TESTIMONY SESSION CASE STUDY

Follow instructions based on below and photos

You are a code enforcement officer completing a <u>tenant complaint-based</u> inspection based on safety concerns.

Incident Particulars:

The complainant address is situated on a narrow half street:

- Typical urban inner-city block consisting of approximately 15 20 homes both sides of street
- Ordinary construction = 2.5 stories w/ basements approx. 900 sq. ft.
- Friday @ 2:45PM you arrive at complainant address (rental property) to meet complainant
- Tenant rental unit is a middle of row structure directly attached to dwellings on both the north and south sides (#3)
- Upon arrival, tenant invites you into his rental home
- Tenant informs you his landlord also owns the attached neighboring dwellings (two to the north and two to the south)
- Tenant concerns:
 - o Illegal electrical situation
 - o Illegal natural gas situation
 - Belief that his rent is subsidizing other neighboring tenants as well as the owner's utilities
- Upon your entry via invitation by complainant, tenant informs you he rents entire home
- Tenant leads to you to 1st floor kitchen (rear 1st floor) explaining above concerns
- Tenant offers to show you his concerns in the basement
- Tenant has a couch positioned in front of the interior basement access door that he moves away from door to access basement
- Tenant states he keeps couch against basement door as a barrier should someone break into the basement and try to enter the 1st floor
- Tenant leads you to basement where you see:
 - o Locked padlock hanging from its hasp on the frame of the basement door
 - Numerous electrical wires and cords strewn across the basement ceiling and passing to and from the basement party walls via holes in the wall
 - White piping emanating through the basement party wall
- Tenant then leads you backup stairs through kitchen into his and through neighboring rear yards pointing out white piping attached to the exterior of his and subsequent attached rentals to north and south owned by his landlord

At this point based on your observations, you request building and trades code officials and a gas utility representative respond to the scene. The tenant informs you he also called the landlord about his concerns and the landlord plans on stopping by to discuss concerns with him. The tenant states the landlord can be very uncooperative. Based on this, you request police respond.

After a short time, code officials and a gas utility supervisor arrive. You brief them to the particulars found during your walk through with tenant. After code officials and the gas supervisor enter and review conditions, the gas supervisor checks the street valve to shut gas off to all dwellings. Finding the street valve vandalized and inoperative, he immediately requests a gas company street crew to the scene to open the street and shut off gas. At this point, the Electrical Inspector requests the fire marshal respond to the scene.

Upon the arrival and briefing of the police, you, code officials, police and gas company representative continue to investigate the exterior of all the adjoining attached dwellings owned by the landlord (original tenant points them out). One property has a fenced yard with a gate (possibly locked) making it difficult to see conditions in the rear yard, but access is successfully made to the yard where similar conditions are found.

Upon the fire marshals arrivel, he's briefed on scene particulars by all inspectors and police. Not long after, the owner arrives on scene and is questioned to the conditions found. The owner explains his reasoning for the conditions, and a request to enter and review conditions within the all properties is extended. The owner denies the request to enter by code officials telling them they will need a warrant to enter. At this point the police arrest the landlord for criminal violations .

COUNTY OF



RECEIPT / INVENTORY OF SEIZED PROPERTY

Docket Number: (Issuing Authority):			Police Incident Number:	Warrant Co Number:	ntrol
Date of Search:		Time of Search	:	Inventory Page Numbers of Pages	
		1			
	Affiant		Agency or	Address if private affiant	Badge No.
Warrant an	ng property was takend affidavit(s) (if not sometimes on ally served on (nate the left at (describe the left).	sealed) was me of person)	copy of this Receipt	: / Inventory with a copy of t	ne Search
ltem Number	Quantity	Item Description		Make, Model, Serial N	o., Color, etc.
				a true and correct listing of all ite 6. 4904(b)Unsworn Falsification	
Signature of	f person Issuing Receip	ot / Inventory	Printed Name	Affiliation	Badge or Title
Signature of	f Witness		Printed Name	Affiliation	Badge or Title
Signature of person making search		1	Printed Name	Affiliation	Badge or Title

