

DISTRICT COURT, 22ND JUDICIAL DISTRICT, MONTEZUMA AND DOLORES
COUNTIES, COLORADO

ADMINISTRATIVE ORDER 01-2006

**Approving the Voluntary Use of Intermediate Sanctions in place of Probation
Revocation in Misdemeanor and Traffic Misdemeanor cases**

Whereas, the use of voluntary intermediate sanctions permits more effective supervision by the probation department in misdemeanor cases and by private probation in traffic misdemeanor cases and:

use of voluntary intermediate sanctions holds the convicted persons more immediately accountable for violations, such as testing positive for controlled substances and:

the use of such voluntary intermediate sanctions avoids congestion of the court docket with advisements of motions to revoke probation and revocation hearings, saving time for the courts, probation and defendants.

Therefore, the undersigned Chief Judge of the 22nd Judicial District hereby approves the use of voluntary intermediate sanctions in misdemeanor and traffic misdemeanor cases.

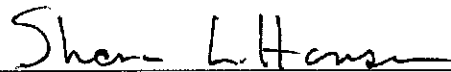
The attached Exhibit A shall be signed by any probationer who voluntarily agrees to intermediate sanctions in place of probation revocation. It is always the discretion of the probation officer to use intermediate sanctions or to file a motion to revoke probation

Any imposition of jail as an intermediate sanction requires a memo to impose such sanction and an order of the court approving such sentence.

A failure to report to probation for any presentence interview will result in the issuance of a bench warrant.

This Administrative Order is effective February 1, 2006.

SO ORDERED ON January 27, 2006,



Sharon L. Hansen
Chief Judge 22nd Judicial District

EXHIBIT A
ADVISEMENT TO DEFENDANTS CONCERNING PRESENTENCE
INVESTIGATIONS AND SANCTIONING GUIDELINES FOR DRUG
USE IF GRANTED PROBATION

1. . FAILURE TO APPEAR FOR PRESENTENCE INVESTIGATION

A defendant shall not miss any appointments scheduled by the Probation Department for the presentence investigation. The defendant is to contact the Probation Department immediately upon direction from the Court. There is no valid excuse other than death of family members or significant others, a defendant's hospitalization or incarceration. The defendant will report to the Probation Office or Court with a WRITTEN excuse for verification.

FAILURE TO APPEAR FOR THE PRESENTENCE INVESTIGATION WILL RESULT IN A WARRANT FOR THE DEFENDANT UNLESS A WRITTEN STATEMENT IS PROVIDED WITHIN TWO (2) DAYS TO THE PROBATION DEPARTMENT. ANY DEFERRED SENTENCE OFFER MAY BE REJECTED FOR FAILURE TO APPEAR.

2. SANCTIONS FOR DRUG/ALCOHOL USE WHILE UNDER PROBATION SUPERVISION (ADULTS)

Failure to report for a drug/alcohol test (urinalysis, breathalyzer, saliva swab) will be considered the same as a positive test. Sanctions relate to the number of missed urinalysis or number of tests that are positive and not the number of positive substances (i.e.-a positive test for THC and cocaine from the same sample is considered ONE positive test). It is your responsibility to provide a valid sample. A low creatinine level (below the laboratory cut off) may be grounds for sanctions.

- 1) 1st positive test-2 day jail sentence, immediate remand
- 2) 2nd positive test-5 day jail sentence, immediate remand
- 3) 3rd positive test-7 day jail sentence and/or revocation proceedings (arrest is possibility)

Revocation proceedings and/or intermediate sanctions may be imposed at any time at the discretion of the probation officer.

If I don't agree, I understand any violation may be a reason for revocation proceedings.

Defendant

Revised 1/24/200 SLH

Date