

On March 24, 2020, the Court entered an Administrative Order (20-04), amended May 13, 2020, that gave law enforcement the discretion to not execute warrants issued by the judicial officers of this District under limited circumstances. The Court later vacated Administrative Order 20-04 when circumstances regarding the COVID 19 virus changed during the summer months. At this time there has been a surge in COVID 19 cases that once again is impacting the community and the inmates of the Pueblo County Jail.

Therefore, pursuant to the authority granted to Chief Judges in Chief Justice Directive 95-01 and in light of the public health risk posed by COVID-19 (“novel coronavirus”) and the advisories and information circulated by the Centers for Disease Control, the Colorado Department of Public Health and Environment, and local public health departments recommending active steps to slow the spread of the virus and precautions to reduce the risk of exposure, the Court hereby finds and orders:

If a law enforcement officer employed by a law enforcement agency located in Pueblo County, Colorado contacts an individual who has an active arrest or bench warrant issued by the county or district court in the Tenth Judicial District (Pueblo County) for a civil case, a misdemeanor offense, traffic offense, or petty offense, the officer is not required to execute the warrant and arrest that individual, unless the arrest or bench warrant includes a Victims Rights Amendment (“VRA”) offense listed in C.R.S. §24-4.1-302(1), domestic violence related offense, or the arrest or bench warrant includes a driving under the influence, driving while impaired, or driving with excessive alcohol content, and in that instance the person must be arrested on the warrant. Law enforcement officers are to be guided by community safety concerns and the risk of person absconding when deciding whether to execute and arrest a person on an active warrant covered by this order. When making this determination, the officer should consider the nature of the offense, the amount of bond set by the court, and any other information known to the officer relevant to the question of whether the individual poses a risk to the public or a risk of absconding if an arrest does not occur. If an individual is not arrested, that person shall be advised of the outstanding warrant by the officer and instructed to call the clerk of court’s office the following business day at (719) 404-8700 to clear the warrant and obtain a court appearance date.

This order does not apply to warrants issued by a municipal court, warrants issued by a state or district court in another Colorado county or judicial district, warrants issued by a court in another state, or warrants issued by any federal court or federal agency. This order also does not apply to warrants issued for felony

offenses, warrants that include any VRA offense listed in C.R.S. §24-4.1-302(1), domestic violence related offenses and warrants for driving under the influence, driving while impaired, and driving with excessive alcohol content.

This Order is in effect until further Order of the Court.

Date: November 6, 2020.

BY THE COURT:



DEBORAH EYLER
CHIEF JUDGE