

DISTRICT COURT, WELD COUNTY, COLORADO Court Address: 901 9th Avenue, Greeley, CO 80631-1113 Mailing Address: P.O. Box 2038, Greeley, CO 80632-2038	FILED Document – District Court 2007CV1 CO Weld County District Court 19th JD Filing Date: Jul 2 2007 10:47AM MDT Filing ID: 15429322
Administrative Order: 07-07	▲ COURT USE ONLY ▲
	Case No.: 07 CV 01 Division 1
ORDER ESTABLISHING DISTRICT PROTOCOL FOR GENETIC TESTING PURSUANT TO SB 06-150 (Sections 16-11-102.4 & 19-2-925.6, C.R.S.)	

Background

Senate Bill-06-150 requires genetic testing for the following persons:

- (1) Criminal defendants sentenced to a term of probation or a suspended sentence on any felony conviction or who receive a deferred judgment and sentence for an offense involving unlawful sexual behavior or for which the underlying factual basis involves unlawful sexual behavior. § 16-11-102.4, C.R.S.
- (2) Adjudicated delinquents sentenced to a term of probation or a suspended sentence for an offense that would constitute a felony if committed by an adult or who receive a deferred judgment and sentence for an offense involving unlawful sexual behavior or for which the underlying factual basis involves unlawful sexual behavior. § 19-2-925.6, C.R.S.

Protocol:

The 19th Judicial District shall the following protocol with regard to persons listed above:

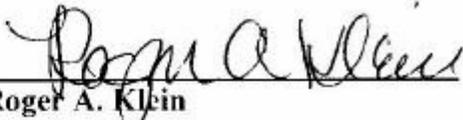
- (1) All of said defendants and all of said juveniles sentenced to supervised probation shall be ordered by the court to go to the probation department to submit to genetic testing by the probation department;
- (2) All of said defendants and all of said juveniles sentenced to unsupervised probation or a suspended sentence shall be ordered as a condition of unsupervised probation or a suspended sentence by the court to go to the probation department immediately to submit to DNA testing by the probation department. When the defendant or juvenile is sentenced the court judicial assistant shall enter an event code of DNAO once programming of this code is completed. Until such time the court judicial assistant shall notify the probation department via e-mail at Nidia.nevarez@judicial.state.co.us;

marlo.martinez@judicial.state.co.us; kevin.nelan@judicial.state.co.us that the defendant or juvenile is going to the probation department to submit to DNA testing.

- (3) If within twenty-four hours of the court order the defendant or juvenile fails to submit to genetic testing, the probation department shall notify the Weld County District Attorney's Office of such non-compliance. Thereafter the Weld County District Attorney's Office may file a complaint to revoke probation or a motion to impose the suspended sentence and request the issuance of a summons or warrant. The Weld County District Attorney's Office shall notify the court in writing of the failure of the defendant to comply with genetic testing regardless of whether the prosecution files a complaint to revoke probation or a motion to impose suspended proceedings.
- (4) At the time of sentencing the court shall assess a fee of \$128.00 for genetic testing and the court judicial assistant shall enter the sentencing code of OFID and shall enter the \$128.00 fee in the sentencing screen.

Dated: July 2, 2007

By the court:



Roger A. Klein
Chief Judge
19th Judicial District

This document was filed pursuant to C.R.C.P. 121, § 1-26. A printable version of the electronically signed order is available in the Court's electronic file.