Drug / Narcotic Investigations: Legal Issues & Best Practices
“Beyond the Investigation”

Critical Tasks in Narcotics Operations: This session will focus on the critical tasks of a narcotics operation and identify the specific tasks that will expose the investigators and the agency to liability.

Search Warrants: This session focuses on the state of the law related to search warrants as well as the exceptions to the warrant requirement. It should be recognized that when officers breach the rules of criminal procedure, they risk the possibility of a lawsuit under 42 U.S.C. § 1983. Participants will identify the constitutional mandates related to search warrants and the warrant exceptions.

The Concept of Particularity and Specificity: The session will begin with a review of the United States Supreme Court’s recent decision in Groh v. Ramirez and its impact on the drafting of defensible search warrants.

Pre-Raid Planning: The failure to develop a sound pre-raid plan quickly becomes an issue when officers conducting the raid are faced with resistance and forced to react. In cases where reaction is required plaintiff’s expert will attempt to testify as to how the failure of a pre-raid plan created the need for a police reaction. This session will focus on issues related to pre-raid planning and the “best police practices” related to these plans.

Knock and Announce: Where are we? The trilogy of cases from the United States Supreme Court on the concept of “knock and announce” provides the framework for when officers may dispense the requirement of knocking as well as how quickly they can move forward after knocking and announcing. This session will analyze the current rules and provide participants with a formula for making defensible decisions with respect to knocking and announcing.

Special Legal Issues in Narcotics Investigations: The use of informants can lead to dramatic liability. This session will begin by looking at cases involving the protection of informants. Examples such as Buteta v. District of Columbia where the initial jury award (since vacated) against the District was $98 million dollars will be used to discuss investigator and agency obligations to informants. The session will also discuss additional legal issues such as liability related to the seizure of property as well as funds held by narcotics units.

Audits and Inspections: Agencies cannot afford to wait until enduring the worst case scenario to determine if their operations are consistent with the best police practices. This session will focus on the concept of audits and inspections as a means to detect deficiencies before the crisis. Participants will review audits and inspections material specifically related to the narcotics function that may be implemented to identify areas of improvement that will help reduce liability.

Policy Development for Narcotics Units: Policy Development: Developing the most defensible policy and training for narcotics units. This session will focus on sound policy development that will make officers and agencies more difficult targets for plaintiff’s attorney.


December 1 & 2, 2014
Las Vegas, Nevada
Register On-Line At: www.patc.com

Instructor:
Shaun Santos, Attorney
Sgt. Santos has been a law enforcement officer for 20 years, with over 15 years experience as a Narcotics Detective. He has extensive experience working with the Drug Enforcement Administration conducting electronic surveillance investigations into the Drug Trafficking Organizations. Shaun is currently assigned to the DEA’s Financial Investigations Team (FIT), anti-money laundering group, responsible for conducting large international money laundering investigations. He has experience with foreign and domestic money pick-ups, international bank wire transfers, familiarity with Black Market Peso Exchange, and Attorney General Exempt Operations (AGEO), allowing for the laundering of drug proceeds in furtherance of narcotics investigations.

Shaun has received his Bachelor Degree in Criminal Justice, University of Massachusetts, Lowell, MA; Masters Degree from Anna Maria College; and Juris Doctorate from Suffolk University Law School.

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Seminar Agenda

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Monday, December 1, 2014

8:00 a.m.-8:30 a.m. Registration
8:30 a.m.-9:00 a.m. Introductions and Course Overview
9:00 a.m.-10:00 a.m. Liability in Law Enforcement Operations
10:00 a.m.-11:00 a.m. Agency Liability
11:00 a.m.-12:00 p.m. Narcotics Operations Liability Overview
12:00 p.m.-1:00 p.m. Lunch (On Your Own)
1:00 p.m.-3:00 p.m. Critical Tasks in Narcotics Operations
3:00 p.m.-4:00 p.m. Search Warrants-Liability Issues Related to Warrants

Tuesday, December 2, 2014

8:00 a.m.-10:00 a.m. Particularity and Specificity-The Implications of Groh v. Ramirez
10:00 a.m.-11:00 a.m. Pre-Raid Planning and related liability issues
11:00 a.m.-12:00 a.m. Knock and Announce-United States v. Banks
11:30 a.m.-12:30 p.m. Lunch (On Your Own)
12:30 p.m.-3:00 p.m. Special Legal Issues in Narcotics Operations- Protection of Informants, Care custody and control of informant funds, high risk warrant service.
3:00 p.m.-4:00 p.m. Policy Development and Revision for Narcotics Units
4:00 p.m. Certificate Presentation