

4-16 Hobbs Warrants

MAJOR CRIMES BUREAU

DETECTIVE DIVISION

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Bureau Order Number: **4-16**

Subject: **HOBBS WARRANTS**

Effective Date:	02-01-2007	Last Date Revised:	08-28-2012
Last Date Reviewed:	09-09-2021	Next Review Date:	09-09-2022

PURPOSE

The purpose of this order is to provide policy and guidelines concerning the proper submission and storage of "Hobbs Warrants."

GUIDELINES

This policy is directed to all Major Crimes Bureau personnel involved with the documentation, processing and storage of (sealed) "Hobbs Warrants."

Major Crimes Bureau sergeants and lieutenants shall ensure that all personnel under their supervision have been appropriately advised and trained on the contents of this policy, in accordance with Bureau Order #1-3, Orientation for Newly Assigned Personnel.

The Affiant of a "Hobbs" search warrant shall be directly responsible for it's timely delivery and proper submission to the Document Retention Custodian in the Operations section at Major Crimes Bureau.

LEGAL RULING

In *People V. Hobbs* (1994) 7 Cal. 4th 948, the California Supreme Court held that all or part of the information

in a search warrant affidavit provided by an informant (whose only relevance is supplying probable cause) may be sealed to protect the informant's identity. The sealed materials would later be subject to, in camera review, if the defendant makes a motion to traverse or quash the warrant.

POLICY

Once a search warrant has been served, the Affiant or his/her designee shall transport the sealed portion of the search warrant to the Document Retention Custodian at Major Crimes Bureau, within ten (10) calendar days of its service date. All sealed portions ***must be hand delivered*** to the Document Retention Custodian in Operations.

For the purposes of storage and uniformity, all "Hobbs" search warrants shall be sealed in a 9" x12" manila envelope with the following attachments:

The warrant package cover sheet shall be on the outside of the envelope with "Hobbs Warrant" written on the bottom portion in large black lettering.

A copy of the signed and/or stamped "Court Order" shall be attached to the back (clasp side) of the envelope.

The Major Crimes Bureau Document Retention Custodian shall maintain all "Hobbs" search warrants in a locked cabinet for a period of five (5) years after the case has been adjudicated. The Document Retention Custodian shall also maintain these records in the Major Crimes Bureau Search Warrant Data Base.