AOPC 413B 4

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Magisterial District Number		2. Docket Number				curity Number	, 	·
Address of Magislerial District Offic	e		. 1	5. Driver	s Number		6. Sta	te PA
Defendant's Name - First		Middle	Las		 			
Defendant's Address (Street-City-St	tate-Zlp Code)					•		
(B) ☐ Black ((I) ☐ Native American (ı (F) ☐ Femal	11. Date of Birl (MM / DD /	Λ) (A N).	sident Statu i) □ Re- i) □ Noi	sident n-Resident	13. Case instituted (O) ☐ On-Vi (C) ☐ Citatio	ew Arrest
JUVENILE 15, Parente Notified Yes Yes Yes						17. Date i	Notified 18. T	ime
Charge Disorderly Condu Harassment Retall Theft	☐ Pub	ninai Trespass Ilic Drunkenness chase, Consumption	☐ Theft of ☐ Scatterii , Possession or	na Rubbish		Criminal M	A 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	verages
Other Nature of Offense			2	1. Pai Code		22, 🗆 CRIMES	CODE TITLE 18	-
					1	23. SECTION	24, SUB SEC.	
						25, FINE	 	
			ı.		F**	26. COSTS	 	
		*				27. J.C.P./A.T.J. /C.J.E.A./O.A.G.	\$ 4	0.25
		29. Military Service	30,	ces Acquested		^{28,} TOTAL DUE	\$.	
Date 32, Time	33. Day	34. City-Twp-Boro			····	35, Codo	36. Zone	:
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Defendant's Signature - Acknowled	ges Receipt of Citatio	a ·		41. D	ate	lesue	1 .	fo zenelvari
			nformation and belief	. This verification	n is made a	Filed	Filed on Interest of Section 4	1904
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COUNTY OF



APPLICATION FOR SEARCH WARRANT CONTINUATION PAGES

Locket Number	Number:	cident	Warrant Control Number:	
(Issuing Authority):	inumber.		inuilidei.	
Continuation of:				
—— Items to be searched	—— Description of pr	emises/person(s)	— Owner/ Occupant —	—— Violations
and seized	to be searched			
	Page	of Pages		

Commonwealth of Pennsylvania COUNTY OF



AFFIDAVIT OF PROBABLE CAUSE

Date

Docket Number Issuing Authority):	Police Incident Number:	Warrant Control Number:
PROBABLE CAUSE BELIEF IS B	BASED UPON THE FOLLOWING FACTS	AND CIRCUMSTANCES:
THE AFFIANT BEING DULY SWORN	I ACCORDING TO LAW, DEPOSE AND SAY T	HAT THE FACTS SET FORTH IN THE AFFIDA
NRE TRUE AND CORRECT TO THE BE the provisions of the Case Records Put	EST OF MY KNOWLEDGE, INFORMATION AND blic Access Policy of the Unified Judicial Syste	D BELIEF. I certify that this filing complies very of Pennsylvania that require filing confiden
ntormation and documents differently	than non-confidential information and docume	ents. (SEAL)

