

PUEBLO COMBINED COURT 320 West 10th Street Pueblo, CO 81003	
ADMINISTRATIVE ORDER 10-03	
ORDER ESTABLISHING PROTOCOL FOR THE ELECTRONIC TRANSMISSION OF ARREST AND SEARCH WARRANT DOCUMENTS PURSUANT TO § 16-1-106, C.R.S., AS AMENDED	

Background

1. C.R.S. §16-1-106 permits a peace officer to submit an application and affidavit for an arrest warrant or search warrant, and for the court to issue a warrant by an electronic transfer that will include an electronic, digital or digitized signature.
2. Colorado Rules of Criminal Procedure 41 (c)(3) authorizes search warrants to be issued by electronic transmission to a sitting judicial officer, who may act upon the transmitted papers as if they were originals.
3. C.R.S. §16-1-106 and Colorado Rules of Criminal Procedure 41 (c)(3) provide procedures for a sworn or affirmed affidavit, including the oral administration of an oath by the court.
4. The court recognizes that the implementation of C.R.S. 16-1-106: reduces travel time by law enforcement officers to the residence of judicial officers during non-business hours; promotes efficiency; and may increase community safety by timely executing an arrest warrant or search warrant.
5. Law enforcement agencies within the Tenth (10th) Judicial District are strongly encouraged to obtain the technology and technical support to comply with C.R.S. §16-1-106.

Protocol

Effective June 14, 2010 the protocol for application for and issuance of electronic warrants during non-business hours is as follows:

1. Law enforcement agencies within the Tenth (10th) Judicial District may apply for arrest warrants and search warrants electronically during non-business hours.
2. Law enforcement agencies shall first seek the approval for the proposed arrest or search warrant by communicating with the district attorney's office. Upon approval by the district attorney, the peace officer shall contact the on call judicial officer and advise the judicial officer of the forthcoming electronic application for the warrant. In the event of the unavailability of the on call judicial officer AND immediate emergency need of the peace officer another judicial officer may be contacted. Proposed documents are to be submitted to the judicial officer in WORD format to 10DutyOfficer@judicial.state.co.us and will be returned to the peace officer in ADOBE format so as to preserve the integrity of the documents reviewed by the judicial officer.
3. Whenever a sworn or affirmed affidavit is required, the court may orally administer the oath or affirmation over the telephone to the affiant and the affiant may then electronically transmit back to the court a written affidavit of the oath or affirmation.
4. Digital or digitized signatures will be accepted as authority to approve or deny all requests.
5. Upon signature the judicial officer will electronically transmit the warrant in ADOBE PDF to the requesting law enforcement agency and peace officer.
6. Any judicial officer email address or telephone numbers that appear on transmitted documents will be redacted by the Court Clerk's Office.

So ordered this 1st day of June, 2010.



Chief Judge Dennis Maes

Cc: 10th Judicial District Judicial Officers, 10th Judicial Court Administrator, Acting Clerk of Court Janet Thielemier, District Attorney's Office; Pueblo Sheriff's Office, Pueblo Police Department, Colorado State Patrol