

**SAMPLE CANINE SNIFF SEARCH WARRANT AFFIDAVIT:**

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**EL DORADO COUNTY SHERIFF**

**POLICE SERVICE DOG / NARCOTIC DETECTOR DOG**

**"TRACKER"**

**HANDLER: DEPUTY TERRY FLECK**

**TRACKER'S EXPERIENCE, TRAINING, CERTIFICATIONS and FINDS:**

- One year in training.
- Six years as a certified Police Service Dog / Narcotics Detector Dog.

Tracker received 120 hours of basic training in the detection of marijuana, hashish, cocaine, heroin and methamphetamine at the El Dorado County Sheriff's training facility in Placerville, California. This training was under the Sheriff's Office Master Canine Trainer, Deputy Jim Barnes. Included in this training was testing of the dog. This basic training concluded in March 1997.

Since then, Tracker has received 864 hours of advanced training in the detection of marijuana, hashish, cocaine, heroin and methamphetamine.

Tracker has received ongoing maintenance training since March 1997. This consists of weekly training in the detection of marijuana, hashish, cocaine, heroin and methamphetamine. The training averages 12 hours per month. This weekly training has been ongoing from March 1997 to present.

The El Dorado County Sheriff's Department in Placerville, California certified Tracker for controlled substance detection of marijuana, hashish, cocaine, heroin and methamphetamine in March 1997. In addition, Tracker was certified for controlled substance detection of these five controlled substances in May 1997. This certification was done by the National Narcotic Detector Dog Association and was done in Houston, Texas.

Since March 1997, Tracker has located the following controlled substances in actual searches:

**• Marijuana**

1-24-98: 2 grams	5-16-00: 451 grams	3-14-01: 2 grams
1-6-00: 107 grams	8-7-98: 4 grams	7-15-99: 18 grams
3-19-98: 8 grams	5-16-00: 447 grams	8-9-01: 5 grams
2-11-00: 3 grams	8-29-98: 2 grams	8-4-99: 2 grams
3-25-98: 30 grams	5-16-00: 2 grams	8-12-01: 6 grams
4-14-00: 38 grams	11-20-98: 2 grams	8-20-99: 10 grams, 4 live plants
5-29-98: 3 grams	11-9-00: 20 grams	9-1-01: 6 grams
5-16-00: 443 grams	2-25-99: 14 grams	9-10-99: 2 grams
6-1 9-98: 1 gram	1-8-01: 30 grams	12-21-01: 2 grams
5-16-00: 442 grams	3-14-99: 14 grams	12-27-01: 2 grams
7-23-98: 3 grams	3-14-01: 2 grams	12-22-01: 39 grams
	4-23-99: 5 grams	6-17-02: 1 gram

**• Cocaine:**

11-9-97: 1 gram  
3-20-98: 36 grams

**• Methamphetamine:**

3-5-98: 10 grams  
5-14-99: 28 grams  
3-5-98: 40 grams  
8-17-99: 3 grams  
3-5-98: 20 grams  
10-15-99: 3 grams  
7-26-98: 28 grams  
5-4-00: 3 grams  
8-25-98: 1,104 grams  
12-8-00: 6 grams  
8-29-98: 2 grams  
3-14-01: 15 grams  
9-11-98: 14 grams  
3-16-01: 2 grams  
1-22-99: 5 grams  
3-16-01: 2 grams  
2-15-99: 37 grams  
12-4-01: 1,779 grams  
4-23-99: 1 gram  
5-23-02: 1 gram  
7-5-02: 1 gram

**• Hashish:**

11-28-98: 5 grams

**• Ephedrine:**

9-7-00: 122 grams  
9-8-00: 1,824 grams

**• Ecstasy:**

3-16-01: 8 tabs

**• LSD:**

3-16-01: 125 doses

**• Opium:**

1-8-01: 14 grams

Presumptive test for these controlled substances was positive.