Issuing Authority Signature

AOPC 410B 2

Affiant Signature

Date

COUNTY OF



APPLICATION FOR **SEARCH WARRANT** AND AUTHORIZATION

Dealest Newsbor	Delice Incident	Morront Control
Docket Number	Police Incident Number:	Warrant Control Number:
(Issuing Authority):	Nullibel.	Number.
AFFIANT NAME	AGENCY	PHONE NUMBER DATE OF APPLICATION
IDENTIFY ITEMS TO BE SEARCHED FOR AN	D SEIZED (Be as specific as possible):	
SPECIFIC DESCRIPTION OF PREMISES AND	N/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Ve	hicle, Safe Deposit Box, etc.):
NAME OF OWNER, OCCUPANT OR POSSES	SOR OF SAID PREMISES TO BE SEARCHED (If proper name	is unknown, give alias and/or description):
VIOLATION OF (Describe conduct or specify si	tatuta):	DATE(S) OF VIOLATION:
VIOLATION OF (Describe conduct of specify si	atato).	DATE(3) OF VIOLATION.
Warrant Application Ap	proved by District Attorney – DA File	e No.
(If DA approval required per Pa.R.Crim.	P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)	
Additional Pages Attacl	hed (Other than Affidavit of Probable	Cause)
Probable Cause Affiday	rit(s) MUST be attached (unless seale	ed below) Total number of pages:
	, ,	, , , , , , , , , , , , , , , , , , , ,
	•	INUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED
		according to law, deposes and says that there is probable me, or are contraband, or are expected to be otherwise
unlawfully possessed or subject to s	seizuré, and that these items or property are or a	re expected to be located on the particular person or at the
particular place described above. I	certify that this filing complies with the provisions	of the Case Records Public Access Policy of the Unified ments differently than non-confidential information and
documents.	it require filling confidential fillornation and docu	Tierto dinerentiy than non-confidential information and
Signature of Affiant	Agency or Address if Private Affian	nt Badge Number
Sworn to and subscribed hef	ore me this day of	Mag Dist No
Sworn to and subscribed ben	ore rile trils day or	
		(SEAL)
Signature of Issuing Authority	Office Address	(SEAE)
SEARCH WARRANT		ed before me by written affidavit(s) attached hereto from ize you to search the premises or person described, and to
TO LAW ENFORCEMENT OFFICER:		
	•	tween the hours of 6AM to 10PM but in no event later than:*
This Wallant Shall be served as	soon as practicable and shall be served only ber	tween the hours of 6AM to 10PM but in no event later than:* e during the day or night but in no event later than: **
		e during the day or night but in no event later than: **
	·	
This Warrant shall be returned to		
	date not later than two (2) days after issuance. Pa.R.Cr	
	t, then this block shall be checked. Pa.R.Crim.P. 206(7)	
	day of at	M, o'clock.
		(SEAL)
		(SEAL)
Signature of Issuing Autho	rity Mag. Dist. or Judicial I	
		Di la
Title of Issuing Authority:	Magisterial District Judge Common	Dist. No. Date Commission Expires Pleas Judge
For good cause stated	in the affidavit(s) the Search Warrant	t Affidavit(s) are sealed for
	ertification and signature. (Pa.R.Cri	
uays by my c	signature. (Fa.K.Ull	m.F. 211)
		(Date) (SEAL)



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania 204 Pa. Code § 213.81 www.pacourts.us/public-records

(Party name as displayed in case caption)	Docket/Case No.	
Vs.		
(Party name as displayed in case caption)	Court	
his form is associated with the pleading titled	, dated	,

Pursuant to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
(full name of adult)	Social Security Number (SSN):	Alternative Reference: SSN 1
OR This information pertains to a	Financial Account Number (FAN):	Alternative Reference: FAN 1
minor with the initials of and the full name of	Driver License Number (DLN):	Alternative Reference: DLN 1
(full name of minor)	State of Issuance:	
and date of birth:	State Identification Number (SID):	Alternative Reference: SID 1
	Social Security Number (SSN):	Alternative Reference: SSN 2
(full name of adult) OR	Financial Account Number (FAN):	Alternative Reference: FAN 2
This information pertains to a minor with the initials of and the full name of	Driver License Number (DLN):	Alternative Reference: DLN 2
(full name of minor)	State of Issuance:	
and date of birth:	State Identification Number (SID):	Alternative Reference: SID 2



Additional page(s) attached	total pages are attached to this filing.
	of the Case Records Public Access Policy of the Unified confidential information and documents differently than non-
Signature of Attorney or Unrepresented Party	Date
Name:	Attorney Number: (if applicable)
Address:	Telephone:
	Email:

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.



Additional page (if necessary)

