

Chief Judge Directive 20-02

Concerning Summons in Lieu of Arrest and for Quashing Arrest Warrants and Proceeding with Summons

In light of the COVID – 19 (Coronavirus) pandemic and the continued spread of the virus throughout communities in Colorado, and in consideration of the court's obligation to ensure the public's safety and the safety of those incarcerated in county jails throughout the district, the following policies are effective immediately. This policy will remain in effect until further notice.

Summons in Lieu of Arrest:

Law enforcement agencies in the district are encouraged to proceed by summons in lieu of arrest whenever possible. Please see C.R.S. 16-5-206 for guidance on which types of cases may proceed via summons. Law enforcement officers should be aware that the judicial officers in the district will encourage them to proceed by summons whenever possible.

Proceeding by Summons on Arrest Warrant:

Law enforcement executing an arrest on any outstanding warrant for a charge that is eligible to proceed by summons may contact the on-call judge (Fremont) or the judge that issued the warrant (Park, Custer, Chaffee) to request that the warrant be quashed. This applies to unexecuted arrest warrants and also probation revocation warrants, warrants issued for bond revocation FTA warrants.

If the judicial officer orders that the warrant be quashed, the law enforcement officer will not execute the arrest warrant. The officer may proceed by summons if the offense is eligible pursuant to C.R.S. 16-5-206. For failure to appear warrants, bond revocation warrants and probation revocation warrants, the officer will communicate to the defendant instructions from the judicial officer regarding next court appearance.

All returns on summonses shall be given a return court date at least 60 days out from the date of issuance.

All summons must be returned to the Court and the District Attorney within 10 days.

Done in Salida, Colorado, March 19, 2020.

/s/ Patrick W. Murphy

Patrick W. Murphy

Chief Judge, 11th J.D.

THIS CJD IS REPEALED EFFECTIVE MAY 10, 2023. LAW ENFORCEMENT MAY STILL UTILIZE SUMMONS IN LIEU OF ARREST PURSUANT TO C.R.S. 16-5-206. -P.W.M.