Since March 1997, Tracker has located these items recently contaminated with the odor of controlled substances:

**• Currency with methamphetamine odor:**

10-29-97  
12-16-99  
3-5-98  
8-26-02

**• Currency with marijuana odor:**

6-28-00  
1-8-01  
5-28-02

**• Plastic baggies with methamphetamine odor:**

6-30-98  
2-15-99

**• Paraphernalia with methamphetamine odor:**

7-11-98  
4-23-99  
1-14-99  
5-13-99  
2-15-99  
10-14-01  
4-12-02  
5-23-02

**• Paraphernalia with marijuana odor:**

7-3-98  
3-14-01  
9-11-98  
6-28-01  
2-25-99  
8-9-01  
11-9-00  
12-21-01  
5-17-02  
6-17-02  
7-5-02  
11-26-02

**• Plastic baggies with marijuana odor:**

9-11-98

**• Paraphernalia with cocaine odor:**

11-9-97  
7-3-98

No presumptive test was given. Controlled substance residue was consistent with my training and experience in the recognition of controlled substances.

Since March 1997, Tracker's positive alert has established probable cause for these search warrants:

- 8-25-98: Tahoe Township Justice Court (Nevada).
- 10-15-99: El Dorado County Superior Court (California).
- 3-8-00: El Dorado County Superior Court (California).
- 12-4-01: El Dorado County Superior Court (California).
- 5-27-02: Tahoe Township Justice Court (Nevada).

**DEPUTY TERRY FLECK'S EXPERIENCE, TRAINING, CERTIFICATIONS and NARCOTIC EXPERIENCE:**

- 25 years in law enforcement.
- 20 years as a Police Service Dog/Narcotic Detector Dog handler.
- 3,506 hours of basic and advanced Peace Officer training.
- 12,494 hours of basic and advanced Police Service Dog/Narcotic Detector Dog training.

- Additional information is contained in the attached resume.
- California P.O.S.T. Advanced certificate.
- California P.O.S.T. Canine Team Evaluator certificate.
- In the 20 years as a canine handler working three different dogs, Deputy Fleck has participated in hundreds of controlled substance searches.
- In addition, Deputy Fleck has been present and observed hundreds of controlled substance searches conducted by other canine teams.

#### **SEARCH REQUEST:**

On 12-30-01 at about 1730 hours, I met agents with the SLEDNET task force at Harrah's Casino at Stateline, Nevada. The agents requested a canine sniff of the air space surrounding numerous parcels and suitcases inside the Greyhound Bus depot within Harrah's.

I retrieved my certified Narcotics Detector Dog/Police Service Dog "Tracker" from my vehicle. I commanded Tracker to search for the odor of the controlled substances. He is trained to detect marijuana, hashish, cocaine, heroin and methamphetamine. Upon location of one of these five controlled substances, Tracker is trained to bite and paw at the source of the odor. This is called an "aggressive alert."

Tracker began to sniff the airspace surrounding the numerous items within the bus depot. Tracker sniffed several boxes. He came to a white cardboard box and alerted to the odor of one or more of the controlled substances that he is trained to detect. This alert may also indicate items recently contaminated with the odor of one or more of the controlled substances. Tracker alerted by biting and scratching the item where the odor was coming from. Tracker sniffed and then bit into the white cardboard box. Tracker then re-sniffed the other side of the box and bit into it. This alert is consistent with his training. This left two canine bites into the box.

SLEDNET Agent Bob Smith witnessed Tracker's alert. Smith noted the white box and is able to describe the box in detail.

Tracker continued to search the depot. He sniffed several other similar boxes and several suitcases. There were approximately 30 items, boxes and suitcases, within the depot. There was no other alert to the presence of controlled substances. Tracker disregarded all other items within the depot, with the exception of the white box. SLEDNET Agent Bob Smith took custody of the white box.

#### **CONCLUSION:**

Based upon the alert of Tracker, a certified Narcotic Detector Dog, and the reading of that alert by Deputy Terry Fleck, probable cause exists for a search warrant for the white box for:

- The presence of marijuana, hashish, cocaine, heroin or methamphetamine, and/or
- The presence of items recently contaminated with the odor of marijuana, hashish, cocaine, heroin or methamphetamine.