This Information Pertains to:	Confidential Information:	References in Filing:
	Social Security Number (SSN):	Alternative Reference:
(full name of adult)		SSN
(tun name of addit)	Financial Account Number (FAN):	Alternative Reference:
OR		FAN
This information pertains to a		
minor with the initials of	Driver License Number (DLN):	Alternative Reference:
and the full name of		DLN
(full name of minor)	State of Issuance:	
and date of birth:	State Identification Number (SID):	Alternative Reference:
	State Identification Number (SID).	SID
	G : 1 G : N 1 (GGN)	Alternation De Communication
	Social Security Number (SSN):	Alternative Reference: SSN
(full name of adult)		
	Financial Account Number (FAN):	Alternative Reference:
OR This information pertains to a		FAN
minor with the initials of	Driver License Number (DLN):	Alternative Reference:
and the full name of		DLN
(6.1)		
(full name of minor)	State of Issuance:	
and date of birth:		
	State Identification Number (SID):	Alternative Reference:
		SID
	Social Security Number (SSN):	Alternative Reference:
	, , ,	SSN
(full name of adult)		A14
OR	Financial Account Number (FAN):	Alternative Reference: FAN
This information pertains to a		11m\
minor with the initials of	Driver License Number (DLN):	Alternative Reference:
and the full name of		DLN
(full name of minor)	State of Issuance:	
	State of Issuance.	
and date of birth:		Ale di Dic
	State Identification Number (SID):	Alternative Reference: SID
		1



Instructions for Completing the Confidential Information Form

The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

- 1. Social Security Numbers
- 2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.
- 3. Driver License Numbers
- 4. State Identification (SID) Numbers
- 5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355). "Minor" is a person under the age of eighteen.
- 6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. § 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S § 62A01 et seq. If necessary, this information must be provided on the separate Abuse Victim Addendum. Please note there are separate instructions for the completion of the Addendum located on the form.

Please note this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.).

- The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.
- Do not include confidential information in any other document filed with the court under this
 docket.
- If you need to refer to a piece of confidential information in a document, use the alternate references. If you need to attach additional pages, sequentially number each alternate reference i.e. SSN 3, SSN 4, etc.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the requirements of the above referenced policy, a court of record may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof; a magisterial district court may, upon request or its own initiative, redact, amend or both. A court of record may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.



Abuse Victim Addendum

Instructions for Completing the Abuse Victim Addendum: The Abuse Victim Addendum shall accompany a filing where confidential information is being provided by an abuse victim, as defined in this policy, in family court actions (see Pa.R.C.P. No. 1931(a)), as required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter. This addendum, and any additional pages, shall only be provided to the court and shall remain confidential. The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.

Type of Family Court Action					
Divorce, Annula	Divorce, Annulment, Dissolution of Marriage Child Custody				
Support Paternity		Protection from Abuse			
This Information Pertains to:	Confidential Information:	References in Filing:			
	AV Address:	Alternative Reference: AV 1 Address			
(full name of abuse victim)	AV Employer's Name & Address:	Alternative Reference: AV 1 Employer's Name & Address			
Docket/Case No. of Protection Order	AV Work Schedule:	Alternative Reference: AV 1 Work Schedule			
Court/County	AV Other contact information:	Alternative Reference: AV 1 Other contact information			

Attach additional page(s) if necessary.



Abuse Victim Addendum

Additional page (if necessary)

	Type of Family Court Action	
Divorce, Annulment, D	Child Custody	
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
	AV Address:	Alternative Reference: AV Address
(full name of abuse victim)	AV Employer's Name & Address:	Alternative Reference: AV Employer's Name & Address
Docket/Case No. of Protection Order	AV Work Schedule:	Alternative Reference: AVWork Schedule
Court/County	AV Other contact information:	Alternative Reference: AV Other contact information
Divorce Annulmer	Type of Family Court Action at, Dissolution of Marriage	Child Custody
Support	Paternity	Protection from Abuse
This Information Pertains to:	Confidential Information:	References in Filing:
	AV Address:	Alternative Reference: AV Address
(full name of abuse victim)	AV Employer's Name & Address:	Alternative Reference: AV Employer's Name & Address
Docket/Case No. of Protection Order	AV Work Schedule:	Alternative Reference: AVWork Schedule
Court/County	AV Other contact information:	Alternative Reference: AV Other contact information

COUNTY OF



RETURN of SERVICE AND INVENTORY

Docket Number: Police Incident Warrant Control

(Issuing Authority): Number: Number:

Date of Search: Time of Search: Property Seized as result of Search(Y/N):

Date of Return: Time of Return: Officer Making Return:

Signature of Person Seizing Property:

Other Officers Participating in Search:

Pa.R.Crim.P. Chapter 2, Part A. SEARCH WARRANTS

Rule 202, Approval of Search Warrant Applications by Attorney for the Commonwealth - Local Option,

(a) The District Attorney of any county may require that search warrant applications filed in the county have the approval of an attorney for the Commonwealth prior to filing.

