20ᵀᴴ JUDICIAL DISTRICT OF COLORADO
ADMINISTRATIVE ORDER   04- 105
SUBJECT: Affidavit Warrant Process

To: **Judges and Magistrates, District Administrator, Clerk of Court, District Attorney, Public Defender, Chief Probation Officer, Bond Commissioners, Law Enforcement Agencies**

From: **Roxanne Bailin**   **DATE:**   **April 14, 2004**
          Chief District Judge

Effective May 1, 2004, the following procedure will be implemented by the 20ᵗʰ Judicial District when issuing a Warrant for Arrest Upon Affidavit.

Law Enforcement shall use the format for the warrant coversheet, sample attached, when requesting an "Affidavit Warrant" and follow the Warrant Coversheet Checklist for obtaining such a warrant.

Warrants should be reviewed by the office of the District Attorney prior to going before a Judicial Officer for signature, setting of bond and bond conditions. The District Attorney will be responsible for verifying charges, including statute numbers and subsections, literal translation of statute(s) violated and classification of offense(s). The office of the District Attorney should review the warrant for appropriateness of walk-through (immediate data entry required by Clerk's Office staff) and indicate such approval on the warrant coversheet and entry into CCIC and/or NCIC on the warrant authorization form.

If the "Affidavit Warrant" is authorized as a walk-through, the warrant will be taken by the officer to a Judicial Officer for signature and to the Clerk's Office for case number assignment and immediate data entry.

If the "Affidavit Warrant" is not authorized as a walk-through or there is no warrant authorization form attached to the warrant upon filing in the Clerk's Office, the warrant will be processed by the end of business on the date of filing provided it is filed by 4:00 p.m. The officer may take the warrant to a Judicial Officer for signature and then to the Clerk's Office. Should the officer sign the warrant before a notary and not wish to speak with the Judicial Officer regarding the warrant, the officer may leave the warrant in a designated place in the Clerk's Office for signature by a Judicial Officer and processing by the Clerk's Office by the end of business, if received by 4:00 p.m., on the date of filing. The case number will not be assigned immediately, but will be assigned when the warrant is processed and a copy of the warrant coversheet will be forwarded to the requesting agency in the interdepartmental relay the following day. All warrants filed after 4:00 p.m. and not authorized as walk-through will be processed by the end of the next business day.

The Clerk's Office must be able to enter the name of the accused, demographic information and charges from the warrant coversheet. If the clerk cannot enter the above information from the warrant coversheet, the clerk will return the warrant to the District Attorney for clarification before entering the warrant into the ICON system.

Roxanne Bailin

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Hon. Roxanne Bailin
Chief Judge
Twentieth Judicial District

STATE OF COLORADO   **Walk-Through Authorized ❑**
COUNTY OF BOULDER   **DA**_____

_____ COURT, BOULDER COUNTY, COLORADO

Criminal Action Number_____

WARRANT FOR ARREST UPON AFFIDAVIT

BEFORE THE HONORABLE _____

The People of the State of Colorado,
To: Any person authorized by law to execute arrest warrants.

You are hereby commanded to arrest the person of:

<u>**John Q. Doe**</u>

DOB:	00/00/00	HAIR:	BROWN
HEIGHT:	5'11"	EYES:	BLUE
WEIGHT:	225	RACE/SEX:	W/M
DL #:	00-000-0000	SSN:	000-00-0000
ALIAS:		ALIAS D.O.B.:	

And take the person above-named without unnecessary delay before the nearest judge of the Court of Record; to be advised that the person is being held for the alleged commission of the following crime(s), to-wit: In violation of C.R.S., 1973 revised:

1)	18-4-203(1)	2nd Degree Burglary	F4 (1 count)
2)	18-4-203(1)	2nd Degree Burglary – Attempted	F5
3)	18-4-501	Criminal Mischief more than $100 less than $500	M2 (3 counts)
4)	18-4-401(2)(a)	Theft less than $100	M3 (2 counts)
5)	18-4-102	First Degree Arson	F3
6)	18-4-401(2)(c)	Theft over $500 but less than $15,000 – Conspiracy	F5

That this warrant for arrest is issued upon affidavit sworn to and affirmed before this court and relating facts sufficient to establish probable cause that the above-named offense has been committed and probable cause that the person named in this warrant committed that offense.

BAIL IS SET AT $_____ WITH CONDITION(S)_____
_____

DATE: _____   _____
                                                             Judge's Signature

Agency Case Report# _____
Officer Name: _____
Agency: _____

_____

<u>RETURN OF SERVICE</u>

          I hereby certify that I have duly executed this warrant on this _____ day of _____, 20_____,

by _____ as I am herein commanded.

SHERIFF FEES:

Service $_____
Mileage $_____   By: _____
Return $_____   Deputy
Total $_____   (4/14/04)

STATE OF COLORADO   **Walk-Through Authorized** ❑
COUNTY OF BOULDER   **DA**_____

_____ COURT, BOULDER COUNTY, COLORADO

Criminal Action Number_____

WARRANT FOR ARREST UPON AFFIDAVIT

BEFORE THE HONORABLE _____

The People of the State of Colorado,
To: Any person authorized by law to execute arrest warrants.

You are hereby commanded to arrest the person of:

NAME:

DOB: HAIR:
HEIGHT: EYES:
WEIGHT: RACE/SEX:
DL #:   SSN:
ALIAS: ALIAS D.O.B.:

And take the person above-named without unnecessary delay before the nearest judge of the Court of Record; to be advised that the person is being held for the alleged commission of the following crime(s), to-wit: In violation of C.R.S., 1973 revised:

That this warrant for arrest is issued upon affidavit sworn to and affirmed before this court and relating facts sufficient to establish probable cause that the above-named offense has been committed and probable cause that the person named in this warrant committed that offense.

BAIL IS SET AT $_____ WITH CONDITION(S)_____
_____

DATE: _____   _____
                                                       Judge's Signature
Agency Case Report# _____
Officer Name: _____
Agency: _____

RETURN OF SERVICE

      I hereby certify that I have duly executed this warrant on this _____ day of _____, 20_____,

by _____ as I am herein commanded.

SHERIFF FEES:

Service $_____
Mileage $_____   By: _____
Return $_____   Deputy
Total $_____   (4/14/04)

Warrant Coversheet Checklist

LAW ENFORCEMENT RESPONSIBILITY

- ❑ Court Name
- ❑ Defendant's Name
- ❑ Defendant's Demographics
- ❑ Charges
  - o C.R.S. Citation (including sub-paragraphs)
  - o Literal Translation of section allegedly violated
  - o Classification of section allegedly violated
- ❑ Agency Case #
- ❑ Name of Officer and Agency

DISTRICT ATTORNEY RESPONSIBILITY
- ❑ Verification of Charges
  - o C.R.S. Citation (including sub-paragraphs)
  - o Literal Translation of section allegedly violated
  - o Classification of section allegedly violated
- ❑ Authorization of Walk-thru for immediate entry by clerk (Warrant coversheet)
- ❑ Authorization of entry into CCIC &/or NCIC (DA Warrant Authorization)

JUDICIAL OFFICER RESPONSIBILITY
- ❑ Judge's Name (Printed)
- ❑ Bail Amount
- ❑ Conditions (including no contact provisions and type of bond)
- ❑ Signature on Warrant coversheet and Affidavit & date signed

(4/14/04)