

DISTRICT COURT, WELD COUNTY, STATE OF COLORADO Court Address: 901 9 th Avenue, Greeley, Colorado 80631 Mailing Address: P.O. Box 2038, Greeley CO 80632-2038 <hr/> <p style="text-align: center;">ADMINISTRATIVE ORDER 2015-04</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> Case No. 2015 CV 01 Division: 1
EVIDENCE COLLECTION, RETENTION, AND DESTRUCTION BY THE 19TH JUDICIAL PROBATION DEPARTMENT	

There are occasions when a probation officer discovers an item in the possession or immediate control of a probationer that is illegal or may not be possessed by the probationer under the terms and conditions of probation. The 19th Judicial District Probation Department (“Probation Department”) has created policies and procedures relating to the search of a probationer and the probationer’s immediate surroundings, and the collection and retention of evidence. The written policies and procedures, and any future revisions thereto, shall be approved by the Chief Probation Officer and the Chief Judge of the 19th Judicial District. The written policies and procedures shall be made available to all Probation Department employees, and shall also be available for public inspection, if requested.

It has come to the attention of the Court that there are numerous items stored at the Probation Department that were collected from probationers who are no longer on probation. Many of these items are contraband and may not be returned to the probationer. Other items may be lawfully possessed by the probationer after probation was terminated, and such items may be returned to the probationer.

The purpose of this Administrative Order is to provide the Probation Department with direction and authorization as to the disposition of items collected prior to September of 2011 that are presently stored in the Probation Department’s evidence locker, for cases in which the probationer is no longer on probation and the probationer is not presently serving a prison or community corrections sentence for the case in which the item was collected. If the probationer is still on probation or is serving a prison or community corrections sentence for the case in which the item was collected, the 19th Judicial Probation Department written policies and procedures, and not this Administrative Order, shall apply to the disposition of evidence.

The Probation Department is hereby authorized to destroy all illegal items collected prior to September 2011, for cases in which the probationer is no longer on probation and the probationer is not serving an alternative sentence for the case.

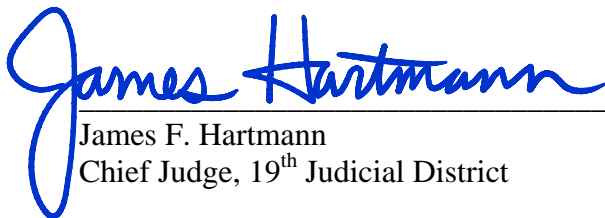
For items collected prior to September 2011 that may lawfully be returned to the probationer, the Probation Department shall attempt to contact the probationer using the last

known contact information in the Probation Department file to notify that person the property may be retrieved or the item will be destroyed. The Probation Department shall give the probationer twenty-one days to retrieve the item and may destroy the item if the probationer has not retrieved the item within the deadline or the probationer has not contacted the Probation Department to make other arrangements.

If the Probation Department is unable to determine from whom the item was collected, or the Probation Department is unable to locate the probationer, items collected prior to September 2011 may be disposed of or destroyed by the Probation Department. In anticipation of this Administrative Order, the Court published notice in the *Greeley Tribune* for three consecutive weeks from January 23, 2015 through February 6, 2015, notifying persons supervised by the Probation Department prior to September 2011 that they could retrieve their property stored at the Probation Department by contacting Chief Probation Officer Jerry Green by April 1, 2015. The affidavit of publication is filed in Case Number 2015CR01, and a copy of the affidavit is affixed to this order. The Court conferred with Chief Probation Officer Green on April 3, 2015, and learned that no one contacted the Probation Department to retrieve property after notice was published.

For cases in which the probationer is still on probation or is serving a prison or community corrections sentence, and all cases in which the probationer was sentenced to probation after September of 2011, the 19th Judicial Probation Department written policies and procedures shall apply to the collection, retention, and disposition of evidence by the Probation Department.

Dated: April 14, 2015


James F. Hartmann
Chief Judge, 19th Judicial District

Affidavit of Publication

STATE OF COLORADO

ss.

County of Weld,

I Cassie Clarken

of said County of Weld, being duly sworn, say that I am an advertising clerk of

THE GREELEY TRIBUNE,

that the same is a daily newspaper of general circulation and printed and published in the City of Greeley, in said county and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said daily newspaper for consecutive (days); that the notice was published in the regular and entire issue of every number of said newspaper during the period and time of publication of said notice, and in the newspaper proper and not in a supplement thereof; that the first publication of said notice was contained in the Twenty-third day of January A.D. 2015 and the last publication thereof: in the issue of said newspaper bearing the date of the Sixth day of February A.D. 2015 that said The Greeley Tribune has been published continuously and uninterruptedly during the period of at least six months next prior to the first issue thereof contained said notice or advertisement above referred to; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

January 23, 30, February 6, 2015

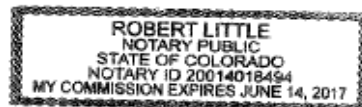
Total Charges: \$62.21

Cassie Clarken

6th day of February 2015

My Commission Expires 6/14/2017

Robert Little
Notary Public



FILED IN WELD COUNTY
COMBINED COURTS

2015 FEB 25 P 4:54

**IN THE DISTRICT COURT
IN AND FOR THE COUNTY OF WELD
STATE OF COLORADO**

NOTICE

Notice to all persons supervised by the Weld County Probation Department prior to September 2011:

If you were supervised by the Weld County Probation Department prior to September 2011 and have personal property stored at the Weld County Probation Department, you must contact Chief Probation Officer Jerry Green (970-475-2510) by April 1, 2015 to claim your property. Only items that may lawfully be possessed will be returned. All property not claimed by April 1, 2015 will be disposed of or destroyed. Please contact Jerry Green with any questions.

DATED: January 21, 2015

CATHERINE WALKER,
Clerk of the Combined Courts

By: Alard L. Hoffman
Deputy Clerk

The Tribune
January 23, 30, February 6, 2015