Rule 204. Person To Serve Warrant.

A search warrant shall be served by a law enforcement officer.

Rule 205. Contents of Search Warrant.

Each search warrant shall be signed by the issuing authority and shall:

- (1) specify the date and time of issuance;
- (2) identify specifically the property to be seized;
- (3) name or describe with particularity the person or place to be searched;
- (4) direct that the search be executed either; (a) within a specified period of time, not to exceed 2 days from the time of issuance, or; (b) when the warrant is issued for a prospective event, only after the specified event has occurred.
- (5) direct that the warrant be served in the daytime unless otherwise authorized on the warrant, PROVIDED THAT, for purposes of the Rules of Chapter2, Part A., the term "daytime" shall be used to mean the hours of 6 a.m. to 10 p.m.;
- (6) designate by title the judicial officer to whom the warrant shall be returned;
- (7) certify that the issuing authority has found probable cause based upon the facts sworn to or affirmed before the issuing authority by written affidavit(s) attached to the warrant; and
- (8) when applicable, certify on the face of the warrant that for good cause shown the affidavit(s) is sealed pursuant to Rule 211 and state the length of time the affidavit(s) will be sealed.

Rule 206. Contents of Application for Search Warrant.

Each application for a search warrant shall be supported by written affidavit(s) signed and sworn to or affirmed before an issuing authority, which affidavit(s) shall:

- (1) state the name and department, agency, or address of the affiant;
- (2) identify specifically the items or property to be searched for and seized;
- (3) name or describe with particularity the person or place to be searched;
- (4) identify the owner, occupant, or possessor of the place to be searched;
- (5) specify or describe the crime which has been or is being committed;
- (6) set forth specifically the facts and circumstances which form the basis for the affiant's conclusion that there is probable cause to believe that the items or property identified are evidence or the fruit of a crime, or are contraband, or are or are expected to be otherwise unlawfully possessed or subject to seizure, and that these items or property are or are expected to be located on the particular person or at the particular place described;
- (7) if a "nighttime" search is requested (i.e., 10 p.m. to 6 a.m.), state additional reasonable cause for seeking permission to search in the nighttime; and
- (8) when the attorney for the Commonwealth is requesting that the affidavit(s) be sealed pursuant to Rule 211, state the facts and circumstances which are alleged to establish good cause for the sealing of the affidavit(s).

Rule 208. Copy of Warrant; Receipt for Seized Property.

- (a) A law enforcement officer, upon taking property pursuant to a search warrant, shall leave with the person from whom or from whose premises the property was taken a copy of the warrant and affidavit(s) in support thereof, and a receipt for the property seized. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- (b) If no one is present on the premises when the warrant is executed, the officer shall leave the documents specified in paragraph (a) at a conspicuous location in the said premises. A copy of the warrant and affidavit(s) must be left whether or not any property is seized.
- (c) Notwithstanding the requirements in paragraphs (a) and (b), the officer shall not leave a copy of an affidavit that has been sealed pursuant to Rule 211.

Rule 209. Return with Inventory.

- (a) An inventory of items seized shall be made by the law enforcement officer serving a search warrant. The inventory shall be made in the presence of the person from whose possession or premises the property was taken, when feasible, or otherwise in the presence of at least one witness. The officer shall sign a statement on the inventory that it is a true and correct listing of all items seized, and that the signer is subject to the penalties and provisions of 18 Pa.C.S. Section 4904(b) - Unsworn Falsification to Authorities. The inventory shall be returned to and filed with the issuing authority.
- (b) The judicial officer to whom the return was made shall upon request cause a copy of the inventory to be delivered to the applicant for the warrant and to the person from whom, or from whose premises, the property was taken.
- (c) When the search warrant affidavit(s) is sealed pursuant to Rule 211, the return shall be made to the justice or judge who issued the warrant.

THE LAW ENFORCEMENT OFFICER SHALL MAKE ALL RETURNS TO THE ISSUING AUTHORITY DESIGNATED ON THE SEARCH WARRANT.

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