



## ADMINISTRATIVE POLICY TEMPLATE

|                                              |                                          |
|----------------------------------------------|------------------------------------------|
| <b>Policy Title</b>                          | Search Warrant Policy                    |
| <b>Policy Subtitle/Subject</b>               | Search Warrant Policy                    |
| <b>Responsible Executive(s) (RE)</b>         | <b>General Counsel</b>                   |
| <b>Responsible Office(s) (RO)</b>            | <b>Office of the General Counsel</b>     |
| <b>Primary Point of Contact from RO</b>      | <b>Deputy General Counsel</b>            |
| <b>Contact Information (email and phone)</b> | <b>hboyd1@tulane.edu; (504) 865-5783</b> |
| <b>Date Proposed</b>                         | <b>Existing policy</b>                   |
| <b>Reviewed</b>                              | <b>2/3/25</b>                            |
| <b>Last Updated</b>                          | <b>2/3/25</b>                            |
| <b>Effective Date</b>                        | <b>2/3/25</b>                            |

☒ Permanent

☐ Temporary

### 1.0 POLICY STATEMENT

**Information for Law Enforcement Agents:** It is the policy of Tulane University to cooperate with all lawfully issued search warrants. Law enforcement agents serving search warrants on Tulane University and its agents should first immediately contact the Office of the General Counsel or, if the Office of the General Counsel is unavailable, Tulane University Police Department. Law enforcement agents should be prepared to provide a business card(s) or identification of the agent(s) executing the search warrant, a copy of the search warrant including attachments, and an inventory list of all property to be seized.

**Information for Tulane University Personnel:** If a law enforcement agent attempts to serve a search warrant on a Tulane employee seeking university documents or property, before taking any action, the employee must immediately contact the Office of the General Counsel and the Tulane University Police Department at (504) 865-5381. Tulane employees should politely inform the agent that Tulane University Police Department and the Office of the General Counsel are required to be contacted to assist in ensuring the search warrant is properly issued and executed.

## 2.0 PURPOSE AND SCOPE

The policy provides information for law enforcement agents on who to contact and how to proceed when attempting to lawfully serve search warrants on Tulane University. The policy also provides information to Tulane University personnel on who to contact and how to proceed if a law enforcement agent attempts to serve a search warrant on a Tulane employee seeking.

## 3.0 APPLICABILITY OF THIS POLICY

All members of the Tulane community

## 4.0 WEBSITE ADDRESS FOR THIS POLICY

*Enterprise Risk Services will add the web address of the policy after it is added to the policy library.*

## 5.0 CONTACTS

| Subject                              | Contact                       | Telephone      | E-mail/Web Address                                                  |
|--------------------------------------|-------------------------------|----------------|---------------------------------------------------------------------|
| Any questions related to this policy | Office of the General Counsel | (504) 865-5783 | <a href="https://counsel.tulane.edu">https://counsel.tulane.edu</a> |

## 6.0 CONTENT

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## 7.0 DEFINITIONS

**Search Warrant:** 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.

## **8.0 POLICY AND PROCEDURES**

### **8.1 Information for Law Enforcement Agents**

It is the policy of Tulane University to cooperate with all lawfully issued search warrants. Law enforcement agents serving search warrants on Tulane University and its agents should first immediately contact the Office of the General Counsel. If the Office of the General Counsel is unavailable, contact Tulane University Police Department. Tulane University expects that its law enforcement officials will supervise searches and seizures of Tulane University property. Law enforcement agents should be prepared to provide a business card(s) or identification of the agent(s) executing the search warrant, a copy of the search warrant including attachments, and an inventory list of all property to be seized.

Office of the General Counsel, Uptown: 300 Gibson Hall, phone: (504) 865-5783.

Office of the General Counsel, New Orleans BioInnovation Center, 1440 Canal Street, Suite 226, phone: (504) 988-5931.

Tulane University Police Department, Uptown Campus: Diboll Complex, Emergency: (504) 865-5911, non-emergency (504) 865-5381

Tulane University Police Department, Downtown Campus, 1430 Tulane Avenue, Emergency (504) 988-5555, non-emergency (504) 988-5531

### **8.2 Information for Tulane University Personnel**

If a law enforcement agent attempts to serve a search warrant on a Tulane employee seeking university documents or property, before taking any action, the employee must immediately contact the Office of the General Counsel at (504) 865-5783 and the Tulane University Police Department at (504) 865-5381. Tulane employees should politely inform the agent that Tulane University Police Department and the Office of the General Counsel are required to be contacted to assist in ensuring the search warrant is properly issued and executed. Tulane personnel should also:

1. Identify the agent in charge of executing the warrant. Ask for a business card or identification that contains the name, title, agency, and telephone number of the agent.
2. Request to make a copy of the warrant including attachments and any affidavit submitted to the court to obtain the warrant. Have the agent identify the prosecutor/supervisor 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 the agent in charge not to proceed until counsel arrives.
4. While unlikely, it is possible that the agent will not wait for counsel to arrive. If the agent will not wait for counsel to arrive, take the following steps to monitor the search:

- Carefully read the warrant. Civil and administrative warrants do not authorize entry without consent. Criminal search or arrest warrants may authorize entry without consent.
- Make sure the warrant is signed by a judge or magistrate. If there is any discrepancy, notify the agent in charge.
- 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 for 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.
- 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 respectfully request that other employees be permitted to leave.
- Persons executing the warrant may ask questions. It is an employee's choice whether or not they want to speak with an agent, they are not required to do so.
- Monitor the search, but do not impede, obstruct or otherwise interfere with the agent.
- Photograph or photocopy each item seized. If the agent in charge refuses to permit you to photocopy, record all items seized in as much detail as you can.
- Agents sometimes number the rooms that they enter. Record the numbering scheme.
- Request backup copies of all documents and computer disks, etc. before agents seize computers. Advise the agent that you need to contact Tulane IT support team to make a backup copy of any data before the computers are removed.
- 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."
- 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.
- Do not discuss the Search Warrant or any related events with the press or other employees.

## **9.0 CONSEQUENCE OF VIOLATING THE POLICY**

Violation of this policy may result in disciplinary action, up to and including termination and/or criminal prosecution.