

Can San Diego Police Conduct a Search Without a Warrant?

By Elliott Kanter

<http://www.criminaldefenseattorneyofsandiego.com/>

Usually, there are four situations where San Diego police may search your person or property without obtaining a search warrant:

Consent. If you give police permission to search, they do not need a warrant. However, it is best not to do this until you have spoken with your criminal defense attorney.

Incident to an Arrest. If you have been arrested, the police can search you as well as the immediate area where they arrested you (for example, your car or home) for any evidence or weapons. If any evidence is found, it can be used against you. In addition, if the police believe that there is an accomplice to the crime that may be hiding in your home, they can search the house and any evidence that is out in plain sight can be taken and used against you.

Evidence in Plain View. If the police find evidence on your person or property that is considered to be in plain view, they do not need a warrant to seize that evidence.

Emergency Exception. If the police have a reasonable and immediate fear for their own safety or for the safety of someone else, they may conduct a legal search without a warrant.

If you've been arrested for a criminal offense, you need a [San Diego defense attorney](#) with the experience to ensure you get a fair hearing. When it comes to protecting your rights, having the right defense lawyer can make all the difference. Elliott Kanter has successfully defended cases involving aggravated assault, child pornography, computer crimes, domestic violence, elder abuse, prostitution, rape, sex crimes, felony and misdemeanor DUI, drug crimes, murder, robbery, theft and white collar crimes.

About Elliott N. Kanter

30 years of experience on your side. With 30 years as a successful San Diego criminal defense lawyer and personal injury attorney, I am motivated by a sincere desire to help people. I always take the time to get to understand every client's unique situation. The Law Offices of Elliott N. Kanter is not a corporate law firm, we're here to help people like you.

We're not afraid of going to court. Believe it or not, most cases are negotiated long before they go to court. This saves a lot of time and as a result – saves you a lot of money. But we're here to fight for your best interests and if that means going to court, we're ready to do so. We prepare for every case as if we were going to trial. Our diligence pays off, because we get very good results, whether we go to court or not.

You want an experienced lawyer working for you. It's nice to believe that the legal system is a fair, impartial system. But the truth of the matter is, having the right lawyer can make all the

difference. In the courtroom there's only one person looking out for your best interests. It's not the judge, it's not the jury, it's your lawyer. So even if you don't choose my services, please take the time to find a qualified lawyer you trust. The Law Offices of Elliott N. Kanter earned an AV rating – the highest possible – with Martindale- Hubbell, so you can be assured of

our commitment to do our best for you. Please don't hesitate to call the Law Offices of Elliott N. Kanter at 619-330-5881 for a no cost, no obligation consultation. <http://www.elliottkanter.com> <http://www.criminaldefenseattorneyofsandiego.com/>