

**SEARCHES WITHOUT WARRANTS**

Search warrants provide the authority for only a small percentage of the searches, which are made every year in the United States. The authority for the great majority of the searches is other than that of a search warrant. To make a search, the officer must have authority; and the burden is upon him and the State to show that this authority did exist and, therefore, that the search was reasonable under the Fourth Amendment. The following are times when a search warrant is not necessary:

1. **Emergency situations:** Officers have probable cause to believe an emergency exists—bomb threats, gunshots heard inside a building, etc.
2. **Hot pursuit:** Officers have a suspect in continuous sight and see him or her enter a building; they may then search the building without a warrant.
2. **Incident to a lawful arrest:** Once a suspect is placed under arrest, officers may search the person and any area into which that person may reach for weapons or evidence.
4. **Stop and frisk (temporary detention):** Officers may do a "pat down" for weapons on any person whom they reasonably think is behaving suspiciously and is likely to be armed.
5. **With consent:** Officers need no warrant if the person who exercises control over property gives permission for the search.
6. **Lawful inspection:** Customs agents and airport security agents may search without warrants.
7. **Plain view:** If an officer is where he or she has a legal right to be and an item is in plain view, it can be seized without a warrant.
8. **Inventory searches:** After a person is under arrest, police may search the personal belongings in his or her possession at the time of arrest (car, book bags, pockets, etc.) in order to inventory the items and protect the police from theft charges.
9. **Vehicle searches:** Because of their mobility, vehicles may be searched without a warrant if officers have probable cause to believe that criminal evidence may be found in the vehicle.