUDE COUNTY)
I-5 / N. Spring St. (Los Angeles)

| ASSISTING OFFICER NAME | ID# | ASSISTING OFFICER NAME | ID# |
|------------------------|-------|------------------------|-----|
| George Fritz | 18723 | | |

COMMENTS/ADDITIONAL INFORMATION

| | |
|--|--|
| OFFICER/RANK/ID J. Baker / Officer / 17258 | REVIEWED BY J. Getran / Sergeant / 16079 |
|--|--|

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ANNEX B

STD. 689, OATH OF ALLEGIANCE AND DECLARATION OF PERMISSION TO WORK FOR PERSONS EMPLOYED BY THE STATE OF CALIFORNIA

STATE OF CALIFORNIA - DEPARTMENT OF HUMAN RESOURCES

OATH OF ALLEGIANCE AND DECLARATION OF PERMISSION TO WORK FOR PERSONS EMPLOYED BY THE STATE OF CALIFORNIA

STD. 689 (REV. 10/2019)

Oath may be administered by a person having general authority by law to administer oaths or may be administered by the appointing power, or by a person for whom written authorization to witness oaths has been executed by the appointing power. The appointing power maintains a file of such authorizations.

PART 1 OATH OF ALLEGIANCE

TO BE COMPLETED BY UNITED STATES CITIZENS ONLY

WHO MUST SIGN OATH - As required in Section 3 of Article XX of the Constitution of the State of California, every State employee except legally employed noncitizens, must sign the following oath or affirmation before he or she enters upon the duties of his or her State employment. Noncitizens are required to possess a Declaration of Permission to Work. If an alien employee becomes a naturalized citizen, an oath must then be obtained and filed.

WHEN OATH MUST BE SIGNED - As required in Government Code Sections 18153 and 3102, all public employees and all volunteers in any disaster council or emergency organization accredited by the Office of Emergency Services must sign an oath or affirmation before entering upon the duties of their employment. For intermittent, temporary or emergency employments, an oath or affirmation may, at the discretion of the employing agency, be effective for all successive periods of employment which commence within one calendar year from the date of the oath.

OATH OF ALLEGIANCE (Type or print name of employee then complete Part 3.)

I John D. Smith, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

WHERE OATHS ARE FILED - As required in Government Code Sections 18153 and 3105, all oaths for public employees and all volunteers in any disaster council or emergency organization accredited by the Office of Emergency Services shall be filed in the official employee file within 30 days of the date the oath is executed. The oath is considered a public record.

FAILURE TO SIGN - As stated in Government Code Section 3107, no compensation or reimbursement for expenses incurred shall be paid to any public employee or any volunteer in any disaster council or emergency organization accredited by the Office of Emergency Services unless such public employee has taken and subscribed to the oath or affirmation.

PENALTIES (Government Code)

"3108. Every person who, while taking and subscribing to the oath or affirmation required by this chapter, states as true any material matter which he knows to be false, is guilty of perjury, and is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years."

PART 2 DECLARATION OF PERMISSION TO WORK

TO BE COMPLETED BY LEGALLY EMPLOYED NONCITIZENS ONLY

I am a lawful permanent resident alien of the United States. YES NO

If **NO**, please read the following:

I hereby certify that I have permission to work in this country and have declared any restrictions placed upon me in this regard by the United States government to the appointing power.

PART 3 SIGNATURE AND CERTIFICATION (No fee may be charged for administering)

TO BE COMPLETED BY UNITED STATES CITIZENS AND LEGALLY EMPLOYED NONCITIZENS

EMPLOYEE'S SIGNATURE

STATE DEPARTMENT OR AGENCY

DIVISION/UNIT

Taken and subscribed before me this 6th day of June, 2025

AUTHORIZED OFFICIAL'S SIGNATURE

DIVISION/UNIT

(SEAL)

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ANNEX C
CODE OF HONOR

CODE OF HONOR

"I, a member of the California Highway Patrol,
subscribe in word and deed to the following:

To serve the United States of America and
the State of California honestly and conscientiously,
and fulfill my oath as a soldier of the law;

To uphold and maintain the honor and integrity of
the California Highway Patrol;

Be loyal to my fellow officers,
respect and obey my seniors in rank,
and enforce the law without fear, favor, or discrimination;

Assist those in peril or distress, and if necessary,
lay down my life rather than swerve from the path of duty;

My personal conduct shall, at all times, be above reproach
and I will never knowingly commit any act
that will in any way bring discredit upon the
California Highway Patrol or any member thereof;

To all of this I do solemnly pledge my sacred
honor as an officer of the California Highway Patrol."

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ANNEX D
CODE OF ETHICS



POST Commission – Code of Ethics

Purpose

To insure that all peace officers are fully aware of their individual responsibilities to maintain their own integrity and that of their agency, every peace officer, during basic training, or at the time of appointment, shall be administered the Law Enforcement Code of Ethics, as prescribed in Section 1013 of POST Regulations.

Code of Ethics

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve humankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all persons to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God(1) to my chosen profession... law enforcement.

(1)Reference to religious affirmation may be omitted where objected to by the officer.

Employee Signature/ID # _____ Date _____

**To be placed in employee's personnel file prior to field assignment.*

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